

**Kardinia Park Stadium Trust**  
**Fitness for Work Policy and Procedure**

Framework	Policies and Procedures
Policy #	HRPOL034
Department	Human Resources
Date of Issue	15/6/20
Approver	CEO
Version #	2
Next Review	30/6/21

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## **I. Purpose**

Kardinia Park Stadium Trust (the Trust) is committed to the well-being of its employees and providing them with a safe and healthy workplace. The Trust has a duty of care to ensure that all individuals are fit for work whilst they are at work or undertaking activities on our behalf. The Trust believes in enabling employees to perform their work in a manner which is both productive and does not impact their own safety or the safety of others.

## **II. Scope**

This document applies to all Trust employees, including the Chief Executive Officer (CEO) and Trustees who are referred to in this document as employees. This policy can also apply to the Trust contractors, students on placements, volunteers and visitors.

## **III. Policy**

The Trust's Fitness for Work Policy defines the responsibilities of our employees, subcontractors, visitors and any other person who is on a Trust work site or intends to enter onto a Trust work site. The Trust recognises that an individual's fitness for work may be affected for a variety of reasons including, but not limited to, the adverse effects of fatigue, stress, alcohol or other drugs and through this policy shall provide a framework to deal with these issues.

The objectives of this Policy are to:

- Ensure a safe and healthy working environment free of work-related injury or illness;
- Minimise the risks of individuals presenting for work or conducting work while impaired;
- Establish fair, appropriate and effective steps to manage individuals who are unfit for work; and
- Provide assistance to individuals who are unfit for work

The Trust's Fitness for Work procedures set out a range of obligations for the Trust employees and individuals, in order to promote the effective and appropriate management of fitness for work issues.

This policy will apply to all Trust work sites (including when working from home) and will cover a range of issues that may impact on fitness for work including fatigue, stress, injury, physical well-being, medical issues and drugs and alcohol.

The Trust have an obligation under the OHS Act 2004 (VIC) to provide a healthy and safe workplace and both the Trust and its employees have a responsibility to ensure this obligation is met. This means that all employees have a responsibility to maintain personal 'fitness for work'. Employees are required to attend work in a good physical and mental condition so that their duties are performed in a safe, efficient and productive manner.

Employees should be aware that many factors may affect fitness for work, and these can often interact with each other. These may include:

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- General health and fitness
  - Secondary employment or volunteer activities
  - Recreational activities and sport
  - Medications
  - Insufficient sleep/fatigue
  - Excessive work hours/demands
  - Injury or illness (work or non-work related)
  - Consumption of alcohol
  - The use of drugs (prescription, non-prescription, illicit or other)
  - Personal factors (e.g. psychological, psychiatric issues, family issues or illnesses)

The Trust as well as individuals needs to ensure that they arrive and maintain a level of fitness to carry out their work tasks as assigned, this includes ensuring that:

- Drugs shall not be consumed on the organisation's premises, temporary worksites, in work vehicles, or at any time whilst conducting works tasks for the organisation.
- The computation of alcohol on the organisations premises, vehicles and whilst on duty is regulated under the Trust's Drug and Alcohol Policy and Procedure.
- Employees may take prescription drugs for legitimate medical reasons. If these drugs are likely to affect performance or behaviour, their immediate supervisor must be notified. This is especially important when workplace safety is at risk, such as when driving, working at heights or operating heavy machinery.
- The organisation has a responsibility to identify and act on all workplace factors that may influence an employee using alcohol or drugs as a support and implement a hazard management process to eliminate or control these risks.
- Any employee identified as having an alcohol or drug-related issue that is impinging on their ability to perform their duties:
  - will be treated with respect
  - can expect and will be afforded complete confidentiality
  - due to the nature of the work may be sent offsite until he/she is fit to resume works activities
- Being 'fit for work' by considering the following fatigue management aspects:
  - develop a lifestyle that takes account of working and rotating day/night shifts.
  - get into good habits to ensure that sufficient 'good quality' sleep (i.e. deep and uninterrupted) is obtained.
  - prepare adequately before starting work (e.g. meals, hydration, rest breaks)
  - when carrying out operational duties, use breaks to avoid fatigue.

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An employee who attends work in an unfit manner is operating outside the Trust's Drug and Alcohol policy and may be subject to counselling and/or disciplinary action, depending on the severity of the risk to safety. The Trust reserves the right to direct an employee, who it believes is unable to safely perform their duties due to some form of impairment, attend a medical practitioner of Trust's choice prior to continuation of duties. Non-compliance with a request for a fitness for work evaluation may be cause for disciplinary action.

#### **IV. Procedure**

##### **ASSESSMENT OF FITNESS FOR WORK**

Managers are responsible for initial assessment of an employee's fitness for work. If a Manager becomes concerned about an employee's ability to safely perform their work, either through direct supervision or report, they must take prompt action.

If an employee presents to work and the Manager deems that the employee is not fit to be at work, then the Manager should deal with this immediately after they become aware of the issue. The matter should be dealt with sensitively and as a matter of safety rather than discipline. The employee should be stood down from duties and a private discussion should take place to determine the cause of the problem.

