WorkCover QUEENSLAND

Before you make a **WorkCover claim**

If you're thinking about making a WorkCover claim, it's good to be aware of **what you need to do**, **what you can expect** from us and the claim process, and **where to get support** if you need it.

Worker resource

Before you make a WorkCover claim:
Workers' compensation

Watch the video

What is workers' compensation?

If you've been injured or become ill because of work in Queensland, you may be able to access workers' compensation. This can help cover treatment costs to help you get better and cover part of your wages if you need time off work to recover. You can also access support to return to work safely.

Workers' compensation insurance

By law, employers must have this type of insurance in case a worker gets sick or injured because of their work. Most Queensland employers are covered by WorkCover but **some larger employers are self-insured**.

What's covered?

Physical injuries, such as cuts, burns or fractures.

Mental health-related injuries*

Illnesses caused by work, like specific types of cancer, **silicosis** or **hearing loss**.

Existing injuries or illnesses made worse by work.

Injuries travelling to, from or for work or on breaks.

Critical injuries (very serious physical injuries) and **work-related fatalities**.

All claims for **work-related injuries and illnesses** need to meet specific rules and guidelines to be approved. This means that not all claims can be accepted.
Find out more about how WorkCover claims are decided.

*Mental health related injuries such as depression, anxiety or post-traumatic stress disorder, when significantly caused by work (excludes injuries caused by reasonable management action if taken in a reasonable way). Find out more on page 7.

Before you make a WorkCover claim:
Claim types

Watch the video

Already made a WorkCover claim for your work-related injury or illness?

Our **Guide to your WorkCover claim** tells you what happens next if your claim is accepted. Read on for general information.

Different types of claims

There are a few different paths a WorkCover claim can take, depending on what has happened.

Claim for workers' compensation:

Most people who claim for a work-related injury in Queensland make this type of claim. If it's accepted, WorkCover will cover your treatment and wages while you recover. Fault or blame isn't a factor — usually, you just need to show that your injury happened and was caused by work. Other criteria may also apply.

Permanent impairment:

Most people injured at work will get better with treatment and can return to work. In certain cases, an injury or illness is severe enough that a person doesn't make a full recovery. This can mean:

- They may lose a part of their body or the use of it.
- They aren't able to continue living life the way they did before due to the injury or illness.

In this case, a **lump sum payment** may be available in addition to compensation for wages and treatment.

Common law claim:

A common law claim involves claiming damages if you allege your injury was due to your employer's negligence. This usually happens after a statutory claim ends and can involve **engaging a lawyer** and **going to court**.

Before you make a WorkCover claim:
Steps to make a claim

Watch the video

How do I make a WorkCover claim?

To start a WorkCover claim, you'll need to:

1. **First, see your doctor and ask for a** work capacity certificate. You'll need this to make a claim – it tells us about your injury, how it happened, what treatment you need, and if you need time off work.

   Please note: It's a good idea to tell your employer about your injury and claim, as we'll contact them as part of the claim process.

