

# ACCENT ON EMPLOYERS

Level 1, 429 High St Penrith, PO Box 1165 Penrith 2750,  
 Phone: 4731 5009 Fax: 4732 3633  
[www.accentonhealth.com.au](http://www.accentonhealth.com.au)

## DISMISSAL OF EMPLOYEES

The Employer's seminar held in August addressed the issue of termination of injured employees.

Sam Kennedy, Senior Partner at Turks Legal together with Susan Arnold from Accent presented the seminar "Strategic Management of Injured Workers – the impact that Work Choices has on Workers Compensation Management." Recent decisions of the Federal Magistrates Court of Australia determined that employees on paid workers compensation leave are to be defined as receiving paid sick leave. If they are off work for more than 3 months in a year they cannot be dismissed even if a casual employee.

The Seminar discussed the procedure for dismissal of injured employees (both on workers compensation or on sick leave) as well as how to manage an employee on workers compensation.

### INSIDE THIS ISSUE

Dismissal of Employees	1
Strategic management of Workers Comp	1
Checklist when considering dismissal	1
OH & S for Supervisors	2
Profile on Occupational Therapy.	2
Fitness at work	3
Training resources	4
Accent Services	4

## Strategic Management of OHS and thus Workers Compensation

Timely management of OH & S is dependent firstly upon management commitment. This is demonstrated through the establishment of appropriate policies and procedures consistent with the OH & S Act 2000 and Regulation 2001.

## Checklist when considering dismissal.

By Sam Kennedy, Turks Legal

- No dismissal for temporary absence less than 3 months.
- No dismissal within 6 months of incapacity if injury work-related.
- Dismissal should be for a valid reason. Incapacity to perform the inherent requirements of the job is a valid reason.
- Talk to the worker before taking action. The worker must be allowed to respond to any proposed action by the employer.
- Comply with any injury management plan, and follow rehabilitation policies in a fair and reasonable manner.
- If worker cannot return to pre-injury job consider options for redeployment.
- Give reasonable notice of dismissal or pay wages in lieu of notice.
- And the final catch-all – dismissal must not be harsh, unjust or unreasonable.



**Sam Kennedy**  
 Partner,  
 Turks Legal  
 T: 02 8257 5733  
[sam.kennedy@turkslegal.com.au](mailto:sam.kennedy@turkslegal.com.au)

## Understanding your Obligation under OH & S 2000 for supervisors and managers.

By Susan Arnold, Business Services Manager

The OH & S 2000 Act Section 26 states that if a corporation contravenes any provision of the act **each** person concerned in the management is taken to contravene the act. This means that supervisors and managers in addition to owners are considered responsible for the breach of the act.

### Do you know how to protect yourself from prosecution?



*OH & S for Supervisors –  
an essential knowledge  
skill.*

Accent is offering a 1 day OH&S course for Supervisors on 2/11/07. This will provide you with the skills to identify hazards, assess and control risk, manage consultation on OH&S issues, understand the integration of OH&S and human resource functions, and in general contribute to a systematic approach to dealing with OH&S in the workplace.

Contact Karlene or Sue for details.

***OH & S for Managers and Supervisors.***

***Friday 2 November 2007 1 day***

***(9.30am to 3.30pm)***

***\$150 per person***

***Contact Karlene on 47315009 for  
details.***

## Profile on Occupational Therapists.

***So that you know who at Accent is assisting your business, each issue we will present a profile on their skills and expertise.***

Occupational therapy is a profession concerned with promoting health and well-being through occupation. The primary goal of occupational therapy is to enable people to participate in the activities of everyday life. Occupational therapists achieve this outcome by enabling people to do things that will enhance their ability to participate. This may include modifying the environment to better support participation.

Occupational therapists take an holistic approach to the needs of their clients. Having made an assessment, the Occupational Therapist then talks with the client, employer, other professionals and family members prior to in develop a program.

At Accent our Occupational Therapists are accredited by the Australian OT Association. This is to ensure that they provide the highest quality of service possible. Our Occupational Therapists also have additional qualifications in Safety, or Ergonomics, while one holds a Doctorate.

Accent Occupational Therapists can undertake a Workplace Assessments to identify suitable duties for injured workers; an assessment of an individuals level of performance; monitoring of RTW programs; OH & S Training; development of alternative methods and modified equipment to allow independence.

