

## Changes to *Return to Work Act 2014* from 1 December 2024

The Parliament of South Australia recently passed the *Return to Work (Employment and Progressive Injuries) Amendment Act 2024* which amends the *Return to Work Act 2014* (the Act).

Most changes come into effect on 1 December 2024

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## Return to work and labour hire employers and host employers

New provisions impose requirements for labour hire and host employers (as defined in the Act) to collaborate in providing suitable employment when a labour hire worker is injured at a host employer's premises.

The changes ensure that labour hire employers and host employers (as defined in the Act) work together to return injured labour hire workers to suitable employment where reasonably practicable.

ReturnToWorkSA encourages collaboration between the pre-injury labour hire employer and the host employer (as defined in the Act) to identify return to work opportunities both within the injured workers pre-injury role, and any suitable alternate roles within the host employer which could help the worker remain at or return to work as soon as possible.

In the instance that the host employer (as defined in the Act) is also a member of a group of self-insured employers comprised of related bodies corporate, the obligation to support the provision of suitable employment for the labour hire worker will extend to all related bodies corporate of the group.

### Who is affected?

- **Labour hire employers:** Remain responsible for employing the worker post-injury.
- **Host employers (as defined in the Act):** Are required to collaborate with the labour hire employer, but are not obligated to enter into an employment relationship with the worker.
- **Injured labour hire workers:** Benefit from cooperation between the labour hire employer and the host employer.

## What do you need to do?

### Host employers, as defined in the Act, must:

- communicate with the labour hire employer about suitable employment options
- participate in return to work planning and enable access to premises for the labour hire employer
- proactively contribute to the process, not just passively participate.

### Labour hire employers must:

- collaborate with the host employer to find suitable employment opportunities
- continue to employ the injured worker, ensuring their recovery and return to work is supported.