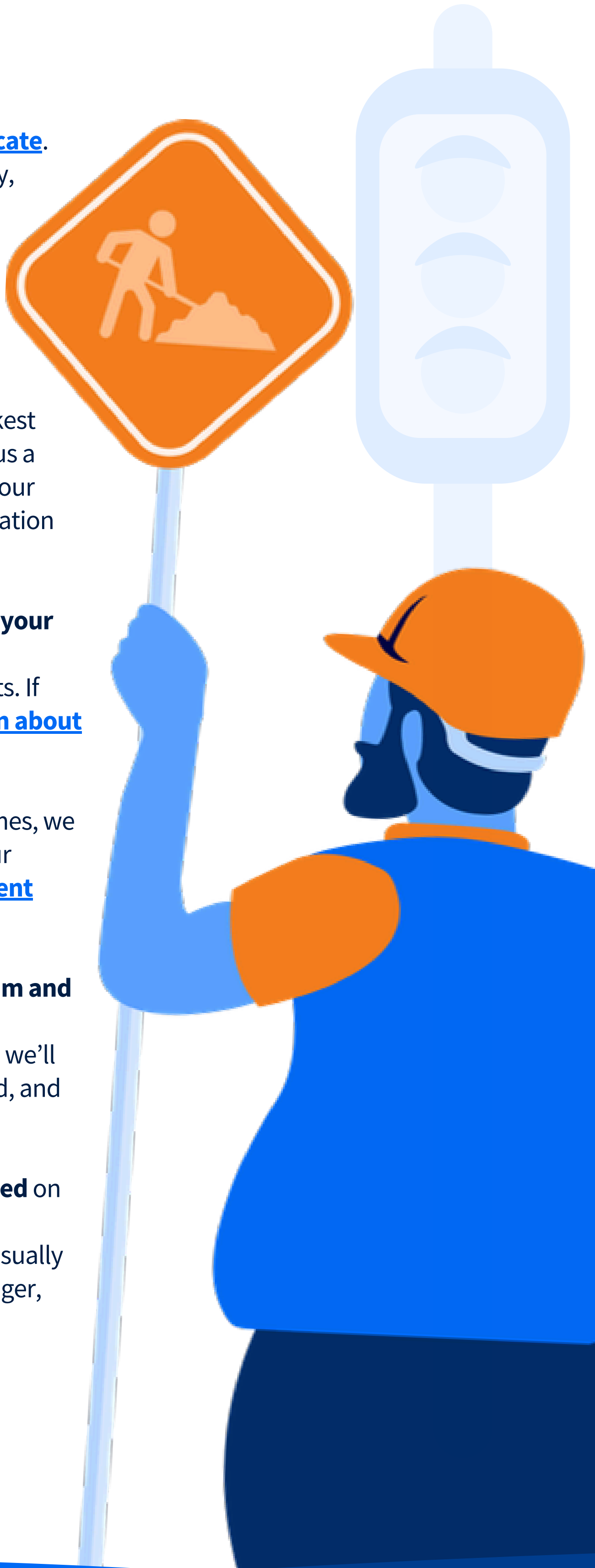
2. **Next, make your claim**. Making a claim online is the quickest and easiest way. You can also submit a **paper form** or give us a call on **1300 927 928** to get started. You'll need to provide your work capacity certificate, some personal details and information about your work.

3. **If we need more information, we'll call you to ask about your injury and how it happened**. You may be asked to provide evidence like documents or witness contact details accounts. If you're making a mental injury claim, find **more information about the process on our website**.

4. **Medical information helps us decide your claim**. Sometimes, we will need to talk to you and your doctor or ask to access your medical records. You may be asked to attend an **appointment with an independent doctor**.

5. **We'll provide your employer with details about your claim and ask them to respond**. We'll only release information that's relevant to your claim. If there's a dispute about your claim, we'll make sure there's a fair process where information is shared, and everyone has a chance to respond.

6. **Then, WorkCover will make a decision on your claim based** on the available facts and medical evidence, and in line with legislation. We'll keep in touch during the process. We will usually decide your claim within 20 business days, but if it takes longer, we'll let you know and explain the delay.



Before you make a WorkCover claim:
Claim decision

Watch the video

If your claim is accepted:

We can pay for reasonable and necessary treatment to help you get better.

We can also cover part of your wages if your doctor says you can't work because of your injury, or if you're building up your work hours as you recover.

We'll work with you, your employer, and medical or health providers to plan your path to recovery and getting back to work, together.

WorkCover is here to support Queenslanders injured at work, but every claim closes eventually. Usually, we'll cover treatment until your injury won't improve with more treatment. Payments will stop when medical information tells us your injury no longer prevents you from working.

Find out more about the claim process on our website.

If your claim is not accepted:

If we can't accept your claim, someone from WorkCover will speak to you. We'll also send you a detailed letter explaining why, known as a reasons for decision letter.