## Feature Article - Fitness at Work

By: Erin McGregor, Exercise Physiologist.

Physical activity needs to be built into your daily lifestyle. By doing this you will keep your body's health at its best. Additionally, it is one of the most effective ways to assist with weight loss and keep weight off once it's lost.

So how do you build fitness into your busy lifestyle? By increasing the amount that you move, For example

- Try taking the stairs instead of the lift (for at least part of the way).
- Get off public transport one stop earlier and walk to work or home.
- Do housework like vacuuming.
- Walk (don't drive) to the local shops.
- Walk the dog (or your neighbour's dog).
- Walk with a friend and combine physical activity with socialising.
- Join a local walking club

Regular activity such as walking can help you lose body fat, maintain a healthy weight, improve your fitness and reduce your risk of developing conditions such as heart disease, type 2 diabetes, osteoporosis and some cancers. Weight bearing exercise such as walking helps to prevent bone and joint disease, manage conditions such as high blood pressure, high cholesterol, joint and muscular pain or stiffness and increases your heart and lung fitness. It also assists in increasing your balance, muscle strength and reduce body fat if overweight.

**The recommended number of steps accumulated per day to achieve health benefits is 10,000 steps or more.**

A pedometer is one way of measuring the amount of walking you do in a day. It will give you a guide so that you can then increase your level of fitness.

Erin McGregor, our Exercise Physiologist, can run a range of workplace-based services attending to the health needs of your staff. Erin can run a simple fitness class at your workplace during meal breaks right through to a long term health and wellness program.

For more information contact Susan Arnold on 47315009 or email [sarnold@accentonhealth.com.au](mailto:sarnold@accentonhealth.com.au) for details.

## Training through Accent

By Daniel De Paoli, Director

Accent now provides training in a whole range of topics. The training can be conducted at our office in Penrith or at your workplace. Topics include

### Accredited Courses – WorkCover

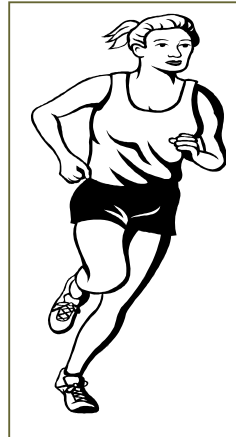
OH & S Consultation Course – 4 day  
RTW Coordinators – 2 days

### Non Accredited

Strategic Management of RTW (Advanced RTW)  
Safety for supervisors  
Unfair dismissal

### Safety Issues

Manual handling  
Injury Prevention  
Working from Heights  
Hazardous substances  
Risk Management



**Physical activity has received much attention as a catalyst for health and well being among employees, as well as a building block in corporate culture.**

### Health

Nutrition – 20 mins  
Exercise & Fitness  
Sleep & Shift Work  
Stress Management  
Theraband Exercises – Workplace based  
Pedometer Exercises – Workplace based  
Drug and Alcohol  
Health Screens  
Smoking Awareness

**For more information, view our web page**  
[www.accentonhealth.com.au](http://www.accentonhealth.com.au)

## Accent Services



Accents services include but are not limited to:

- Workers compensation and injury management
- OHS consultation
- Corporate & community training
- Human resource consultation
- Pre placement medicals/screens
- Case management
- Occupational Therapy treatment and management service including brain injury, spinal cord injury, orthopedics, paediatrics, physical or developmental disability.
- Psychological and general counselling services including assessment, treatment, life coaching, career counselling and EAPs (Employee Assistance Programs)
- Medico legal assessment and reporting

For a full listing of our services and more information, call our office on 4731 5009 or look at our website:  
[www.accentonhealth.com.au](http://www.accentonhealth.com.au)

### Management

**Director:** Daniel De Paoli  
Veronica Grima

### Service Managers:

Susan Arnold – Business Services  
Megan Elder – Clinical Services  
Maxene Wilson – Office Manager

### Locations:

Level 1, 429 High St., Penrith  
Suite 6, 92 Bathurst St, Liverpool

*We cover Sydney Metro, West, South West Sydney, Sutherland Shire, Blue Mountains, Bathurst, Lithgow, Newcastle, Wollongong and ACT Areas.*