



KIWIRAIL HEALTH, INJURY AND WELLBEING MANAGEMENT PROGRAMME

**KIWIRAIL LIMITED AND THE RAIL & MARITIME TRANSPORT UNION –
WORKING TOGETHER TOWARDS SUCCESSFUL RETURN TO WORK**


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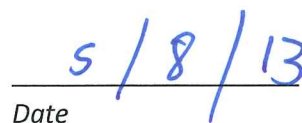
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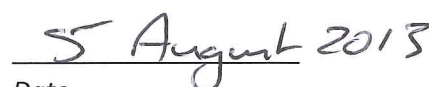
1.0 Agreed Policy Statement

- 1.1 The Health, Injury and Wellbeing Management Programme (HIWMP) involves the combined efforts of KiwiRail Group of Companies (KiwiRail), its employees and their union representatives, the Rail and Maritime Transport Union (RMTU), KiwiRail third party administrators (TPA) and the ACC in reducing the human and economic costs of injury and illness for all concerned. This guide sets out the agreed objectives and processes for the management of the HIWMP throughout KiwiRail.
- 1.2 Workplace based rehabilitation is an effective and proven way to help get people back to good health and work more quickly and achieve a more durable recovery following injury and/or illness. Undertaking medically appropriate tasks in a supportive, familiar environment is essential, and also reduces the secondary effects such as depression and loss of confidence which are known to prolong recovery time and sometimes prevent recovery altogether.
- 1.3 The HIWMP seeks to reduce health costs by promoting:
- ❖ Early referral
 - ❖ Early intervention through on-site rehabilitation
 - ❖ Pre-claim advice and assistance
 - ❖ Linking health and rehabilitation to wellbeing and injury prevention
 - ❖ Acceptance in the workplace of alternative duties
 - ❖ Early, medically appropriate, return to work by negotiated agreement
- 1.4 The HIWMP has become an integral part of the workplace based on a consultative approach between KiwiRail, its employees, union representatives, the RMTU and the KiwiRail appointed TPA. This cooperative approach, which is supported by the parties concerned, encourages an early safe return to work following incapacity (work or non-work related), or enables an employee to remain in the workplace while undergoing rehabilitation where safe to do so.
- 1.5 The signatures below show the commitment of KiwiRail and the RMTU to work together to assist employees to return to work following an injury or health issue. Both organisations are committed to ensuring that the HIWMP continues and is applied in a fair and equitable manner. Both parties are committed to achieving agreed injury and health management objectives including those detailed in this document


Matt Ballard, GM Safety and People


Wayne Butson, General Secretary, RMTU


Date


Date

2.0 Objectives

- 2.1 To assist employees in an early and safe return to work following an injury, medical or health issue (work and non-work related);
- 2.2 To assist in maintaining employees at work wherever possible. This may include:
 - The same job and same duties
 - Same job, modified duties, and/or
 - Another job;
- 2.3 To establish an organisational culture that reinforces active injury prevention and health and wellbeing promotion through the identification of hazards, hazard management and early reporting, supporting KiwiRail's emphasis on reducing incapacity;
- 2.4 To establish in KiwiRail and the RMTU a culture which reinforces that return to work rehabilitation is the usual course of action. This will begin at the time the injury or ill health is reported by the employee to his/her supervisor and/or manager;
- 2.5 To ensure when necessary, that there is early accurate medical assessment and involvement of a rehabilitation specialist and/or allied health professional to support the return to work/rehabilitation process;
- 2.6 To assist the employee to maintain themselves at work or to integrate them successfully back into the workforce. This will also assist in reducing possible psychological, family, social and economic costs;
- 2.7 To ensure that skilled/trained personnel are retained at work, thereby maximising resources and minimising productivity losses;
- 2.8 To reduce the human and economic cost of injuries and illness to both KiwiRail and its employees; and
- 2.9 To provide appropriate assistance to seriously injured or ill employees in order for them to maintain their independence and a full family and community life.