If you disagree with our decision, you can apply to Queensland's Workers' Compensation Regulator for a review of the claim decision within three months of receiving the letter.

This is a free and independent service, and it's not court-based, so you won't attend in-person. The Regulator will review your claim and let you know the outcome.

They might:

- tell us to accept your claim
- ask for more information
- confirm WorkCover's decision.

Find out more about claim reviews on our website or **watch this video**.

Before you make a WorkCover claim: Payments

Watch the video

When will I get paid?

After a work-related injury or illness, you may be concerned about how you'll manage without your usual pay. If your WorkCover claim is accepted and your doctor says you need time off, **weekly compensation** helps offset some of your wages until you can work again.

You can also claim **medical and rehabilitation expenses**, like treatment, medication and travel costs, if they're related to your injury or illness. It's good to remember:

- **While we're deciding your claim**, we can't pay you weekly compensation.
- **If your claim is accepted**, your employer will pay you their insurance excess amount directly. This is generally the first week of weekly payments you will receive to help offset your lost wages.
- **If more time off is needed after that**, your employer might keep paying you while we reimburse them, or we can pay you directly.

Once you've lodged a claim, you can provide your bank details and tax file number straight away to help prevent any payment delays. You can do this through our **Worker Assist app** or online services.

How does WorkCover calculate how much I'll be paid?

Weekly compensation is typically at least 85% of your regular wages at the start of your claim.

- First, we'll request wage information from your employer when your claim is lodged.
- Then, we calculate your rate, based on up to 12 months of your wage history.

Your weekly compensation may include back pay from when you first saw your doctor and stopped working, or from 20 days before you lodged your claim. **Find out more on our website**.

If your claim is accepted and there's any delay in calculating your rate, we can make a **basic weekly payment** to get you started. We'll then adjust the difference once we've worked out the right amount.

If you go back to work (including gig work, such as rideshare driving) while on weekly compensation, you need to let us know. It's a legal obligation and this means you can avoid any overpayments or penalties.

When do payments stop?

Weekly compensation is paid as temporary support while you recover. Payments may stop when you:

- can go back to work and your injury won't improve with more treatment
- receive a lump sum offer from WorkCover
- have been receiving weekly payments for five years
- reach the maximum amount payable in weekly compensation.

If you're returning to work gradually, you may receive a combination of wages and weekly compensation.

While you're waiting for a claim decision

If working is difficult, speak to your doctor or employer about doing different duties or working reduced hours. If you're worried about finances while we're deciding your claim, you might:

- Check with your superannuation fund or income protection insurance for income support.
- Contact Centrelink to see if you're eligible for payments.
- Speak to a social worker at the Workers' Psychological Support Service to connect with community services like financial counselling or emergency relief. Call 1800 370 732 or visit **wpss.org.au**

Before you make a WorkCover claim:
Reasonable management action

Watch the video

Reasonable management action and mental injury claims

It's important to know about the exclusion for mental injury claims caused by reasonable management action in Queensland to help you make an informed decision on making a claim.

At work, employers often need to make decisions and take steps to manage their workers.

Reasonable management action could include, but isn't limited to:

- giving fair and constructive feedback on a worker's performance to help them improve
- allocating work or assigning tasks
- deciding on promotion, transfers, and leave approvals
- investigating complaints and misconduct
- taking disciplinary action, such as dismissing a worker.

Sometimes, management decisions at work can make a worker feel uncomfortable, or they may even develop a mental injury.

However, if a mental injury is caused by reasonable management action, when it's taken in a reasonable way, then it's not covered by workers' compensation in Queensland.

