

	PROCEDURE	
	Fitness for Work	
	DEPARTMENT	ORGANISATIONAL SERVICES
	PROGRAM	PEOPLE & CULTURE
	APPROVED BY MANAGER	30 APRIL 2018

1.0 Scope

This procedure applies to all Mackay Regional Council (MRC) employees covered by the MRC Certified Agreement, related industrial instruments and any person who performs work for MRC including volunteer staff, consultants, contractor, and any other person who is working on a MRC site.

2.0 Purpose

MRC has a duty of care to ensure that all employees are fit for work while they are on MRC sites or undertaking activities on MRC's behalf. The objectives of this procedure are to:

- Ensure all employees report for duty fit and well to ensure the health and safety of all employees is maintained;
- Fulfil MRC's duty of care obligations with respect to providing a safe working environment for its employees;
- Ensure all employees who are deemed unfit for work are managed in an effective, fair and constructive manner; and
- Provide appropriate assistance to employees to overcome problems that could impair fitness for work.

3.0 Reference

The Fitness for Work internal operating guideline should be read in conjunction with the following relevant documentation and legislation:

- Work Health & Safety Act 2011
- Work Health & Safety Regulation 2011
- Transport Operations (Road Use Management – Fatigue Management Regulation 2008
- [Local Government WorkCare's Corporate Rehabilitation Policy](#)

This procedure should be read in conjunction with the following MRC documents:

- [Mackay Regional Council Certified Agreement](#)
- [Fitness for Work Policy 035](#)
- [Code of Conduct](#)
- [Medical Assessments Policy 016](#)
- [Drug & Alcohol Policy 011](#)

- [Disciplinary Procedure Policy 009](#)
- [Recruitment and Selection Policy 003](#)
- [Recruitment and Selection Internal Operating Guideline 009](#)
- [Non Work Related Injury and Illness Rehabilitation Process](#)

4.0 Definitions

To assist in interpretation, the following definitions shall apply:

Disciplinary Procedure shall mean actions that are taken when an employee has unsatisfactory work performance or breaches MRC's policy, procedures or any other work related rules and regulations.

Employee Assistance Program (EAP) shall mean a confidential, professional counseling service available to MRC employees and their immediate family members.

Fatigue is a state of mental and/or physical exhaustion which reduces a person's ability to perform work safely and effectively.

Fatigue Regulated Heavy Vehicle as defined by Transport Operations (Road Use Management) Act 1995, section 39J:

- 1) A heavy vehicle is a **fatigue regulated heavy vehicle** if it is any of the following –
 - a) a motor vehicle with a GVM of more than 12t;
 - b) a combination with a GVM of more than 12t;
 - c) a bus.
- 2) However, subject to subsection (3), a heavy vehicle is not a fatigue regulated heavy vehicle if it is any of the following –
 - a) a tram;
 - b) a motor vehicle that—
 - has been modified, primarily to operate as a machine or implement off-road, on a road-related area, or on an area of road that is under construction (e.g. agricultural machine, backhoe, bulldozer, excavator, forklift, front-end loader, grader, tractor, motor vehicle registered as a special purpose vehicle type); and
 - c) a motor home
- 3) A truck, or a combination including a truck, that has a machine or implement attached to it is a **fatigue regulated heavy vehicle** –
 - a) if the GVM of the truck or combination with the attached machine or implement is more than 12t; and
 - b) whether or not the truck or combination has been built or modified primarily to operate as a machine or implement off-road, on a road-related area, or on an area of road that is under construction.

Examples for subsection (3) - truck-mounted crane, truck-mounted drilling rig.

Fit for Work shall mean that an individual is in a state, (physically, mentally and emotionally) which enables the employee to perform assigned tasks competently and in a manner which does not compromise or threaten the safety or health of themselves or others.

Occupational stress shall mean the physiological and emotional responses that occur when employees perceive an imbalance between their work demands and their capability and/or resources to meet these demands.

