



# Fitness for Work Policy

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## 1. Background

Under the [Occupational Safety and Health Act 1984](#), and the [Occupational Safety and Health Regulations 1996](#), WA Country Health Service (WACHS) has a duty of care to provide a safe working environment. WACHS is committed to ensuring the safety of employees and others in the workplace by providing appropriate support to employees who have a non-compensable condition.

In addition to WACHS' obligations, for employees registered with the Australian Health Practitioners Registration Regulation Agency (AHPRA), under the Health Practitioner Regulation National Law, practitioners may be required to undergo a health assessment if it is reasonably believed that the practitioner has, or may have, an impairment that does or may adversely affect their capacity to practice.

## 2. Policy statement

### 2.1 Scope

WACHS employees are to be fit for work at all times in the workplace. On presentation for work and at all times in the workplace, each employee is to ensure they are fit to perform all tasks required of them.

The management of fitness for work is a shared responsibility between WACHS and each employee, in conjunction with appropriate medical advice.

This policy applies where an employee's ability to perform the inherent requirements of their role may be affected by a non-compensable condition.

### 2.2 Assessment of fitness for work

An employee may be unable to safely perform, or is restricted in their capacity to undertake the inherent requirements of their position because of a non-compensable condition.

Factors that could affect an employee's fitness for work include:

- General health and fitness
- Secondary employment or volunteer activities
- Recreational activities and sport
- Medications
- Fatigue or insufficient sleep
- Excessive work hours or demands
- Injury or illness
- Consumption of alcohol or other drugs
- Personal issues (e.g. psychological or psychiatric health, family issues or illnesses)

The circumstances and impact are to be assessed by the relevant line manager in consultation with occupational safety and health (OSH) and human resources (HR), taking into account:

- workplace duty of care to provide a safe working environment
- employee's ability to undertake the inherent requirement of their position
- potential impact on the work area and service delivery
- medical advice and recommendations
- operational requirements
- applicable industrial instruments
- any other relevant information.

Discussion between the employee and line manager in consultation with OSH and HR may take place in the first instance.

Consideration is to be given to reasonable and practicable modifications or adjustments to be safely accommodated in the workplace.

Assessment and control measures may include, but are not limited to the following, with approved consent where applicable:

- seeking information on the employee's medical status from the treating medical practitioner
- requesting medical information from the employee
- seeking an independent medical assessment of the employee
- directing the employee to cease duties and leave the premise.

For further information line managers can consult with HR and OSH for guidance and support.

### **Independent medical assessment**

WACHS may require an employee to attend an independent medical assessment with an appropriate specialist, to ascertain their capacity to perform the inherent requirements of their position. Requests for medical assessments will be in accordance with the applicable industrial instruments, and at the cost of the departmental work area.

A decision to proceed with a medical assessment must be undertaken by the level of management outlined in the Authorisations Schedule.

### **Fit for work plan**

Medical advice will be reviewed and considered.

Following agreement between WACHS and the employee, a 'fit for work plan' (refer to 3. Definitions) may be developed.

### 3. Definitions

<b>Duty of care</b>	An employer must, as far as practicable, provide a work environment in which employees are not exposed to hazards. Employees must take reasonable care for their own safety and health, and that of others, at work.
<b>Employee</b>	A person employed directly by WACHS via a contract of employment.
<b>Fit for work</b>	An employee is able to safely perform the inherent requirements of their position.
<b>Fit for work plan</b>	A documented agreement outlining reasonable modifications or restrictions in accordance with medical recommendations.
<b>Inherent requirements</b>	The essential components of the role an employee is engaged to undertake, as indicated on the job description form.
<b>Manager</b>	A person responsible or with delegated responsibility to ensure oversight, compliance and implementation of this policy in the workplace.
<b>Non-compensable condition</b>	A condition that affects an employee’s ability to perform the inherent requirements of their position that is not being managed under the WACHS Workers Compensation Procedure. This may include, but is not limited to, physical or psychological impairment, use of prescribed or non-prescription medication, alcohol or prohibited substances, fatigue or other concerns.