The formality of this meeting will be dependent on the individual circumstances. For example, if the illness or injury is obvious then a simple direction to take a break or go home on personal leave will suffice but if the Manager has reason to believe that the employee is unfit due to reasons which breach policy (e.g. intoxication) then a disciplinary investigation should be initiated.

There may be some warning signs including:

- Lethargy
- Obvious struggle to complete tasks
- Out of character behaviour e.g. irritability, aggression or vagueness
- Apparent lack of attention or concentration
- Smell of alcohol/drugs on an employee
- Obvious injury or illness (e.g. flu symptoms, limping)

If an employee attends work when they are unwell or fatigued, generally they do so because they are conscientious, not because they are trying to put anyone else at risk. The Manager needs to make a judgement call as to the correct response in individual circumstances.

Appropriate actions may include:

- Having the employee take a short break
- Sending (or driving) the employee home on approved personal leave
- Driving the employee to a doctor or to the hospital (if they are not fit to drive themselves)

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- Calling an ambulance if the severity of their condition warrants it

The investigation of a workplace incident or accident will include consideration of fitness for work issues. The Trust's Drug and Alcohol Policy should be referred to for any fitness for work matters involving or suspected of involving the influence of alcohol or drugs. All work-related injury or illness is to be dealt with under the Trust's Injury, Rehabilitation and Return to Work Policy.

### **NON-WORK-RELATED INJURY OR ILLNESS**

A non-work-related injury or illness refers to an injury or illness (including physical, mental or psychological conditions) which does not arise out of the course of employment or that has been deemed not to be compensable under Workers Rehabilitation and Compensation Act.

If an employee experiences a serious non work-related injury or illness which affects their ability to undertake the full duties of their position, then a medical clearance from the doctor will be required before that employee will be permitted to return to work. If an employee presents to work unable to carry out the duties of their position, or where a Manager believes that there is a risk to them or another employee, they will be stood down until a medical examination can be carried out – at the employee's cost.

The Trust is under no legal obligation to provide alternative duties to an employee returning to work following a non-work-related injury or illness. In general, if an employee is not fit to return to the full duties of their position then they must remain on appropriate leave until such time as they are fit to return to their full duties.

In cases where an employee has no leave available, attempts will be made to provide alternative duties however there is no guarantee that alternative duties will be offered. For alternative duties to occur, there needs to be enough work to keep that employee productively occupied for the time that they're at work.

### **CHRONIC LONG-TERM FITNESS FOR WORK CONCERNS**

Where it is identified that an employee is not meeting the fitness requirements to carry out the inherent requirements of their position, a Fitness for Work (FFW) Management Plan will be developed. This plan will be developed by the Manager in consultation with the employee and the HR Manager.

Additionally, external medical/functional advice may be sought in specific circumstances. This plan is intended to support the employee to meet the requirements of their position over an agreed time period or to assess reasonable adjustment options where an employee has identified disability. The plan will include an explanation of the condition affecting fitness for work, the effects on the employee's ability to perform duties and what steps are to be put in place to remedy or manage the situation. This plan will be maintained as a confidential employee medical record with only authorised staff having access to this information.

### **AWARENESS AND EDUCATION**

Employee awareness of this policy will be initiated at induction and will be reinforced through ongoing communication in staff newsletters, toolbox meetings and awareness sessions.

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## HEALTH AND FITNESS PROMOTION

The Trust will actively promote employee health and wellbeing to encourage employees to maintain their own personal health and fitness.

### ASSISTANCE

Employees affected by fitness for work issues will be offered assistance through the Trust's Employee Assistance Program.

## V. Responsibilities

**General Manager** – Ensure that the policy is implemented consistently and fairly across the organisation. Provide adequate resources for education, training, counselling and other requirements of the policy. Establish procedures to safeguard sensitive medical and other personal information.

**CEO** – Ensure compliance with established procedures to safeguard sensitive medical and other personal information.

**Manager** – Manage the implementation of the policy, including holding discussions with employees regarding fitness for work risks as outlined in this policy. Maintain and oversee confidentiality relating to this policy. Sign employee medical clearance to return to duties and approve return to work following serious illness or injury including restrictions or reasonable adjustment arrangements. Resolve disputes/grievances within the scope of this policy including complying with time frames. Develop Fitness for Work Management Plans in consultation with employees as required.

**Human Resources** – Support Managers and staff in the implementation of the policy and its review. Participate in the development of Fitness for Work Management Plan's as required. Ensure accurate documentation of process and confidentiality is maintained.

**Employee** – Inform Manager of any potential fitness for work risks prior to commencing duty and completing their job responsibilities in a safe and effective manner. Always comply with medical restrictions. Provide medical certification of fitness for work prior to returning to work after non-work-related injury or illness.

## VI. Related Documents

- Code of Conduct
- Drug and Alcohol Policy
- Incident, Rehabilitation and Return to Work Policy
- Safety Management System

## VII. Version Control and Change History

VERSION NUMBER	DATE	DETAILS OF CHANGE
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1	22/12/2017	First Version
2	16/6/2020	Second Version

This document is part of the Safety Management System and any changes once approved and adopted need to be reflected in the SMS and communicated with the Safety Manager.