Medical deployment shall mean an employee who has been deemed unfit for work and is placed into a position that they are able to manage with the medical condition.

MRC shall mean Mackay Regional Council.

Non Work Related shall mean an injury or illness sustained or contracted outside of the workplace.

Risk Assessment shall mean the process of identifying risks, risk analysis and risk evaluation. The process is used to think about what type of risk exists, the potential negative outcomes and deciding if adequate controls have been put into place to prevent the outcomes.

5.0 Background

MRC has a duty of care to ensure that all individuals are fit for work while they are on MRC sites or undertaking activities on MRC's behalf.

An individual's fitness for work may be impaired by a variety of factors including the adverse effects of medical conditions, level of physical fitness, fatigue, occupational stress or the use of alcohol and other drugs.

Where it is believed that an individual may not be fit for work, then intervention is required to ensure that the risk to health or safety is managed.

6.0 Responsibilities

Under work health and safety legislation, both the employer and the employee have 'duty of care' obligations.

An employee is required to:

- Notify their Manager/Supervisor of any health related condition (physical and psychological), whether work related or non-work related, that might impact on the performance of their normal duties;
- Ensure that they do not place themselves or any person at risk of injury or illness as a consequence of any incapacity;
- Participate in an independent medical assessment if required. This assessment will generally be conducted by MRC's preferred medical practitioner at MRC's cost;
- Cooperate with and participate in rehabilitation. Where possible, MRC will review reports from the employee's treating medical practitioner although MRC may require the employee also undertake an assessment with MRC's preferred medical practitioner at MRC's cost; (An employee has the option to seek a second opinion from their own Medical Practitioner at their own expense).

The Manager/Supervisor is required to:

- Document all observed incidents and/or behaviours that have given rise to concerns regarding an employee's fitness to perform their normal duties;
- Meet with the employee wherever possible in the first instance to discuss their concerns about fitness for work;
- Advise People & Culture immediately of any potential injury/ illness/condition which may impact on the employee's ability to perform their normal duties;
- Discuss with People & Culture the potential for a fitness for work medical assessment;
- Provide People & Culture with supporting documentation as part of the medical assessment process;
- Ensure that rehabilitation is commenced where appropriate;
- Conduct fatigue related risk assessments in consultation with the employee when required;
- Keep accurate records of all interviews, discussions, actions and outcomes.

Contractors will be required to:

- Prior to commencing work on site, inform their employees that they will be subject to MRC's Fitness for Work Policy.
- Arrange transport to their employee's home if they are found to be not fit for work and exclusion from site is necessary and they are not in a condition to drive.

7.0 Requirements

Fitness for work may be affected by:

- Medical Conditions
- Fatigue
- Occupational Stress
- Use of Alcohol and Other Drugs

7.1 Medical Conditions

If an employee has a medical condition that could affect their fitness for work, the employee must inform their Supervisor of the likely impact of the medical condition on their fitness for work. However, the employee is not obliged to disclose confidential medical information that has no impact or bearing on the ability of the employee to carry out their normal duties in a safe and effective manner.

Particular attention should be paid to the appropriate use of medication. Individuals must ensure that any prescription or non prescription medication is taken safely. This requires that individuals:

- discuss with the prescribing medical practitioner the nature of their duties and ascertain any possible side effects of the prescribed medication which may impact on their safety or performance at work
- notify their supervisor of any medication they are taking which could affect their safety or performance at work

- take any medication strictly in accordance with the medical practitioner's or manufacturer's recommendations, and
- report any side effects that may impact on their safety or performance at work to their medical practitioner and their supervisor.

7.2 Fatigue

Fatigue management is about regulating, measuring and managing the opportunity to obtain sufficient sleep and rest, and adopting a risk management approach to fatigue related risk factors. Fatigue can reduce physical performance and impact on psychological factors such as judgment, concentration, vision and decision-making processes.

