# **Recommendations**

# **Recommendation 1**

3.51 Noting the in-principle agreement reached for the use of Facility Nominated Doctors, the committee recommends that Australia Post and the unions representing its employees continue to work in good faith to develop the details of the new policy within the context of the new enterprise agreement. The committee urges both parties to ensure that once a lawful and fair agreement has been reached, both sides work to ensure that employees and managers are well-informed of their rights and obligations with respect to injury management processes.

### **Recommendation 2**

- 4.23 The committee recommends in the strongest terms that Australia Post consider ceasing the practice of using medical assessments obtained under the Injury Management (Early Intervention) Policy for workers' compensation purposes.
- 4.24 The committee further recommends that Australia Post ensure that every time an employee attends a Facility Nominated Doctor (FND), whether voluntarily or compulsorily, the employee is advised of the uses to which the FND's medical assessment may be put. The committee urges Australia Post to consult with the unions representing Australia Post employees to develop appropriate material to inform employees of the implications of FND visits.

#### **Recommendation 3**

5.65 The committee recommends that Australia Post develop processes through which injured workers have buy-in to their return to work program, and which ensure that all injured workers are given appropriate work to undertake on their return. Specifically, the committee advises that in each instance, a manager should discuss with an injured employee what duties they are physically capable of, would find satisfying, and would be happy to perform.

## **Recommendation 4**

5.69 The committee recommends in the strongest terms that Australia Post consider directing managers that they are not to be present in employee medical consultations unless their presence is specifically requested by the employee. The Injury Management (Early Intervention) Policy ought to be revised accordingly.



# **Table of Contents**

Committee membership	iii
Recommendations	v
Abbreviations	ix
Chapter 1 - Introduction	1
Report Structure	2
Acknowledgment	2
Chapter 2 - Background to the inquiry	3
Concerns about Australia Post's injury management program	3
Regulatory framework governing Australia Post's workplace safety	4
Chapter 3 - Key issues: Attendance at Australia Post nominated doctors	11
Voluntary and mandatory attendance at Australia Post nominated doctors	11
Australia Post's use of the Principal Determination	16
Legal status and scope of the Principal Determination	17
Committee comment	19
Proposed new model for the use of facility nominated doctors	20
Chapter 4 - Key Issues: The use of FND assessments to determine workers compensation claims	23
Does the practice breach Comcare's policies?	23
Privacy concerns	25
Committee comment	26
Chapter 5 - Key issues: Return to work and appropriate duties	29
Early return to work as best practice	30
Lost Time Injury management bonuses	34

The relationship between Australia Post and InjuryNET	37
Committee comments	41
Chapter 6 - Committee conclusions	45
Family First – Additional comments	49
Appendix 1 - Submissions	51
Submissions	51
Appendix 2 - Public hearings	53
Appendix 3 - Tabled documents, additional information and answers to questions taken on notice	55
Tabled documents	55
Additional information	55
Answers to questions taken on notice	55