



Australian Government

Comcare

FAQS—WORK TRIALS

1. WHAT IS THE PURPOSE OF A WORK TRIAL?

Case Managers may negotiate a work trial in another agency or in alternative employment when suitable duties are not available within the organisation.

Benefits of having a work trial as a rehabilitation activity may include:

- > rebuilding work skills and self confidence
- > establishing / maintaining work routines following an injury or absence from the workforce
- > taking part in a work hardening program to improve physical or psychological tolerance at work
- > learning new work skills—this is very beneficial if an employee needs new skills to improve their employability
- > building a relationship with a new (prospective) employer.

For more information please read the publication, [Work Trials: A guide for rehabilitation Case Managers](#).

2. HOW LONG DOES A WORK TRIAL LAST?

It is recommended the work trial have a fixed time frame and not exceed a period of three months unless there are exceptional circumstances. You should not use a work trial as a long term arrangement if suitable duties are unavailable.

Three months is a reasonable time for an employee with a workplace injury or disease to progress through the work trial goals and objectives. Over the course of the three months the goals and objectives should be reviewed in consultation with all parties. Any changes made to the work trial should not disadvantage the employee with a workplace injury or disease.

A specified timeframe provides structure for the employee with a workplace injury or disease and host employer. A timeframe will help to define the work trial as a temporary arrangement.

If the employee with a workplace injury or disease is not meeting the agreed work trial timeframes then the objectives should be reviewed. Barriers preventing an employee with a workplace injury or disease from achieving the work trial objectives should be identified and a more realistic return to work goal identified.

If an extended period of time is indicated for the work trial:

- > the benefits and goals must be clearly identified and communicated to all key stakeholders
- > an updated work trial agreement and medical certificate are required.



3. CAN VOLUNTEER WORK BE INCLUDED AS A WORK TRIAL?

Volunteer work may be considered for a work trial option, (for example: part of a work hardening program), however, close monitoring and management of expectations is essential.

It is important that the volunteer work trial is still taken seriously as work participation and that it is not viewed as not always essential to turn up for work each day due to the voluntary nature of the work. It is recommended that the Case Manager discuss the cultural expectations of the workplace with the potential host supervisor. It may be unreasonable for the supervisor to have different expectations of the hosted employee if other voluntary workers are on extremely flexible arrangements. In this case, an alternative workplace may need to be sought.

An unpaid work trial should not be used as an excuse for the employee to refuse a reasonable offer of suitable paid employment.

4. WHO PAYS THE WORKER DURING A WORK TRIAL?

While on a work trial, employees with a workplace injury or disease will continue to receive their salary and incapacity benefits from their pre-injury employer, Comcare or relevant claims agent. The host employer is responsible for the Work Health and Safety (WHS) of the employee with a workplace injury or disease.

Employees with a workplace injury or disease undertaking a work trial are considered to be additional resource to existing staff numbers. In some cases they may occupy a vacant position. A permanent position does not need to be created for an employee undertaking a work trial.

5. WHO COVERS THE EMPLOYEE FOR WORKER'S COMPENSATION SHOULD THEY BE INJURED ON A WORK TRIAL?

The host employer does not have to pay worker's compensation insurance for the employee with a workplace injury or disease on a work trial. In the event of an injury or accident the employee with a workplace injury or disease should submit an incident report to the host agency and notify all parties involved in the work trial.

If a workers' compensation claim is made for a new injury/illness, or aggravation of the pre-existing injury/illness, a new claim form should be submitted through the rehabilitation authority not the host employer.

6. HOW DOES A WORK TRIAL IMPACT ON NORMAL WEEKLY EARNING (NWE) CALCULATIONS?

While the employee remains employed by their pre-injury employer, the employee will be paid by their pre-injury employer. If the employee separates from their pre-injury employer, the employee will be paid directly from Comcare.

Where the employee is an additional resource to the host employer and is not getting paid for the hours worked by the host employer, the employee must submit a Claim for Time Off Work (eCTOW) form each week. When the employee with a workplace injury or disease submits their eCTOW form the employee must state the hours worked whilst they are at the host employer and that the earnings are nil. The relevant party (pre-injury employer or Comcare) will pay the employee according to the relevant section of *the SRC Act 1988* (adjustment percentages will be taken into consideration for hours worked). Comcare will reimburse the pre-injury agency according to the relevant section of *the SRC Act 1988* if required.

Where an employee is getting earnings from their host employer, their eCTOW form must reflect this. The earnings will be taken into consideration when the employee is paid under the relevant section of *the SRC Act 1988* by (adjustment percentages will be taken into consideration for hours worked) the relevant party (pre-injury employer or Comcare) and Comcare will reimburse the pre-injury employer under the relevant section of *the SRC Act 1988* if required.

For more information on this speak to the Comcare Claims Manager.

7. WHAT PAPER WORK IS REQUIRED FOR A WORK TRIAL?

When developing a work trial it is recommended that a work trial agreement form is completed. This form outlines all the key stakeholders, contact details, roles and responsibilities and the return to work schedule.

The work trial agreement form can be found on the Comcare website under Forms and Publications/Forms/Injury Management/ [Work trial agreement \(SRC64\)](#)

[Rehabilitation program \(SRC40\)](#) or [Rehabilitation program alteration \(SRC86\)](#). Both these forms have tick boxes to indicate that a work trial agreement is in place and the attached to this rehabilitation determination