Fatigue management is a shared responsibility and should be managed by both MRC and employees. There are two main sources of fatigue:

- Work related fatigue - might arise from extended hours of work, shift work, time of day, working in extreme temperature or working in high-risk situations;
- Non-work related fatigue - is generally the result of poor quality or inadequate sleep which may be caused by a number of reasons including sleep disruption, ill family members, distress, a second job, health and fitness level and domestic responsibilities.

7.2.1 *Identification of Fatigue*

Identification of persons who may be affected by fatigue can occur as a result of:

- Self-assessment and voluntary disclosure by the person affected;
- Direct observation of the affected person's behaviour;
- Completing a risk assessment.

Self-assessment

Employees are encouraged to self-assess where they believe they may be impaired due to the effects of fatigue. An employee who identifies they are impaired by fatigue (to the extent that it has the potential to create a health and safety risk) must cease work immediately and advise their Supervisor. The Supervisor must conduct a Fatigue Issue Risk Assessment to identify appropriate controls.

An employee who is unfit for work as a result of fatigue impairment shall apply for appropriate leave as per 7.6.3.

Direct Observation

A Supervisor or Co-worker may observe that an employee is fatigued. Some of the signs and symptoms of fatigue that may be observed include:

- Yawning,
- Restlessness,
- Heavy eyelids,
- Rubbing eyes,
- Head drooping,
- Difficulty concentrating on a task,

- Slow reactions,
- Lapses in attention
- Making errors
- More quiet than usual
- Lacking energy
- Poor memory
- Mood changes
- Emotional outbursts

7.2.2 *Fatigue Risk Assessment*

MRC has two SafePlan Fatigue Risk Assessment documents:

- Fatigue Issue Risk Assessment – A direct observation checklist and discussion guide designed to identify the level of risk due to fatigue to be completed by the Supervisor when an employee has been identified as exhibiting signs of fatigue.
- Fatigue Risk Management Assessment– This document can be used to assist in the evaluation and management of fatigue risks, allowing the documentation of hazards, risk level and control actions to be applied in circumstances where concerns have been raised for particular positions or work areas within MRC or when changes have been proposed to a system of work.

7.2.3 *Risk Factors*

Supervisors, when completing risk assessments in consultation with employees, should address the following risk factors/hazards that contribute to fatigue:

- Prior sleep and wakefulness – the amount of sleep they have had prior to work and the duration of awake time. Generally, the longer a person is awake, the more likely an incident will occur;
- Working without a rest break;
- Excess hours/overtime;
- Number of consecutive night shifts worked;
- Number of consecutive day shifts worked;
- Frequency of call out and emergency work outside standard work hours over a limited time period;
- Inadequate recovery from interrupted or poor quality sleep;
- Tasks requiring concentration or heavy or exhausting physical activity for extended periods of time;
- Tedious and monotonous work;
- Working in high heat or cold temperatures or humid conditions;
- Extended exposure on long shifts to noise, dust, chemicals, etc;
- Working in high risk situations – incidents are more likely to occur in work that is generally hazardous, such as when operating heavy machinery or plant;

- Rostering arrangements with early starts or late finishes;
- Driving vehicles while tired;
- Night work – incidents are more likely to happen in circadian low points (such as between the hours of 2am and 6am);
- Length of shifts worked – the effects of fatigue are cumulative, workers are more likely to feel fatigued in the final hours of a shift, than in the first few hours of a shift;
- How often the situation occurs – generally, the more often a worker is fatigued, the greater the likelihood is that an incident will occur;
- How many people are fatigued – generally, the greater the number of people who are fatigued, the more likely an incident is to occur;
- The skills and experience of persons fatigued;
- Any special characteristics of the people involved – for example if a worker is on medication for a medical condition that is affected by circadian rhythms and night shift work;
- Commuting – time spent travelling reduces time available for recovery and increases the risk of commuting incidents;
- Sleep inertia – drowsiness after being woken (can occur when on call at night);
- Ability to access food and refreshments.

