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Free information support services
TTY (deaf or have hearing/speech impairments): (08) 8233 2574.
Languages other than English: Call the Interpreting and Translating Centre
(08) 8226 1990. Ask for an Interpreter to call WorkCoverSA on 13 18 55.
Braille, audio, or e-text: call 13 18 55 and ask for required format.

WorkCoverSA is a statutory authority funded by employers to
rehabilitate and compensate South Australians injured at work.
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The information produced by WorkCover Corporation of South Australia
in this publication is correct at the time of printing and is provided as
general information only. In utilising general information about workplace
health and safety and injury management, the specific issues relevant
to your workplace should always be considered. This publication is
not intended as a substitute for the requirements of the *Workers
Rehabilitation and Compensation Act 1986* or the *Occupational Health
Safety and Welfare Act 1986*.

Produced November 2009. WKC0172



**Welcome to
WorkCoverSA**



Helpful contacts



WorkCoverSA

100 Waymouth St, Adelaide
Phone: 13 18 55 (Service Centre)
Fax: (08) 8233 2990
Post: GPO Box 2668,
Adelaide SA 5001
Email: info@workcover.com
www.workcover.com

Employers Mutual

(WorkCover's claims agent)
Level 15, 26 Flinders St, Adelaide
Phone: (08) 8127 1100
Fax: (08) 8127 1200
Post: GPO Box 2575,
Adelaide SA 5001
www.employersmutual.com.au



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Getting your workers back to work

Less than 10% of employers registered with WorkCover have actually had a claim in recent years – but isn't it good to know that if one of your workers is injured, we're here to help?

Who we are
WorkCoverSA manages the South Australian Workers Rehabilitation and Compensation Scheme (the Scheme), which provides protection to workers and employers in the event of workplace injury.

“Getting back to work can be a crucial part of a worker's rehabilitation.”

Why return to work is important
Getting back to work can be a crucial part of a worker's rehabilitation – it's good for them and it's good for business. It can increase productivity, and keep the cost of your WorkCover levy down.

It also reduces the financial and emotional impact on employees and their families.
With a positive approach and the right support, injured workers can recover and return to normal life.

Helping improve South Australia's return to work rates is everyone's responsibility and we all have a role to play.



Our service commitment to you

At WorkCover we want to make sure that you receive a high standard of service from us and our claims agent Employers Mutual. We are committed to providing advice and information clearly; to always being courteous, considerate and respectful; to meeting agreed actions and deadlines; and to maintaining confidentiality and privacy in accordance with legislative requirements.

If you experience anything less than this level of service, please let us know so that we can address your concerns

and improve our service (see page 18 for more details if you're dissatisfied).

Note: WorkCover's full service charter is available on our website.

Email info@workcover.com or visit www.workcover.com.

Our claims agent, Employers Mutual

Employers Mutual is WorkCover's claims agent. This means that WorkCover has a contract with Employers Mutual to provide workers



rehabilitation and compensation services to injured workers and registered employers. If one of your workers is injured, you and your worker will be assigned a case manager from Employers Mutual who is responsible for the day-to-day management of your claim/s.

You can find detailed information about the Scheme on the WorkCover website along with fact sheets and booklets that you can download.

Go to www.workcover.com.



Your obligations as an employer

Now that you've registered with WorkCover, you'll need to know some information about how the WorkCover system works and what is required of you.

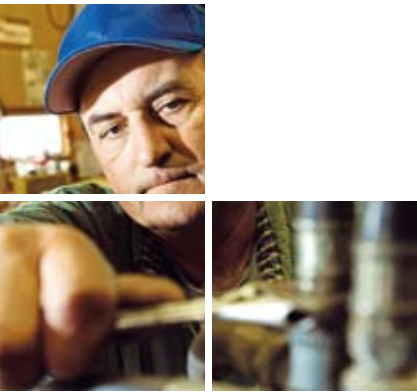
This section takes you through your obligations in protecting your business and your workers against the risk of workplace injury, and in returning your injured workers to work.

Your immediate obligations:

- To provide a healthy and safe work environment. See page 8-9
- To keep your registration details up to date and appoint a rehabilitation and return to work coordinator (if required). See page 10-11
- To pay your WorkCover employer levy. See page 12-13

Your obligations if someone is injured:

- To report your workers' injuries. See page 14
- To lodge claims for compensation. See page 15
- To pay the first two weeks of wages after a claim. See page 16
- To support your workers' rehabilitation and return to work. See page 17



“ There are certain responsibilities you have as an employer... ”

Providing a healthy and safe work environment

As an employer, you are legally obliged to protect the health, safety and welfare of your workers and other people who could be adversely affected by work carried out by your business under the *Occupational Health, Safety and Welfare Act 1986* (the OHSW Act).

