

Important Return to Work Information

Tomax Transport Pty Ltd's return to work obligations under Victorian Workers' Compensation legislation

Tomax Transport Pty Ltd's return to work obligations	How Tomax Transport Pty Ltd will meet its obligations
Make return to work information available and consult about how the information is made available	<p>Tomax Transport Pty Ltd will make return to work information available to its workers about:</p> <ul style="list-style-type: none"> (a) the obligations of Tomax Transport Pty Ltd under the legislation and how the employer is meeting the obligations; (b) the rights and obligations of workers under the legislation and how workers can obtain further information about their rights and obligations; (c) the name and contact details of the authorised Agent selected by the employer; (d) the name and contact details of the Return to Work Coordinator, if applicable; and (e) the procedure for resolving return to work issues in the workplace - <p>by providing workers with this document after consulting with them about how the information will be provided to them.</p>
Provide employment	<p>To the extent that it is reasonable to do so, Tomax Transport Pty Ltd will provide suitable employment to an injured worker if they have a current work capacity and provide pre-injury employment to them if they no longer have an incapacity for work.</p> <p>To the extent that it is reasonable to do so, Tomax Transport Pty Ltd will provide pre-injury or suitable employment to an injured worker for a period of 52 weeks of the worker's incapacity. This will commence from the date a <i>Certificate of Capacity</i> or a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed is received from the worker or from when the authorised Agent notifies us of receipt of same (whichever is the earliest).</p>
Plan return to work	<p>From the time that Tomax Transport Pty Ltd receives a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed or the initial <i>Certificate of Capacity</i> from the worker or the authorised Agent notifies us of receipt of same (whichever is earlier), Tomax Transport Pty Ltd will, to the extent that it is reasonable to do so, commence return to work planning for that injured worker.</p> <p>As part of that planning, Tomax Transport Pty Ltd will:</p> <ul style="list-style-type: none"> • obtain relevant information about the injured worker's capacity for work; • consider reasonable workplace support, aids or modifications to assist the worker's return to work • assess and propose options for suitable employment or pre-injury employment; • engage in consultation about the return to work of the worker; and • provide the worker with clear, accurate and current details of their return to work arrangements; and • monitor the worker's progress <p>as often as is necessary to enable the worker to return to work in employment which is consistent with the worker's capacity for work.</p>
Consult about the return to work of a worker	<p>Tomax Transport Pty Ltd will, to the extent that it is reasonable to do so, consult with the worker, the worker's treating health practitioner (with the consent of the worker) and occupational rehabilitation provider (if one is involved) in relation to the injured worker's return to work.</p> <p>Tomax Transport Pty Ltd will consult with the parties listed above by:</p> <ul style="list-style-type: none"> • sharing information about the worker's return to work • providing a reasonable opportunity for them to consider and express their views about the worker's return to work, and • taking those views into account. <p>Tomax Transport Pty Ltd will consult directly with the worker about their return to work, but the worker may be assisted by a representative during any consultation (except for a legal practitioner). The worker may be represented, assisted and supported during the return to work process.</p>
Nominate and appoint a Return to Work Coordinator	<p>Small employers (<\$2,895,010.00 remuneration):</p> <p>Tomax Transport Pty Ltd will nominate and appoint a Return to Work Coordinator for the duration of our return to work obligations to an injured worker. They will have an appropriate level of seniority and be competent to assist Tomax Transport Pty Ltd meet our obligations under Victorian workers' compensation legislation.</p>
Cooperate with labour hire employers	<p>If Tomax Transport Pty Ltd hires labour hire workers and the worker suffers an incapacity for work resulting from or materially contributed to by an injury arising out of working with us, we will, to the extent that it is reasonable to do so, cooperate with the labour hire employer in respect of action taken by the labour hire employer to provide employment, plan a worker's return to work and consult about the return to work of a worker to facilitate the worker's return to work.</p>

Resolution of return to work issues	<p>Tomax Transport Pty Ltd will attempt to resolve return to work issues in accordance with:</p> <p>The relevant procedure specified in the Return to Work Direction (Ministerial Direction) <i>Issue Resolution Process</i>.</p>
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Worker's return to work rights and obligations

Injured worker rights are:

- To be provided with return to work information and be consulted about how that information is to be made available
- To the extent that it is reasonable for **Tomax Transport Pty Ltd** to do so, to be provided with suitable employment if they have a current work capacity or pre-injury employment if they no longer have an incapacity for work for a period of 52 weeks in accordance with the legislation.
- To be consulted by **Tomax Transport Pty Ltd** about planning their return to work.
- To be provided with clear, accurate and current details of their return to work arrangements as part of planning for their return to work.
- To the extent that it is reasonable for **Tomax Transport Pty Ltd** to do so, to be consulted and be provided with information about their return to work. The injured worker must be given a reasonable opportunity to consider and express their views about their return to work and have those views taken into account.
- To be represented, assisted and supported (except by a legal practitioner) during any stage of the return to work process, including in the consultation process.

Injured worker's obligations are:

- In co-operation with **Tomax Transport Pty Ltd** and the Agent, to make reasonable efforts to actively participate and cooperate in planning for their return to work.
- In co-operation with **Tomax Transport Pty Ltd** and the Agent, to make reasonable efforts to return to work in suitable or pre-injury employment at their place of employment or at another place of employment.
- To actively use an occupational rehabilitation service where provided and cooperate with the provider of that service.
- To actively participate and cooperate in assessments of their capacity for work, rehabilitation progress and/or future employment prospects at the request of **Tomax Transport Pty Ltd** and/or the Agent.
- To actively participate and cooperate with the representative of the Agent in an interview to enhance their opportunities to return to work, as required.
- If an issue about their return to work arises, to attempt to resolve the issue in accordance with the procedure for resolving return to work issues (see above).

If you do not comply with one or more of the above obligations, your weekly payments may be suspended, terminated or ceased and determined in accordance with the legislation by our Agent.

Additional details regarding the rights and obligations of an injured worker are available in WorkSafe's *Return to Work Obligations – Information for workers* fact sheet available from worksafe.vic.gov.au or via the WorkSafe Advisory Service ph: (free-call) 1800 136 089 or (03) 9641 1444.

Where to get help

Our Return to Work Coordinator

Name: Damien Van Trier **Phone:** 0412 529 328

Email: damien@tomax.com.au **Postal Address:** PO Box 241 Mt. Waverley VIC 3149

Our Authorised Agent

Name: Allianz **Phone:** 13 1000 **Web:** Allianz.com.au

Postal Address: 46 Haigh St Moe VIC 3825

WorkSafe

Phone: free call 1800 136 089 **Web:** worksafe.vic.gov.au **Email:** info@worksafe.vic.gov.au