7.2.4 *Control Actions*

The following control actions may be utilised by Supervisory staff to minimise the risk from fatigue:

- Alertness strategies including increasing interaction with others, coffee, exercise, cold air on face, increased lighting etc;
- Redesigning work practices so that routine administrative tasks are minimised for night shift workers, allowing them to focus on core duties during night work;
- Scheduling later start times so that maximum night sleep can be obtained before starting work;
- Scheduling low risk work during periods of high fatigue, such as night time, especially during the hours of 2am to 6am and/or in the latter half of shifts;
- Scheduling complex tasks to be performed during the day;
- Sufficient supervision, particularly during periods of high fatigue (such as night time, or in the latter half of shifts) and especially for hazardous work;
- Contingency plans if workers become fatigued – this would involve removing fatigued workers from work activities where there is a considerable risk to health and/or safety (eg operating heavy machinery or plant);
- Strict controls and procedures if performing hazardous work during high fatigue periods (especially during 2am to 6am);
- Job rotation for repetitive or monotonous work, or work that involves heavy physical demands;

- Additional rest periods or longer breaks;
- Ensure access to food and refreshments.

7.2.5 *Management of a Person Impaired by Fatigue*

Where a person has been identified with a level of fatigue that will present a risk to the health and safety of personnel or the safe operation of plant, the person's Supervisor will undertake the following steps:

For MRC Employees

- Record the fatigue assessment using Fatigue Issue Risk Assessment Form;
- Apply the appropriate control actions as outlined in 7.2.4;
- If required, arrange for suitable alternate duties;
- Where a person is not fit for duty or suitable alternate duties are not available, that person will be required to return home for the remainder of that shift. MRC may provide transport home if required. Supervisor to advise People & Culture that employee is not fit for duty and has returned home. Time off work will be in accordance with 7.6.3;
- Offer the services of EAP and/or medical practitioners.

For Contractors or Visitors

- Record the fatigue assessment using Fatigue Issue Risk Assessment Form;
- Report to the employer that there is an issue with fitness for work so that the employer can arrange to provide suitable alternative duties or exclusion from site;
- Redeploy or stand down the person for a nominated period;
- If required, advise the person's employer to arrange appropriate transport to their home if exclusion from site is necessary.

7.2.6 *Fatigue Regulated Heavy Vehicles*

According to the Transport Operations (Road Use Management—Fatigue Management) Regulation 2008, MRC's mobile library, street sweepers and tip trucks, patching trucks, water trucks and semi-trailers with a GVM greater than 12 tonne are classed as fatigue regulated heavy vehicles. If these vehicles are travelling less than 200km from their base and operate to standard hours of not more than 12 hours a day (Appendix 1: Fatigue Regulated Heavy Vehicle Standard Hours), the driver is not required to carry a log book. However, the following records, if required, must be kept for not less than three years from the date the record is made:

- the driver's name, driver licence number and contact details;
- the dates on which the driver drives a fatigue regulated heavy vehicle on a road;
- the registration number for each fatigue regulated heavy vehicle that the driver drives;
- the total of the driver's work times and rest times on each day on which the driver drives a fatigue regulated heavy vehicle;

- the total of the driver’s work times and rest times for each week during which the driver drives a fatigue regulated heavy vehicle;
- the driver’s rosters and trip schedules, including details of driver changeovers; and
- keep a copy of payment records relating to the driver, including time sheet records if the driver is paid according to time at work.

7.2.7 Rules for Managing Fatigue

The rules below for managing fatigue shall be applied in conjunction with the MRC Certified Agreement and the relevant Parent Awards.

The following table outlines the steps to be taken dependent on the shift length being worked when it is not part of an approved roster.