3. Programme Structure

- 3.1 The KiwiRail HSE Team has the day to day responsibility, in consultation with the KiwiRail business units and the RMTU, for establishing and maintaining policies, service standards and evaluating reported information from the various sites where health, injury and wellbeing services are being delivered.
- 3.2 The HSE Team is also responsible for ensuring that consistency in the standards and processes are upheld wherever possible including working with the affected employee, KiwiRail's appointed TPA, the ACC and RMTU on individual cases.
- 3.3 The operation of the HIWMP and associated procedures and reporting will be reviewed by the KiwiRail HSE Team and RMTU from time to time. The HSE Team and RMTU will be responsible for providing oversight to the management of the HIWMP including ensuring the objectives of the programme are being met and the tripartite nature of the programme is maintained.

4. Reporting of Incident Statistics

- 4.1 Under the ACC partnership programme KiwiRail's TPA will provide monthly reports to KiwiRail detailing work rehabilitation statistics therefore maximising the possibility of constantly evaluating and improving the programme. KiwiRail will provide a copy of relevant information from this report to our employees and the RMTU.

5. Roles of Key People

- 5.1 The signatories to this agreement recognise that their organisation will be responsible for the following roles in the HIWMP.

5.2 KiwiRail Manager/Supervisor

- Ensure all incident investigations and reports are completed in a timely manner
- To educate employees with regards to rehabilitation, its purpose and method of operation within the workplace
- To assist employee to medical treatment
- Complete the Initial Needs Assessment in conjunction with the employee on the same day as incapacity or first day reported where possible
- Ensure TPA case manager has been advised through the automated incident process within the required timeframes under the ACC Partnership guidelines
- Participate in the return to work process
- Assist with the identification of meaningful alternative duties
- Advise fellow employees of the returning employee's capabilities and negotiate any workplace adjustments in advance of the return to work
- Provide support and encouragement
- Supervise return to work on a daily basis (or delegate this)
- Liaise with TPA or ACC case manager over any changes or concerns

- Organise and participate in rehabilitation meetings ensuring all parties are included
- Ensure all employees have the right to representation when the initial needs assessment is completed and throughout the rehabilitation process
- Work towards agreement
- Maintain regular contact with incapacitated employee

5.3 Union / Employee Representative

- Support the employee in the return to work process
- Promote the concept of rehabilitation and return to work with employees
- Assist in identifying meaningful alternative duties
- Raise concerns in relation to individual cases with the KiwiRail manager/supervisor and HSE Team
- Participate in the return to work process
- Work with KiwiRail, TPA or ACC to assist with issues on individual cases
- Work towards agreement

5.4 TPA / ACC Case Manager

- Contact employee and assess needs
- Discuss with treating doctor and KiwiRail supervisor/manager and/or HSE Team and/or RMTU/Employee representative as necessary
- Maintain appropriate file records
- Develop a return to work plan and/or health improvement plan in consultation with all parties
- Schedule rehabilitation meetings with employee and manager as required under the return to work / health improvement plan
- Liaise with other support providers (e.g. EAP)
- Liaise with claims/case managers concerning other ACC entitlements
- Work towards agreement

5.5 Incapacitated Employee

- Immediately notify manager/supervisor of medical/health issue
- Where practicable complete incident report with manager/supervisor within 24 hours
- Has representation throughout the rehabilitation process (e.g. union delegate or family member).
- Communicate with TPA case manager
- Attend and participate in rehabilitation meetings
- Help identify meaningful alternative duties
- Actively participate in the return to work process
- Undertake appropriate medical treatment to facilitate a safe return to work
- Take a proactive approach to recovery and on-going health and wellbeing
- Work towards agreement

