

12th March 2010



25 Stoney Creek Rd Bexley 2207 NSW
Ph: (02) 9554 9399 Fax: (02) 9554 9644
Email: alaea@alaea.asn.au
Web: www.alaea.asn.au
ABN: 84 234 747 620

❖ NOTICE ❖

TO: ALL MEMBERS

RE: MEDICAL EXAMINATIONS FOLLOWING WORKPLACE INJURIES

The ALAEA has been given several examples recently where workers that have been injured in the work place have been forced or coerced into attending work by their managers during the period they are covered by a medical certificate as being unfit for work. In some cases this has led to the workers being placed in danger as they had not recovered sufficiently from their injuries. Workers have also been coerced into accepting company sponsored doctors as the sole treating practitioner for their injuries.

Every worker is entitled to be treated by their own doctor without enduring undue pressure from their employer. Make sure you:

- Nominate your own doctor on any paperwork.
- Stay away from work in all circumstances until that doctor (your nominated doctor) says you are fit to return.
- When they annoy you with calls, tell the company you're not available to go to work until cleared by your doctor.
- If the company says you must comply with "x,y or z" – then call the ALAEA for further advice.

We have been given examples of managers calling workers the morning after a serious injury has been sustained to get them into work to sign the incident paperwork and sign over their rights to be treated by their own doctor and once they have done this sending taxis around to their houses to pick them up for medical examinations via the work place so they can sign attendance sheets. Other ruses used to get them in are that the worker is required to assist in the incident investigation. The general justification for these actions by companies is that a "pro-active" return to work program is in the best interests of the injured worker and that their doctors specialise in workplace injuries. These doctors are company paid and this arrangement may not put your best interests first. A cunning system has been put in place by some employers whereby they will transport you to a medical centre that they have contracted to treat their workers. When you are examined they will ask you to tick a box that nominates that 'medical centre' as the treating medical practitioner. Don't tick that box, instead nominate your own doctor.

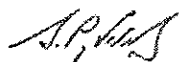
The ALAEA suspects that the management motivation behind many of these cases is to prevent a Lost Time Injury (LTI) from being recorded against a manager's department thereby reducing their end of year bonuses. Lost Time Injuries are recorded in days off work, not hours so that if a manager can get a worker into the workplace before the end of the following shift an LTI is not recorded.

"To undertake supervise and certify for the safety of all who fly."

Under the various State workers compensation legislation employees have an obligation to participate in return to work programs following workplace injuries however these programs involve the treating medical practitioner as the point of contact and in many States in Australia as the 'coordinator'. By signing a piece of paper that nominates a company sponsored doctor as your treating medical practitioner you are placing yourself and your health entirely in the hands of your employer. Make sure your treating medical practitioner is your doctor.

In some cases a day or two's rest with appropriate pain relief is the most beneficial treatment and this should not be interfered with by an employer attempting to prevent an LTI at all costs. If your doctor gives you a certificate saying you are unfit for any work until a certain date, then you should not attend your workplace until you have been reviewed by your doctor and given clearance.

Members should report to the ALAEA any instances where they feel they have been pressured been pressured to return to work before they are fit and able.



STEVE PURVINAS
Federal Secretary