Up to and including 10 hours of work within a 24 hour period	<ul style="list-style-type: none"> • No special requirements
Over 10 hours, up to and including 12 hours of work within a 24 hour period	<ul style="list-style-type: none"> • Approval must be obtained from Supervisor • Prior to giving approval, Supervisor must assess the risks associated with working extended hours.
Over 12 hours, up to and including 16 hours of work within a 24 hour period	<ul style="list-style-type: none"> • Approval must be obtained from Program Manager • Employee and Supervisor/Coordinator to complete the Risk assessment form • Prior to travelling home, Supervisor and employee to re-assess fitness/fatigue levels. MRC may provide transport home if required.
More than 16 hours of work within a 24 hour period	<ul style="list-style-type: none"> • No individual permitted to work more than 16 hours in a 24 hour period unless in emergency or crisis situations as outlined in section 7.2.9 and with the approval of the Executive Manager/Director and only after a detailed risk assessment is conducted. • Prior to travelling home, Supervisor and employee to re-assess fitness/fatigue levels. MRC will provide transport home if required.
Total hours of work	<ul style="list-style-type: none"> • The total hours worked by an employee should not exceed (72) hours over a seven day period.

The above work hours should include any statutory breaks.

7.2.7.1 Approved Rosters

Rosters should be designed taking into account the potential for fatigue including start time of shifts, provision of rest days, order of rotating shifts, roster pattern and length of cycle.

If a roster involves shift lengths of more than twelve (12) hours, the roster will need to have a Fatigue Management Risk Assessment completed outlining the control actions required and

the roster approved by the Director. Rosters should not have shift lengths of more than 16 hours.

When developing rosters for fatigue regulated heavy vehicles (mobile library and street sweepers), the roster must conform to the minimum rest and maximum work hours as outlined in the Standard Hours Table at Attachment 1.

7.2.7.2 *Breaks*

Shift lengths and rosters shall be designed to allow a break of ten (10) hours between shifts.

Employees who work overtime shall be allowed a ten (10) hour rest break between completion of overtime and recommencement of work in accordance with the provisions within the MRC Certified Agreement 2011 and the relevant Parent Awards.

There shall be adequate rest and meal breaks during shifts.

7.2.7.3 *Callouts Sunday Night*

Employees who are called out from their home to perform emergency work in the 10 hour period prior to normal starting time shall be entitled to ten (10) consecutive hours off duty in accordance with the provisions within the MRC Certified Agreement 2011 and the relevant Parent Awards.

In regard to Sunday Night, the ten consecutive hours off duty shall only commence from the end of the last callout so long as the employee has worked a minimum of 3 hours, and will not result in a loss of pay for ordinary working time occurring during such absence. Should the employee choose to commence work on Monday within the ten consecutive hours following the end of the last call out, the supervisor will be required to conduct a Fatigue Issue Risk Assessment prior to the commencement of work, and work will be paid at ordinary rates.

For example, if your normal work start time is 6.30am weekdays then the 10 hour provision will start at 8.30pm Sunday night. Callouts in this time frame 8.30pm to 6.30am will attract the 10 hour break from the end of the last call out only if the minimum of 3 hours has been worked.

7.2.7.4 *Callouts After Hours*

The hours worked in a 24 hour period is cumulative of both normal work hours and after hour callouts.

7.2.8 *Employee's Obligations in Managing Fatigue*

Employees have a responsibility to effectively manage fatigue issues to prevent fatigue from impacting on their fitness for work. Employees have a responsibility to:

- Obtain adequate sleep to prevent fatigue.

- Exercise particular care to prevent fatigue at critical times such as returning to site after a break or during night shift.
- Inform their Supervisor if feeling seriously fatigued while on shift and must not remain on shift if they present a hazard to themselves or others.

