

# If You Are Injured

## Step 1

### Seek medical treatment

The most important thing to do if you have a work-related injury or illness is to seek appropriate medical treatment. You can choose which medical practitioner or healthcare professional you visit.

## Step 2

### Tell your employer

You should report any work-related injury or illness to your employer as soon as possible, and in any event, you must report it within 30 days of becoming aware of it.

The easiest way to notify your employer is to record the details of your injury or illness in the Register of Injuries which must be kept at every workplace.

You can also give your employer notice in writing as long as it includes all of the information required to be listed in the Register of Injuries. If you are unable to notify your employer, someone else can give notice on your behalf within the 30-day limit. If you don't notify your employer in writing you may not be entitled to compensation.

## Step 3

### Fill in a claim form

You must complete a *WorkCover Worker's Claim Form* if you require time off work or medical treatment because of a work-related injury or illness and want to claim WorkCover entitlements.

Claim forms are available from Post Offices, WorkSafe Victoria branches, your WorkCover Agent or by calling the WorkCover Advisory Service on freecall 1800 136 089 or (03) 9641 1444. Your employer, your union and Union Assist may also have forms.

If you are unable to perform your normal duties you will need a *WorkCover Certificate of Capacity* from your medical practitioner.

For more information on making a claim, get the *How to Make a WorkCover Claim* brochure at [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au) or call the WorkCover Advisory Service on freecall 1800 136 089 or (03) 9641 1444.

## Step 4

### Lodge the claim

Give the completed *WorkCover Worker's Claim Form* and the *WorkCover Certificate of Capacity* to your employer as soon as you can.

By law, your employer can't refuse to receive your WorkCover claim, and can't dismiss you for making one.

If you want to make sure that your Agent is aware of your claim, you can send a copy of the completed claim form and any *WorkCover Certificates of Capacity* to your Agent or the Victorian WorkCover Authority once you have given the original documents to your employer. You can use the *Early Notification Copy* of the claim form to do this.

If your claim is for weekly payments, your employer is required to forward these documents to your Agent within **10 days** of receiving them, and the Agent then has up to 28 days to accept or reject your claim.

### If your claim is accepted

If your claim is accepted you will be entitled to payment for the reasonable costs of medical and like services. If you need time off work, your Agent will assess your entitlement to weekly payments. Weekly payments are determined by a percentage of your pre-injury average weekly earnings (PIAWE) capped at a maximum rate. The first 26 weeks of weekly payments may include overtime and shift allowances.

The amount you receive will depend on:

- your current work capacity
- how long you have been receiving weekly payments
- whether you are earning an income from remaining at work or returning to work.

For more information on how your claim will be managed, get the *Introducing WorkCover, A Guide for Injured Workers* brochure at [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au) or call the WorkCover Advisory Service on freecall 1800 136 089 or (03) 9641 1444.

## Impairment benefits and common law

If you have a permanent impairment directly resulting from a work-related injury or illness, you may be entitled to a lump sum benefit. If your injury occurred on or after 20 October 1999, you may also be able to sue for damages under common law.

For more information on impairment benefits and common law, talk to your Agent, visit [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au) or call the WorkCover Advisory Service on freecall 1800 136 089 or (03) 9641 1444.

## If you disagree with a decision

If you disagree with a decision relating to your claim, talk to your employer, your Agent or call the WorkCover Advisory Service on freecall 1800 136 089 or (03) 9641 1444.

The Accident Compensation Conciliation Service (ACCS) can also help resolve your dispute without a solicitor or going to court. Contact the ACCS on freecall 1800 635 960 or (03) 9940 1111 or visit [www.conciliation.vic.gov.au](http://www.conciliation.vic.gov.au)

## Focus on getting back to work

Getting back to work after a work-related injury or illness is an important step. In many cases, it helps both your physical and psychological recovery. Job satisfaction, social contact, and being part of a team are some of the things you might miss when you're not at work.

Your employer might be required to prepare a return-to-work plan for you, in conjunction with your treating healthcare professional. This might mean you stay at work during your recovery on modified duties. Focus on your goal of returning to work as soon as possible and talk regularly with your employer and healthcare professional to keep them updated on your progress.

For more information on returning to work, talk to your Agent.