### 4. Roles and Responsibilities

**Managers/Supervisors** are required to:

- Identify fitness for work issues within their work area, and address in accordance with this policy, as soon as they become aware of such issues.
- Actively engage with the employee in matters relating to fitness for work.
- Offer appropriate support to employees, including Employee Assistance Program (EAP), in accordance with the requirements of this policy.
- Undertake ongoing case management including monitoring progress and follow-ups
- Liaise with HR on issues related to pay, entitlements and contractual matters.
- Consult with HR and OSH for guidance and support on technical advice, as required.
- Ensure they have the authority for any decisions or actions taken in compliance with the Authorisations Schedule.

**Employees** are required to:

- Present for work in a fit and healthy state to perform their inherent duties
- Notify their manager of a non-compensable condition preventing them from being able to safely undertake the inherent requirements of their position
  - As soon as possible, inform their manager if there has been a change in their capacity or fitness, either on a temporary or permanent basis.
  - Inform their manager if they are taking any medication that may affect their fitness for work
- Cooperate and provide reasonable medical evidence or documentation from the treating medical practitioner to assist in the determination of their fitness for work
- Attend medical assessments when reasonably directed to do so by WACHS and
  - participate in discussions around reasonable and practicable adjustments and modifications.

**Regional HR** is required to:

- Provide advice to managers and employees on managing fitness for work
- Issues and options available to employees.
- Provide advice to managers and employees on utilising leave, delegation authority schedule, and termination of employment, as required.
- With approved consent, correspond with medical practitioners and employees; arrange fitness for work assessments, as required.
- Discuss findings of medical reports with managers and employees to implement appropriate action.
- Maintain medical reports in accordance with records management policy
- Consult with OSH for guidance and support on technical advice, as required.
- Liaise with Industrial Relations as required.

**Regional Occupational Safety and Health Coordinators** are required to:

- Provide support to managers in assisting to accommodate reasonable and practicable adjustments and modifications, within scope of medical recommendations.
- Recommend referral for job demands assessment, ergonomic assessment, or other relevant assessment, as required.
- Support managers in documenting a fit for work plan.
- Provide guidance and support to managers and HR, as required.

**Injury Management Coordinators** are:

- Available to provide advice when required.

**Industrial Relations** are:

- Available to provide advice to HR when required.

## 5. Compliance

This policy is a mandatory requirement under the [Occupational Safety and Health Act 1984](#).

Failure to comply with this policy may constitute a breach of the WA Health Code of Conduct (Code). The Code is part of the [Integrity Policy Framework](#) issued pursuant to section 26 of the [Health Services Act 2016](#) (WA) and is binding on all WACHS staff which for this purpose includes trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within WACHS.

WACHS staff are reminded that compliance with all policies is mandatory.

## 6. Records Management

Medical records regarding employee fitness for work are to be stored with privileged access only.

All WACHS corporate records must be stored in the approved Electronic Documents and Records Management System.

[Records Management Policy](#)

## 7. Evaluation

Evaluation and review of this policy is to be carried out by the Work Health and Safety Department every five years (or earlier if required).

## 8. Standards

[National Safety and Quality Health Service Standards](#) – (Second edition 2017)  
Standard 1: Governance, leadership and culture - 1.1a, 1.7c, 1.10a, 1.10c.

## 9. Legislation

[Occupational Safety and Health Act 1984](#) (WA)  
[Disability Services Act 1993](#) (WA)  
[Equal Opportunity Act 1984](#) (WA)

## 10. References

[Occupational Safety and Health Regulation 1996](#) (WA)

## 11. Related Forms

Not applicable.

## 12. Related Policy Documents

[Hazard Incident Management Procedure](#)

## 13. Related WA Health System Policies

Nil

## 14. Policy Framework

[Employment](#)

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on request for a person with a disability**

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