There are a number of steps which employees can take to promote quality sleep at home and reduce the effects of fatigue:

- Sleep in a quiet environment and discuss the need for quiet with family;
- Take a warm bath or shower;
- Avoid mental stress just before bed;
- Turn off the phone;
- Sound-proof the bedroom and use white noise such as a fan;
- Darken the bedroom with thick curtains or alfoil on windows;
- Control the temperature (a cool room is better than a warm room);
- Sleep on a comfortable bed;
- Increase general fitness levels;
- Avoid exercise just before bedtime;
- Have an adequate intake of fluids;
- Avoid caffeine five hours before bedtime;
- Avoid alcohol;
- Eat a light snack before bed but never go to bed with a full stomach;
- Use sleeping aids like blindfolds and ear plugs;
- Avoid sleeping pills which can be addictive and can cause drowsiness during the next shift.

Employees can try these steps to stay alert on the job:

- Discuss the need for short breaks during the shift with your Supervisor;
- Try and work in a buddy system. Talking with others can help keep you alert and co-workers can be on the look-out for each other for signs of drowsiness during the shift;
- Try and exercise during breaks;
- Try and eat three healthy meals a day, avoiding foods that upset your stomach;
- If you drink caffeinated drinks, try not to have your last caffeinated drink four hours before bed.

7.2.9 *Emergency and Crisis Response*

Only in the event of an emergency or crisis, extra ordinary hours (more than 16) may be worked and must be signed off by the Executive Manager/Director after the completion of a Fatigue Management Risk Assessment.

The working of extra ordinary hours will be limited to an emergency and/or crisis deemed by the CEO.

Where possible, regular rotation of Emergency Personnel will occur to ensure adequate rest and recovery. On completion of emergency responses, a sufficient rest break of no less than 10 hours shall be provided to ensure adequate restorative sleep prior to returning to normal duties.

7.3 Occupational Stress

In some situations, people are distressed to the extent that they may suffer from a range of disorders including anxiety, depression and other stress-related conditions and sustained stress, in some situations, might lead to physical, psychological, or psychiatric illness or disease.

Supervisors and Managers play a key role in preventing and managing occupational stress. The following measures should be undertaken by Supervisory staff to manage the risks in relation to stress related hazards:

- Analyse jobs and skills to match activities to people;
- Provide meaningful and relevant work;
- Encourage team work with realistic and non-competitive performance criteria;
- Communicate and clarify expectations of work standards and deadlines;
- Assist employees to prioritise work to meet realistic deadlines;
- Monitor individual and group workloads;
- Allow employees some control over their own work and how it is performed;
- Provide regular feedback on performance;
- Recognise efforts;
- Ensure appropriate training is provided;
- Deal promptly, efficiently and fairly with workplace grievances;
- Ensure that instances of harassment, victimisation, bullying, or aggressive behaviour at work are not tolerated;
- Inform employees of impending change to ensure their full participation in the change process;
- Develop an environment of mutual respect and treat employees with fairness and equity;
- Encourage access to the Employee Assistance Program;
- Encourage all staff to take their full annual leave entitlement each year.

7.4 Alcohol and Other Drugs

Employees shall ensure that they are fit for work by managing their drug and alcohol use. This means that:

- Employees must comply with the conditions and terms in the [Mackay Regional Council Drug and Alcohol Policy](#).
- Employees shall ensure that any prescription or non-prescription medication is taken safely without risk of impairment;

7.5 Fitness for Work Assessment

As part of its duty of care, MRC will, prior to and during employment, assess the fitness for work of individuals on its sites.

The primary method for assessing an individual's fitness for work is through face-to-face discussion between Supervisors and individuals at the start and during the work period. Concern may also arise from, but not be limited to, reports/concerns raised by co-workers, observation/assessment of the worker in the performance of their duties or previous medical advice.

Where appropriate, the following assessment methods may be utilised:

- Medical assessment;
- Alcohol and drug testing;
- Other recognised assessments as appropriate.

7.5.1 *Medical Assessment*

A prospective employee or existing employee may be required to undergo an independent medical assessment by a medical practitioner nominated by MRC to assess their fitness for work.

