

This Return to Work Arrangement is part of a Return to Work Program and does not constitute a New Contract of Employment. The Department of Education and Training formally offers you the following limited/temporary period job offer pursuant to Section 194 of the Accident Compensation Act 1985 and Section 103 of the Workplace Injury Rehabilitation and Compensation Act 2013. (See Explanatory notes)

Return to work
Arrangement for:

Date Arrangement
prepared:

Return to
Work
Arrangement
Number:

Claim Number:

Pre-injury
Occupation:

Return to Work
Location:

Return to Work
Commencement date:

Return to Work
Review date:

Medical Restrictions and or Capacity to Work: *(As per Certificate of Capacity / discussions with the Treating Health Practitioner / Independent Medical Examination)*

Return to Work Support: *(Workplace supports, aids or modifications to be provided)*

Description of Return to Work Duties: *(Team teaching, One-on-One teaching, Administrative duties, etc.)*

Working Timetable:

Week Commencing:

Hours per week:

| | Monday | Tuesday | Wednesday | Thursday | Friday | |
|----------------------------|--------|---------|-----------|----------|--------|--|
| Week 1 | | | | | | |
| From: <small>START</small> | | | | | | |
| To: <small>FINISH</small> | | | | | | |
| Week 2 | | | | | | |
| From: <small>START</small> | | | | | | |
| To: <small>FINISH</small> | | | | | | |
| Week 3 | | | | | | |
| From: <small>START</small> | | | | | | |
| To: <small>FINISH</small> | | | | | | |
| Week 4 | | | | | | |
| From: <small>START</small> | | | | | | |
| To: <small>FINISH</small> | | | | | | |

Prepared by:

Position:

Employee: I will participate in this Return to Work Arrangement

Name:

Contact Number:

Signature:

Date:

Return to Work Coordinator: I will monitor, review and implement this Return to Work Arrangement

Name:

Contact Number:

Signature:

Date:

Treating Doctor: This Return to Work Arrangement is consistent with the worker's capacity

Name:

Contact Number:

Signature:

Date:

Explanatory notes

1. Section 194 of the Accident Compensation Act 1985 (ACA) and Section 103 of the Workplace Injury Rehabilitation and Compensation Act 2013 (WIRCA) requires DET to provide employment to an injured worker who can return to work to the extent that it is reasonable to do so.
2. To the extent that it is reasonable to do so, the ACA and WIRCA requires DET to 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.
3. To the extent that it is reasonable to do so, DET will provide pre-injury or suitable employment to an injured worker for a period of **52 weeks** of the worker's incapacity.
4. This will commence from the date a WorkSafe Certificate of Capacity or a Worker's Injury Claim Form in which weekly payments are claimed is received from the worker or from when the Agent notifies DET of receipt of this (whichever is the earliest).
5. This RTW Arrangement/Pre-Injury Employment (Offer) details the return to work arrangements and suitable work duties that are being offered to the fixed term employee, or former fixed term employee, named in this Offer. The duties detailed in this Offer are consistent with work capacity as prescribed by medical advice.
6. Injured workers employed by DET on a fixed term contract have an employment relationship with DET until the termination of their employment date of expiry of their contracts. After the termination expiry date of the employment contract, the relationship between DET and the injured worker is subject to Section 194 of the ACA and Section 103 of the WIRCA. The obligation to re-employ a former employee applies only within the period of **52 weeks** calculated in accordance with Section 194 ACA and Section 103 WIRCA. Once that period ends, so does the obligation to provide pre-injury or suitable employment.
7. This Offer does not create an intention to offer new ongoing employment and nor does it enliven any ongoing employment obligation in any industrial agreement. Once the period under Section 194 of the ACA and Section 103 of the WIRCA has expired, any further employment will be dependent on the worker being medically assessed as fit to perform the inherent requirements of the job and the normal merit based recruitment processes will apply.
8. The injured worker, while undertaking the suitable/pre-injury duties specified in this Offer will be paid a salary based on the hourly rate for the hours worked, plus any WorkCover weekly compensation benefits to which they are entitled. For current fixed term employees the employment conditions, rate of pay, make up pay and other entitlements will be in accordance with the instruments that apply to the injured worker's under the relevant industrial instrument employment contract.
9. For former fixed term employees who are injured the employment conditions, rate of pay, make up pay and other entitlements will be in accordance with the instruments that applied to the former employee's pre injury employment contract.