Fact sheet

# Injury management and Workplace Adjustments

## Supporting injured or ill employees with a workplace adjustment policy

Employees who are injured or ill may have a temporary disability that impacts their ability to work. This means that a workplace adjustment may help facilitate their participation in the workplace.

Under the [*Disability Discrimination Act 1992 (Cth)*](https://www.legislation.gov.au/C2004A04426/latest/text)and the [*Anti-Discrimination Act 1977 (NSW)*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1977-048)agencies should provide workplace adjustments to all employees with disabilities to facilitate them to perform their role, regardless of whether the injury or illness is work-related or not, unless the adjustment would cause the employer unjustifiable hardship.

People managers should ask all employees, including those returning after an injury or illness, if they require any workplace adjustments. Managers should ensure they refer to their agency’s workplace adjustment policy and related procedures in discussions with employees when they are returning to work after an illness or injury.

## What is injury management?

Injury management covers the activities and procedures taken to help workers with a work-related injury or illness safely return to work or recover while at work. This includes the employer’s obligations under the *Workers Compensation Act 1987 (NSW)* or the *Workplace Injury Management and Workers Compensation Act 1998 (NSW).*

Your agency’s workplace adjustment policy may not address these obligations specifically. People managers are encouraged to seek clarification from their agency’s work health and safety team, on their obligations and to advise on the correct policy and/or process to follow.

## How does the workplace adjustment policy impact injury management policies?

The workplace adjustment policy does not replace other injury management policies or procedures.

A workplace adjustment may be managed differently to a return-to-work program or workers compensation claim. While there can be similarities and some cross-over, they are managed under separate legislation and systems with additional and different obligations applying in relation to employees who have a work-related injury or illness.

Agencies may need to take additional steps to discharge their duties in relation to the matters not addressed under their workplace adjustment policy, including in relation to any obligations which may arise under workers compensation legislation.

Where a manager has questions or concerns regarding injury management and workplace adjustments they should seek advice from the relevant team in their agency. This may be HR, Legal or another specialist team. Remember that personal and health information about an employee may be subject to privacy and health legislation and may not be able to be shared without their consent unless authorised by law.