Medical assessments will be conducted in relation to the job requirements analysis for the employee's role, and shall be conducted in conjunction with the [Mackay Regional Council Medical Assessments Policy](#).

Medical assessments may be requested in the following circumstances:

7.5.1.1 *Pre-Employment Medical Assessment*

Pre-employment medical assessments shall be conducted to measure a prospective employee's fitness for work prior to any offer of employment being made. This includes:

- A medical and physical assessment or completion of a medical questionnaire as required by their position category; and
- A pre-employment drug and alcohol test.

Existing MRC employees who are applying for a new position within MRC may be required to complete a pre-employment medical questionnaire and/or medical assessment in addition to a drug and alcohol test.

7.5.1.2 *Existing employees Medical Assessment*

Medical assessments are considered to be necessary from time to time where there is concern held regarding the physical restrictions of an employee, which may bring into question their ability to safely undertake required tasks without injury to themselves or others.

MRC may require an employee to undergo an independent medical assessment by a medical practitioner nominated by MRC in circumstances where:

- The employee may be unfit or incapable of discharging the inherent requirements of their position as a result of any medical condition, physical or psychological, whether work related or non-work related.; or

- There is a likelihood that in attempting to carry out the inherent requirements of their position that, because of a personal illness, injury or impairment affecting the employee, this may present a danger to the individual and others, or may pose a genuine risk to the individual's own health and safety, or the health and safety of other employees or members of the public; or
- Have been absent from work due to illness or injury, other than an illness or injury for which the individual is in receipt of workers compensation, for an unpaid period or combined periods exceeding three (3) months in any given twelve (12) months; or
- If the employee's Manager/Supervisor has identified either a proven or emerging trend of regular or excessive use of personal leave or personal leaves patterns.

In any circumstances outlined above the Manager/Supervisor must express their concerns People & Culture.

Fitness for work medical assessments needs to be approved by the Manager People & Culture.

7.5.1.3 Periodic Medical Assessments

Periodic Medical assessments may be an outcome of a medical, where further medical assessments are recommended by a medical practitioner.

7.5.2 Drug and Alcohol Testing

Assessing an individual's fitness for work in relation to Drug and Alcohol will be in accordance with MRC [Drug and Alcohol Policy](#).

7.6 Management of an Employee Not Fit for Work

In cases where an employee has identified or been assessed as being not fit for work, the Program Manager in consultation with a People & Culture representative will decide what standard of proof is required to demonstrate that the fitness for work issue is being managed and the circumstance under which the employee will return to work.

Fitness for work case management may include:

- Restrictions or modification of duties/tasks;
- Provision of alternative duties if available;
- Time off from work.

Where appropriate case management will be in accordance with MRC's [Work Related Injury & Illness Compensation and Rehabilitation Process](#) and [Non-Work Related Injury & Illness rehabilitation process](#).

7.6.1 Restrictions or modification of duties/tasks

Modified or restricted duty allows employees to return to work or remain at work performing physically appropriate duties in relationship to their functional capabilities.

7.6.2 *Provision of alternative duties if available*

Temporary or permanent medical deployment may be considered where an injured worker cannot fully and safely undertake their normal duties.

7.6.3 *Time off from work*

If the employee is not able to work and suitable duties are not available, they will be placed on accumulated personal leave during the period that they are unable to demonstrate they are fit for work. Should the employee have no accrued personal leave entitlements, access to annual leave, rostered days off or time off in lieu can be given. If all leave entitlements are exhausted, the employee will be placed on leave without pay.

7.6.4 *Disciplinary Action*

It is the intention of the Fitness for Work Procedure to provide an opportunity for employees to address issues of concern, with the support and assistance of MRC. However, ongoing fitness for work issues, refusal to attend a medical assessment or breaches of this procedure may indicate that an individual is not attempting to address their issues and this may result in the application of the Disciplinary Procedure.