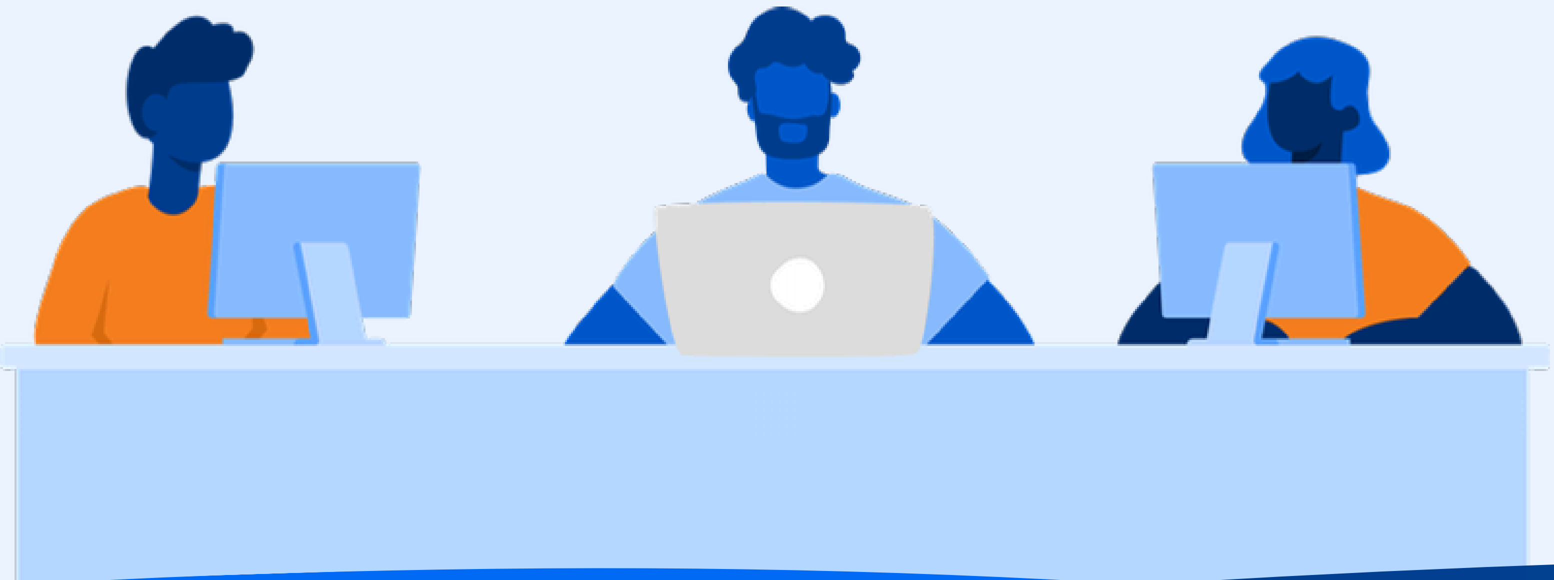
When we're deciding whether management action was reasonable or not, we'll look at:

- the actual management action, not just a worker's perception.
- if the action was in line with workplace policies or procedures.
- and if not, whether the action was reasonable in the circumstances.

Read more on **reasonable management action**.

It's important to remember, even if your claim is not accepted, or you decide not to make a claim, you may still have a genuine mental health concern.

Getting help for your mental health is still important. You can find ways to access support over the page.



Before you make a WorkCover claim: Getting support

Accessing support if you need it

Early psychological support (mental injuries)

While we're deciding a claim for a mental injury, WorkCover will usually pay for early mental health treatment to support your recovery.

This might include GP appointments, sessions with a counsellor, psychologist or psychiatrist, and medication like antidepressants. Visit workcoverqld.com.au/mentalinjury for more.

Workers' Psychological Support Service

A free, confidential and independent callback service where Queenslanders can access support from a social worker and connect with community services (this is not a crisis service). Call **1800 370 732** or visit **wpss.org.au**.

Workers' Compensation Information and Advisory Service for workers

This service provides free and independent advice to help workers navigate claims and the Queensland workers' compensation system. Call **1800 102 166** or visit **wcias.org.au**.

Translation services

For help in your language, call **1800 512 451** and ask for an interpreter.

Connect with us:

workcoverqld.com.au

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