

KQ NEWSLETTERS

March 2007

Workers Compensation Claims Process - Employee

If you are injured at work or on your way to or from work, you may be eligible to make a claim for workers compensation.

We advise that the following steps should be taken in the event of such an injury:

Report Injury or Illness

Where a work related injury or illness occurs, notify your supervisor and seek medical assistance if required.

Record Information

Your employer will require you to complete an Accident Report which will be recorded in the Accident Register. All accidents, regardless of their severity, should be recorded. All employers are required by law to have an Accident Register or log book.

Obtain a Workers Compensation Medical Certificate

If you require medical treatment, let your supervisor know. Your Supervisor will provide you with:

1. The name of the insurer; and
2. A workers Compensation Claim Form.

Obtain a Workers Compensation Medical Certificate from your treating doctor.

Record all expenses associated with the injury

Keep all receipts for medical or any other expenses incurred as a result of the injury. You are responsible for payment of all expenses until the results of your claim are determined. Therefore, all bills should be made out in your name and not that of your employer or insurer.

Complete Compensation Claim Form

If you intend to make a claim for workers compensation you will need to complete the Workers Compensation Claim form provided to you by your supervisor.

Sign the form, attach the medical certificate and receipts for relevant expenses and forward them to your employer. Ensure that you keep a copy for your own records. If you do not plan to make a claim for compensation, you are still required to record the injury in the Accident Register.

Notification by Insurer

Once the completed claim form is forwarded to the insurer, you will be contacted by one of their Claims Agents. The Claims Agent will provide you with support and advice in relation to your claim.

Communicate with your employer

Throughout the claims process, keep in contact with your employer with regard to your recovery and potential to perform alternative duties.

What Benefits are available to Injured Workers?

This will depend on your individual claim and the type, nature and severity of the injury, but as a guide an injured worker may be eligible for all or some of the following payments:

- Weekly benefits
- Medical or related treatment
- Occupational rehabilitation services
- Ambulance service
- Hospital treatment
- Travel expenses to attend appointments for medical and other treatment
- Lump sums for permanent impairment
- Lump sums for pain and suffering
- Vocational re-education and retraining, work aids and equipment, work trials; and
- When the injury results in the death of a worker, the dependent family members may be eligible for death benefits and/or funeral expenses.

If you think you may have a potential claim under the Workers Compensation Act (1987) please contact Paul Quinn of this office.

KQ LAWYERS HAVE EXPERTISE IN COMMERCIAL AND CONSTRUCTION LITIGATION. IF YOU WOULD LIKE FURTHER INFORMATION PLEASE VISIT OUR WEBSITE, EMAIL **ROBERT KALDE OR **PAUL QUINN**, OR CONTACT US ON 02 4862 2020.**

It is necessary to think out all of the arguments to be raised in any future adjudication (whether these be based on contract, jurisdiction or other) at the time of serving the claim/payment schedule. Lack of precision in defining these arguments may prove costly

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