You must provide:

- a safe and healthy working environment
- safe systems of work
- plant (eg, machinery and equipment) and substances in a safe condition
- adequate facilities
- adequate information, instruction and training.

The purpose of the OHSW Act is to prevent injuries and illness at work. Consult with your workers, particularly your injured workers, as they will be able to offer insight into workplace health and safety issues – and potential solutions.

Report serious workplace accidents and incidents

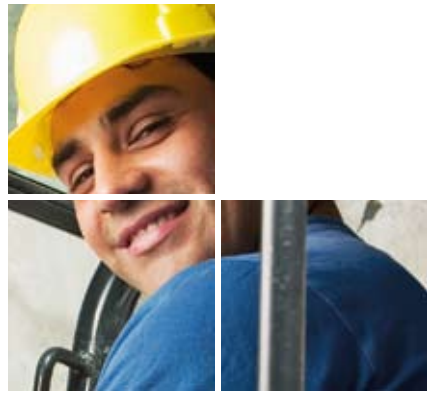
In certain circumstances, injuries in the workplace must be reported immediately to SafeWork SA, which is the State regulator for occupational health, safety and welfare.

These circumstances are as follows:

- When a work-related injury causes death
- When a work-related injury requires hospitalisation
- When a work-related injury has acute symptoms associated with exposure to a substance at work

You also need to report dangerous occurrences ie, where there is an immediate and significant risk to a person or person/s arising from work regardless of whether or not an injury occurs, such as:

- the collapse, overturning or failure of a load-bearing plant such as a scaffold, lift, crane or hoist



- an uncontrolled explosion, fire or escape of any gas or hazardous substance
- an electrical short circuit, malfunction or explosion.

To report serious workplace incidents and dangerous occurrences call SafeWork SA on 1800 777 209 (24-hour service).

SafeWork SA

SafeWork SA is responsible for administering and enforcing occupational health, safety and welfare and certain industrial relations laws in South Australia.

SafeWork SA encourages employers and workers to work together to achieve a safe and healthy workplace.

The best results are achieved when everyone in the workplace is involved in developing a risk management approach to eliminating and controlling health and safety hazards.

“ The OHSW Act is to prevent injuries and illness at work. ”

Where can I get information on health and safety?

SafeWork SA manages a comprehensive collection of occupational health and safety, workers compensation, rehabilitation, return to work and industrial relations resource material. Contact them to request products on a range of safety and workers compensation issues.

100 Waymouth Street, Adelaide.
Library, phone: (08) 8204 8877,
email: library@safework.sa.gov.au
Bookshop, phone: (08) 8204 8881,
email: bookshop@safework.sa.gov.au

For information about SafeWork SA and your responsibilities as an employer contact:

SafeWork SA's Help Centre

Phone: 1300 365 255

Email: help@safework.sa.gov.au

www.safework.sa.gov.au



Registering with WorkCover and appointing a coordinator

Since you're reading this booklet, we can assume you've already registered with WorkCover. You should have received your *Certificate of registration* which includes information such as: the trading name and address of your business, your WorkCover employer number, your location number, your industry class and code (ie, the industry that your workplace is classified in), rates and fees that apply, and your total levy rate (see page 12 for more information on levy). Now that you're registered, you should also be in the process of appointing a rehabilitation and return to work coordinator if you employ more than 30 workers (see page 11, Appointing a coordinator).

Changes to your registration

If there are any changes to your employer or location details (eg, adding a new location, moving to new premises or changing the nature of the work undertaken), you must let us know within 14 days. Phone our Service Centre or download an *Employer registration amendment* form or an

Additional location form from the WorkCover website, and post, fax, email or submit it in person to WorkCover.

Cancelling your registration

If you have stopped employing workers and wish to cancel your registration, please call our Service Centre and let us know within 14 days of ceasing to employ.

Questions & Answers

Do I need to register with WorkCover every year?

No, your registration is ongoing. But if your registration details change, you must let us know within 14 days (see previous page).

Appointing a coordinator

A coordinator is responsible for managing rehabilitation and return to work in the workplace and is required to undertake appropriate training. You must appoint a coordinator within six months of being registered with WorkCover. If you don't appoint a coordinator you may be prosecuted and face a fine of up to \$10,000. They do not have to be a full-time employee who is dedicated solely to the coordinator's role (see our website for more information).

What are the benefits of having a coordinator?

- They will facilitate the return to work process, and your worker and your business should recover sooner as a result.
- Your coordinator will stay in contact with the injured worker.

