

Workers Compensation Act 1951

Summary to be displayed at workplaces

Injury Notice (Early Notification)

An Injury Notice should be given to the employer as soon as practicable after the injury happened and before the worker has voluntarily left the employment in which the worker was at the time of the injury.

The employer must give the insurer notice of the injury (an injury notice) within 48 hours after becoming aware that the worker has received a workplace injury. (This subsection does not apply to self-insurers).

The notice must give the name and address of the person injured; in ordinary language the cause of the injury; the date and time the injury happened; the name and address of the employer; and the name and address of the nominated treating doctor or, if there is no treating doctor, a doctor who has treated the worker for the injury.

The notice may be given verbally, in writing, or in electronic form, to the employer or any person designated by the employer, or any person whose supervision the worker is employed. However, if the employer gives the notice verbally, the employer must give the notice in writing or in electronic form within 3 days after giving the notice verbally. If there is more than 1 employer, the notice must be given to the employer responsible for the workplace where the injury happened.

Register of Injuries

A register of injuries must be kept by the employer, which records every injury that occurs within the workplace, regardless of whether or not a claim is made.

Details of the injury are to be entered in the register as soon as possible after the injury happens, the entry is taken to be notice of the injury and to be given to the employer by the injured worker for this Act.

Claim for Compensation

The employer upon request should make a claim form for compensation available.

If compensation is claimed for an injury, the claim must be made within **3 years**:

- after the injury happened; or
- after the worker became aware of the injury.
- in the case of death, within **3 years** of death. However the failure to make a claim within **3 years** after injury or death is not a bar to the recovery of compensation if the lack of notice, or defect or inaccuracy in the notice, was caused by ignorance, mistake or another reasonable cause.
- claim forms for compensation are available from your employer upon request and are free of charge.
- a medical certificate in the approved form must accompany a claim for workers compensation.

Injury Management

Injury Management means the process that consists of activities and procedures that are carried out or established to achieve a timely, safe and durable return to work for injured workers.

Employers are required, in addition to early reporting, to provide suitable duties where practicable, and establish a Return to Work Program in relation to policy and procedures for the rehabilitation (including, if necessary vocational rehabilitation) of injured workers of the employer.

Workers are expected to report injuries as soon as possible and cooperate with the Insurer's Injury Management Program, which includes, the employer's Return to Work Program and his or her individual Personal Injury Plan. At any time, benefits can be suspended with adequate notice if a worker unreasonably refuses to comply with the above.

Employer to take Claims Action

An employer is guilty of an offence under the Workers Compensation Act 1951 if the employer:

- Fails to comply with Insurer's Injury Management Program; or
- Fails to keep a Register of Injuries; or
- Fails to take part, or co-operate in, the establishment of a Personal Injury Plan; or
- Fails to provide injured workers with suitable employment when asked; or
- Fails to provide contract workers with suitable employment when asked; or
- Fails to establish Return to Work policies and procedures; or
- Fails to forward compensation claim to insurer within 7 days; or
- Fails to maintain Compulsory Insurance; or
- Fails to conspicuously display the approved summary of legislation; and
- Fails to provide information to the Minister.

Commencement of Weekly Payments

If the worker is entitled to compensation for a compensable injury, weekly payments of compensation must begin when the worker gives notice of the injury to the employer, and the worker is or may be entitled to weekly compensation from the date of injury.

Worker's Right to Information

The worker is entitled to inquire of his or her employer the employer's name and address for the purpose of serving documents and the name and address of the employer's insurer (if the employer is not a self-insurer).

Insurer	Address	Policy number	Expiry date
Zurich Australian Insurance Limited	Ground Floor, 99 Northbourne Avenue Canberra ACT 2612		