

# Injury Management Fact Sheet

## Information for Payroll and Claims Officers regarding Payments to School Based Employees on QSuper or WorkCover during Vacations, including Christmas Vacation

The following provisions apply to departmental employees on QSuper or WorkCover prior to and during the Christmas vacation period. In general, the payment of wages to employees on QSuper or WorkCover will occur as follows:

- QSuper or WorkCover will pay wages for employees who are medically certified as totally incapacitated and
- For employees who are certified as partially incapacitated, QSuper or WorkCover will pay wages for the hours that the employee was not medically cleared to work and the department will pay wages for the hours that they were medically cleared to work.

***Appropriate medical certificates must be provided by each employee to cover the full vacation period.***

### **Teachers**

#### Total Incapacity

If a Teacher is on total incapacity leave prior to the vacation and their WorkCover claim has been approved, WorkCover leave should be extended to the end date of the workers' compensation medical certificate. WorkCover will pay Teachers' claims during this period in the same manner as during the term i.e. reimburse the department for the first 26 weeks and pay the Teacher directly thereafter.

If the claim is pending approval, the Teacher should be on either paid or unpaid sick leave prior to the vacation. The department pays all vacation periods during a Teacher's first year of sick leave according to Sick Leave Directive 19/05. All sick leave should be extended through the vacation.

If during the vacation period, the employee has a medical clearance to return to work (RTW) or there is no further medical certification preventing RTW, WorkCover leave should end on the date specified on the certificate and the department will pay the Teacher for the rest of the vacation. A Commencement Advice (CMA) is not required to activate this pay.

For the first 12 months of a QSuper approved claim, the department will pay for the vacations after which if the employee is still on sick leave, QSuper will pay the vacations. Sick leave should be extended through to the end of vacation period.

#### Partial Incapacity

If a Teacher is on a graduated return to work prior to the school vacation and the medical certificate allows for this to continue until school resumes, the return to work plan should be extended to the end of the vacation period as though the Teacher were attending school on the same basis. QSuper or WorkCover will reimburse the department for the hours the Teacher would have been absent and the department will pay for the hours the Teacher would have worked. The plan should be reviewed prior to the resumption of school to ascertain whether it is appropriate for the Teacher to recommence on the same basis after the vacation.

If a Teacher is totally incapacitated prior to the vacation and the medical certificate states that the Teacher can return to suitable duties during the vacation period, a return to work plan should be entered on TSS though the Teacher were working on those days. QSuper or WorkCover will pay benefits according to the recommendations on the partial incapacity certificate, i.e. if the medical certificate states the Teacher can return to work at three hours a day, the department pays the three hours and QSuper or WorkCover will pay for the remaining hours.

### ***Teacher Aides***

Wage payments to Teacher Aides during the Christmas vacation period comprise approximately twenty days Annual Leave, four Public Holidays and four days ADO.

If the paid QSuper or WorkCover leave spans this period, Annual Leave days will not be debited to the Teacher Aide and may be taken within 12 months where it is mutually convenient to the school and the Teacher Aide, or will be paid out at the end of this period. If the employee is on WorkCover, ADO will be deemed to be accumulated and taken.

If a Teacher Aide has been absent on WorkCover during the school term and has returned to work prior to the vacation, they will be deemed to have accrued any ADO for that period and will be paid by the department for the corresponding days during the vacation period.

### **Total Incapacity**

If a Teacher Aide is on total incapacity leave prior to the vacation and the WorkCover or QSuper claim has been approved, WorkCover or Sick leave no pay, should be extended to the end date of the medical certificate.

If the Teacher Aide has a medical clearance to RTW or there is no further medical certification preventing RTW, WorkCover or Sick leave no pay should end on the date specified on the certificate and the department will pay the Teacher Aide for the rest of the vacation as ADO/Annual Leave. A CMA is not required to activate this pay.

If the WorkCover claim is pending approval, the Teacher Aide should be on either paid or unpaid sick leave during the vacation period, supported by medical certification. Teacher Aides may choose to access their Annual Leave pending the outcome. WorkCover will reimburse payment at a later date if the claim is accepted, at which time Teacher Aides' leave balances are re-credited.

### **Partial Incapacity**

If a Teacher Aide is certified to return on, or extend their period on suitable duties over the vacation period, then this should be treated in the same manner as a return during school term as outlined in the above provisions for Teachers on suitable duties.

For the hours that Teacher Aides are medically cleared to work, the department will use Annual Leave or ADO to pay their wages.

### ***Cleaners and Other School-Based Staff***

If the paid QSuper or WorkCover leave spans this period, Annual Leave days will not be debited to the Cleaner and may be taken within 12 months where it is mutually convenient to the school and the Cleaner, or will be paid out at the end of this period. If the employee is on WorkCover, ADO will be deemed to be accumulated and taken.

If a Cleaner has been absent on WorkCover during the school term and has returned to work prior to the vacation, they will be deemed to have accrued any ADO for that period and will be paid by the department for the corresponding days during the vacation period.

### Total Incapacity

Where the employee is on QSuper or WorkCover prior to the vacation and the total incapacity medical certificate extends over the vacation period, QSuper or WorkCover will pay wages until school resumes.

### Partial Incapacity

Employees on QSuper or WorkCover partial incapacity over vacation periods can access their Annual Leave/Recreation Leave/ADO for the hours they could have worked according to their medical certificate/RTW plan and QSuper or WorkCover will pay the hours not to be worked according to the medical certificate/RTW plan.

If a cleaner has been absent on WorkCover during the school term and has returned to work prior to the vacation, they will be deemed to have accrued any ADO for that period and will be paid by the department for the corresponding days during the vacation period. All ADO will be deemed to have been accumulated and used over vacations.

Any documentation relating to WorkCover payments for Cleaners should be forwarded to the relevant regional School Cleaning Advisor or Senior Injury Management Consultant and Claims Officers in Organisational Health Central Office [claimsmanagement.edhouse@deta.qld.gov.au](mailto:claimsmanagement.edhouse@deta.qld.gov.au)

### ***Options – 26 Week Drop Down***

An employee with an accepted WorkCover claim who is totally incapacitated from work is entitled to the first 26 weeks of incapacity at 100% of their award wage or 85% of their normal weekly earnings.

From 27 weeks to 2 years of incapacity, 75% of their normal weekly earnings or 70% of Queensland full time adult Ordinary Time Earnings (QOTE). Employees may choose to undertake one of the following options post 26 weeks of total incapacity;

- Totally incapacitated employee's paid directly by WorkCover 75% of Normal Weekly Earnings (NWE) or 70% of QOTE.
- Employee's can apply to use their sick leave or other leave entitlements to receive 100% wages.
- Employee's can apply to QSuper for 75% of their wage as Income Protection and provide WorkCover with a Medical Expenses Only (MEO) medical certificate to cover their medical expenses.