- They can liaise with all the parties involved on your behalf, such as case managers, health providers and the vocational rehabilitation providers.
- They can organise suitable employment and modified duties where necessary.
- They can also enlist the help of supervisors and co-workers in supporting your injured worker.

For more information about coordinators and to view training requirements, see our website, or contact the Return to Work Inspectorate and Support Unit on (08) 8233 2997 or email rtrtwc-support@workcover.com.

“Your coordinator will stay in contact with the injured worker.”



Paying your employer levy

As a registered employer, you must pay a levy to WorkCover. You can submit your annual remuneration return (an estimate of the amount you will pay your workers in the next financial year) and reconciliation statement (the actual amount you paid) automatically online. All the information you need to know about how to pay your levy is available at www.workcover.com. The booklet *Levy information*, which you should receive with this guide, also covers all aspects of the levy payment system.

What does my levy cover?

Your levy funds the Scheme and in the event of a workplace injury, the Scheme may cover:

- weekly payments to replace the income your injured worker would have earned if they had been at work
- reasonable medical expenses incurred by your injured worker
- rehabilitation services for your injured worker

- a lump sum payment if your worker is permanently impaired
- lump sum and weekly payments for your worker's partner and other dependants if a work accident causes death
- the cost of a worker's funeral, to a limited capped amount.

Online services

For quick and convenient online levy services 24 hours a day, seven days a week, go to the www.workcover.com.

Your right to review

If you consider a levy decision by WorkCover to be unreasonable or incorrect, you can lodge an application for review with the WorkCover Levy Review Panel. *Application for review* forms can be downloaded from www.workcover.com.

Questions & Answers

Times are tough right now, what if I am struggling to pay my levy?

We give advance notice of when each levy payment is due so that it doesn't come as a surprise and you can plan ahead financially. But if you don't have the money to make the payment, you

should let us know as soon as you can and we can help. There can be flexibility regarding payments in the Scheme for businesses that are struggling financially, however, these are assessed on a case-by-case basis.

“ We give advance notice of when each levy payment is due... ”



Reporting your workers' injuries

If a worker reports an injury to you verbally, you should request that it be made in writing by the worker filling in a WorkCover *Claim form*.

The *Claim form* can be used for two purposes:

- To report a workplace injury and/or
- To seek compensation payments

There is a box provided for each purpose, and the worker (or their representative) should tick the corresponding box to indicate which

action they wish to take.

A worker should report an injury or illness to you either verbally or in writing within 24 hours, whether or not they intend to make a claim for workers compensation.

You can assist your worker by ensuring they fill in as much information on the *Claim form* as possible.

You must notify Employers Mutual or WorkCover within five working days of receiving a report from a worker about a work-related injury or illness.

See page 15 for information on where to get a *Claim form* and how to report an injury by phone, fax or post to WorkCover or Employers Mutual.

You must report serious incidents to SafeWork SA

Some injuries at work need to be immediately reported to SafeWork SA by phoning 1800 777 209 (24-hour service). For more information, see page 8.



Providing a claim for compensation to WorkCover

The sooner your worker's claim is lodged, the earlier you can start planning their return to work.

The process is the same as if you were reporting the injury – except the worker (or their representative) should tick the box on the WorkCover *Claim form* that indicates they are seeking compensation.

You are required to notify Employers Mutual or WorkCover within five working days of receiving a claim, and you must ensure the following documents are submitted along with the *Claim form*:

- a *WorkCover Medical Certificate* – which the doctor will give to the worker
- an *Employer Report Form* – which you can get from WorkCover or Employers Mutual or online.

If you provide a copy of the *Claim form*, *WorkCover Medical Certificate* and an *Employer Report Form* within two business days (see page 16), you may not have to pay the first two weeks of wages.

You will also be asked to provide wage details of the worker, so Employers Mutual can calculate the amount the worker should be paid to replace the income they would have earned.

You cannot legally refuse to report a claim by a worker. Employers who delay the reporting of a claim may be penalised.

Where do I get the claim form?

You can get them from:

- WorkCoverSA's Service Centre, phone 13 18 55
- www.workcover.com
- Employers Mutual, phone 1300 365 105
- www.employersmutual.com.au
- your local post office.

Tip

Keep claim forms at all of your business locations so they're available if there is a workplace accident.

Report an injury or submit a claim

Employers Mutual

Phone: 1300 365 105

Fax: (08) 8127 1200

Post: GPO Box 2575, Adelaide SA 5001

Or claims can also be submitted online at: www.employersmutual.com.au.