Where instances of serious misconduct occur at any stage in the fitness for work process, MRC has the right to issue a show cause notice as to why your employment should not be terminated.

7.7 Employee Treatment and Support

MRC recognises that some employees may require treatment and/or support to ensure that they are fit for work whether it be for illness, injury, fatigue, stress or drug or alcohol abuse.

If an employee believes he or she requires assistance, or where MRC Management considers a person may require assistance, that employee will be encouraged to obtain treatment and/or support through:

- The Employee Assistance Program
- Community Health Services
- Rehabilitation and Return to Work Coordinators
- Medical Practitioners

7.8 Education and Awareness

MRC will provide education to ensure that employees have the knowledge and ability to manage their own fitness for work.

Managers, supervisors and other appropriate staff shall receive appropriate training in the recognition, management and referral for assistance of any concerns relating to fitness for work.

Employees, Contractors and Visitors will be made aware of this procedure at induction and throughout employment.

7.9 Privacy and Confidentiality

Personal and medical information gained as a result of a fitness for work assessment will be safeguarded in accordance with relevant Privacy Legislation.

8.0 Review

This procedure will be reviewed when any of the following occur:

1. The related documents are amended or replaced;
2. Other circumstances as determined from time to time by a resolution of MRC

Notwithstanding the above, this procedure is to be reviewed at intervals of no more than three years.

9.0 Attachments

1. Fatigue Regulated Heavy Vehicle Standard Hours

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date	ECM
1.0	New IOG		SLPT	3.5.12	3564804
2.0	Organisational Changes	Administrative		3.6.14	5015908
3.0	Review of IOG	Amendments	CEO	16.03.16	6651678
4.0	Conversion to Procedure	Amendments	CEO	30.04.18	6927096

Attachment 1: Fatigue Regulated Heavy Vehicle Standard Hours

The Standard Hours table sets out minimum rest and maximum work hours for drivers of fatigue regulated heavy vehicles.

Time	Work	Rest
In any period of...	A driver must not work for more than a maximum of...	And must have the rest of that period off work with at least a minimum rest break of...
5 ½ hours	5 ¼ hours work time	15 continuous minutes rest time
8 hours	7 ½ hours work time	30 minutes rest time in blocks of 15 continuous minutes
11 hours	10 hours work time	60 minutes rest time in blocks of 15 continuous minutes
24 hours	12 hours work time	7 continuous hours stationary rest time
7 days	72 hours work time	24 continuous hours stationary rest time
14 days	144 hours work time	2 x night rest breaks and 2 x night rest breaks taken on consecutive days

Stationary rest time is the time a driver spends out of a heavy vehicle or in an approved sleeper berth of a stationary heavy vehicle.

Night rest breaks are 7 continuous hours stationary rest time taken between the hours of 10pm on a day and 8am on the next day or a 24 continuous hours stationary rest break.

Work and Rest

Work time refers to all driving and any other tasks related to the operation of a heavy vehicle. All other time is counted as rest. Time is counted in 15 minute intervals (e.g. a 30 minute rest break can be taken as 2x15 minute rest breaks etc. but 7 hour or 24 hour rest breaks cannot be split up).

Work is a maximum so is always rounded upwards e.g. a period less than 15 minutes is counted as 15 minutes work, a period more than 15 minutes up to 30 minutes is counted as 30 minutes work etc. Rest is a minimum period so is always rounded downwards e.g. a period less than 15 minutes does not count towards rest while a period of 15 minutes but less than 30 minutes is counted as 15 minutes rest, etc.

Night Work

Under Standard Hours a driver must take 4 nights rest including one pair of consecutive nights rest in any 14 day period. For example, in a 14 day period, a driver would be able to work up to 6 night shifts (between the hours of midnight to 6am) in 1 week and 4 night shifts the following week. Night rest is 7 continuous hours rest taken between 10pm and 8am (this can include a 24 hour continuous rest).