6. How the Health and Wellbeing Programme Process Works

6.1 The Process

- 6.1.1 The inclusive and consultative nature of the rehabilitation meeting and plan is crucial in gaining acceptance of the programme in the workplace and in providing benefits for all involved.
- 6.1.2 KiwiRail will have robust procedures covering the processes required to ensure work and non-work related health and wellbeing is managed across the organisation in a fair and equitable manner.
- 6.1.3 Key components of these procedures are described below:

6.2 Alternative Duties

- 6.2.1 If an employee is unable to return to normal duties following injury or ill health, the TPA Case Manager and KiwiRail manager/supervisor will work with the incapacitated employee and employee representative on an appropriate return to work plan with meaningful alternative duties. These may include reduced working times on normal tasks or duties in other divisions/business units.
- 6.2.2 Any proposed alternative duties regime must be assessed to determine its physical, mental and emotional suitability for the individual involved. Duties must be within the medical restrictions.
- 6.2.3 There may be cases where alternative duties are not possible given medical restrictions and/or business needs.

6.3 Negotiation of the Return to Work Process

- 6.3.1 If a prospective alternative duties programme is found to be medically appropriate, a return to work (RTW) plan or health improvement (HI) plan shall be developed in negotiation with the incapacitated employee, supervisor of the alternative duties area and the union/employee representative and the TPA case manager. The RTW or HI plan shall be acceptable to all involved.
- 6.3.2 Where no agreement can be reached, rehabilitation and treatment will be in accordance with the Accident Compensation Act 2001 (ACC Act) (and all amendments).
- 6.3.3 The incapacitated employee's manager shall be actively involved in monitoring the rehabilitation progress and communicating this with the TPA case manager on a weekly basis.

6.4 Earnings Make-up

- 6.4.1 Where an incapacitated employee is returning to work on alternative duties, their wage will be paid in accordance with ACC regulations and any applicable employee agreements and will be based on the rates for their pre-injury role. For non-work cases, such payments will be debited against the employee's sick leave entitlement.

6.5 Supernumerary Status

- 6.5.1 Where an incapacitated employee returns to work other than 100% fit, it may be necessary for them to return on a supernumerary basis. This means that if ten people are normally required to

do the task, the incapacitated employee will return as an eleventh person. The need for supernumerary status will be discussed at the time of the rehabilitation meeting and will take into account medical and business considerations.

6.6 Medical Confidentiality

- 6.6.1 The TPA Case Manager will work within the ACC Act 2001 with regards to informed consent. Medical and case management information will only be released to the parties to this programme with appropriate consent in accordance with this Act.
- 6.6.2 This does not affect KiwiRail's right to obtain an assessment of the employee's health in accordance with the employee's employment contract.

6.7 Employee Support and Advice

- 6.7.1 Employees requiring support and advice may utilise services provided by the KiwiRail HSE Team, KiwiRail's TPA, Employee Assistance Programme provider and/or the RMTU.

6.8 Mutual Agreement

- 6.8.1 Mutual agreement will be reached on a RTW/HI plan between the employee, their manager/supervisor, TPA Case Manager and union/employee representative as appropriate. Where no agreement can be reached, the case will be managed in accordance with the ACC Act 2001.

6.9 Medical Clearance

- 6.9.1 Where an employee is in a safety critical role KiwiRail retains the right to request a medical clearance from a KiwiRail approved Registered Medical Officer (RMO) before the employee is deemed able to return to work. RMO costs will be at KiwiRail's expense.

6.10 Disputes Resolution

- 6.10.1 Disputes related to individual cases should be discussed at an arranged rehabilitation meeting with all the relevant parties present. These meetings will be without prejudice to the injured person's rights (including review and appeal) under the ACC Act 2001 or any other enactment.
- 6.10.2 The KiwiRail National Manager, HSE is the KiwiRail designated person dealing with disputes.

6.11 Related Documents

- 6.11.1 This document is to be read in conjunction with relevant Safety and People policies, guidelines and procedures, flowcharts and forms.



APPENDIX 1: HIWMP PROCESS FLOW

