



ADMINISTRATIVE POLICY

Fitness for Work

POLICY NO	035
DEPARTMENT	Organisational Services
PROGRAM	People & Culture
APPROVED BY CEO	21 August 2018

1.0 Scope

This policy applies to all Mackay Regional Council (MRC) employees covered by the Mackay Regional Council 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

To outline MRC's commitment to providing a place of work and systems of work that promotes a 'fit for work' culture and the provision of assistance through a full range of preventative, educational and rehabilitative measures to overcome problems which could impair an individual's fitness for work.

This policy outlines the individual responsibilities of both management and employees to meet their duty of care as specified in Work Health and Safety Act 2011.

3.0 Reference

The Fitness for Work policy 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 Work Care's Corporate Rehabilitation Policy](#)

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

- Mackay Regional Council Certified Agreement
- [Fitness for Work Procedure](#)
- Code of Conduct
- [Drug & Alcohol Policy 011](#)
- [Employee Assistance Program Policy 014](#)
- [Disciplinary Procedure Policy 009](#)
- [Recruitment and Selection Policy 003](#)
- [Recruitment and Selection Procedure](#)
- [Non Work Related Injury and Illness Rehabilitation Process](#)

4.0 Definitions

To assist in interpretation, the following definitions shall apply:

Council shall mean the Mayor and Councillors of Mackay Regional Council.

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

Employee shall mean all persons conducting a business or undertaking on behalf of the Council.

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.

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

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.

MRC shall mean Mackay Regional Council.

5.0 Background

MRC has a duty of care to ensure that all individuals are physically and mentally 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 physical and mental health conditions, level of physical fitness, physical and mental fatigue, 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

6.1 All employees:

All employees, including management, have an obligation pursuant to the *Work Health and Safety Act 2011* not to willfully place at risk the health and safety of any person and not to willfully injure himself or herself in the workplace.

For that reason employees are responsible for carrying out their duties in such a way that health and safety is not compromised by lack of fitness for work.

Employees have an obligation to:

- Report problems with fitness for work;
- Contribute to the assessment of risks;

- Contribute to the design and implementation of control measures, and comply with such measures (e.g. return to work program);
- Manage individual factors which affect fitness for work (e.g. ensure adequate rests between shifts, control alcohol and drug use);
- Ensure they are able to carry out their duties in a safe manner;
- Seek treatment and support for health conditions affecting their fitness for work.

6.2 Manager and Supervisors:

Managers and Supervisors have additional responsibilities, and are expected to:

- Take measures to help employees maintain alertness while working
- Increase awareness about fitness for work;
- Identify signs of fatigue or other factors which could influence fitness for work;
- Devise working hours to take account of the need to minimise fatigue;
- Provide support for effective management of fitness for work;
- Recognise that fitness for work is both a physical and mental health issue which may not necessarily be obvious in the first instance.

7.0 Policy

MRC is committed to providing a place of work and systems of work which minimise risks arising from lack of fitness for work.

MRC has a responsibility to take appropriate action when health, safety or work performance of employees in the workplace is impacted by factors including adverse effects of medical conditions, level of physical fitness, fatigue, stress or the use of alcohol and other drugs.

In order to promote the well-being of employees, 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. MRC will ensure that employees found to be unfit for work are managed in a fair and effective manner, and shall assist and encourage rehabilitation of any employee who suffers impairment of their ability to perform the work of their role.

MRC also recognises that employees may need support for fitness for work related issues and provide an Employee Assistance Program.

Non-compliance to the requirements of this policy may result in the employee facing disciplinary action as outlined in the [Disciplinary Procedure Policy 009](#).

8.0 Procedures

The guidelines set out in council's Fitness for Work Procedure is designed to give effect to this Policy, enabling risks arising from lack of fitness for work to be addressed.

9.0 Review

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

1. The related documents are amended or replaced.
2. The Chief Executive Officer can vary all administrative policies at any given time.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
2	Review of Policy	Amendments	CEO	16.03.16
3	Review of Policy	Amendments	CEO	21.08.18