WorkCoverSA

Phone: 13 18 55 (Service Centre)

Fax: (08) 8233 2466

Post: GPO Box 2668, Adelaide SA 5001

“ You cannot legally refuse to report a claim by a worker. ”



Paying the first two weeks wages after a claim

If a worker is off work they may need to receive weekly payments to replace the income they would have earned if they were at work. Usually, an employer is required to pay the first two weeks of weekly payments, but if you report the claim early you may be financially rewarded.

Financial reward

You may not have to pay the first two weeks wages if you report the claim and provide the appropriate documentation within two business days. If this is the case, WorkCover will make or reimburse you the payments – saving you money.

However, if you do not report the claim within two days, you must pay the first two weeks of weekly payments yourself.

If the worker is off work for longer than two weeks WorkCover will cover the cost. You may choose to keep paying them in line with your pay cycle. In some cases, we may agree to pay the worker direct.

Determining a claim

If you have a workplace injury, your case manager will be responsible for determining a claim – ie, deciding if weekly payments will commence and medical expenses will be paid.

Decisions will be made, in most cases, within seven days. However, if a decision cannot be made in that time, WorkCover may begin making weekly

payments anyway so that the focus is on rehabilitation and return to work rather than concerns over payments.

“ If the worker is off work for longer than two weeks WorkCover will cover the cost. ”



Supporting your workers to get back to work

How you can help

If you are affected by a workplace injury there are some simple things you can do to help your injured worker with their return to work.

1. No blame. Avoid blaming anyone for the injury – instead look at how to prevent future injuries and stay focused on helping the worker to recover and

return to work. Keep in mind that the South Australian WorkCover Scheme is a no-fault Scheme (see page 20).

2. Stay in touch. Keep in touch with your worker and keep yourself informed of their treatment and expected recovery time. Phone or visit them (to show that you care), keep them up to date on news of the office

or worksite, or invite them to meetings, morning teas or social events. Reassure them that they are welcome back at work when they are ready and that the team is keen to have them back. Ask their co-workers and workmates to stay in touch too.

3. Think about what they can do. Keep focused on what your worker can do – even with medical restrictions, there are often plenty of things they can do at work. Remember you are obligated to find suitable employment for your worker. They may return full-time or part-time and they may do some of the duties they used to do or some alternative duties.

The case manager and your rehabilitation and return to work coordinator (if you have one) will help you identify suitable employment.



Help if you're not satisfied

If you are unhappy about the conduct of staff, the conduct of any agency linked to our services, or a product or service, you are welcome to put in a complaint. Complaints are taken seriously and we have a resolution process to ensure complaints are addressed.

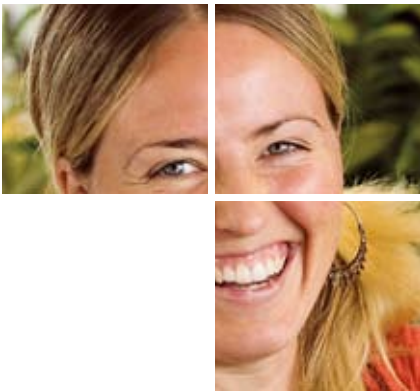
If you are dissatisfied with the service you have received

If it's about service from WorkCover please contact the Scheme Improvement Unit (SIU) by completing our online complaint form, calling 13 18 55, writing to the unit at WorkCover, GPO Box 2668 Adelaide 5001 or emailing SIU@workcover.com.
If it's about service from Employers Mutual, call (08) 8127 1100 and ask for the Service Delivery Manager.

If you are dissatisfied with a decision to do with your levy

If you consider a levy decision by WorkCover to be unreasonable or incorrect, you can lodge an application for review with the WorkCover Levy Review Panel (see page 13).

“Complaints are taken seriously and we have a resolution process to ensure complaints are addressed.”



Other useful information

The RISE program – an incentive for employers

You may be able to help your bottom line and assist the return to work of an injured worker by providing a job.

Significant financial assistance will be provided to you if you participate in WorkCover's Re-employment Incentive Scheme, and the choice of worker is yours.

For information, contact WorkCover's RISE coordinator via email on rise-support@workcover.com or by phone on 13 18 55.

Fraud and non-compliance

The WorkCover Scheme in South Australia is a no-fault scheme. This means that all workers have the right to claim for compensation no matter who or what caused their workplace injury.

WorkCover is required to investigate all allegations of fraud and non-compliance with the Act. WorkCover takes fraud very seriously and thoroughly investigates allegations to protect the integrity of the Scheme and people's confidence in it. If fraud is found to have occurred, the person who carried out the fraud may be prosecuted.

If you suspect someone of committing fraud against the Scheme, please contact the Investigations and Recoveries Unit. You can remain anonymous if you wish.

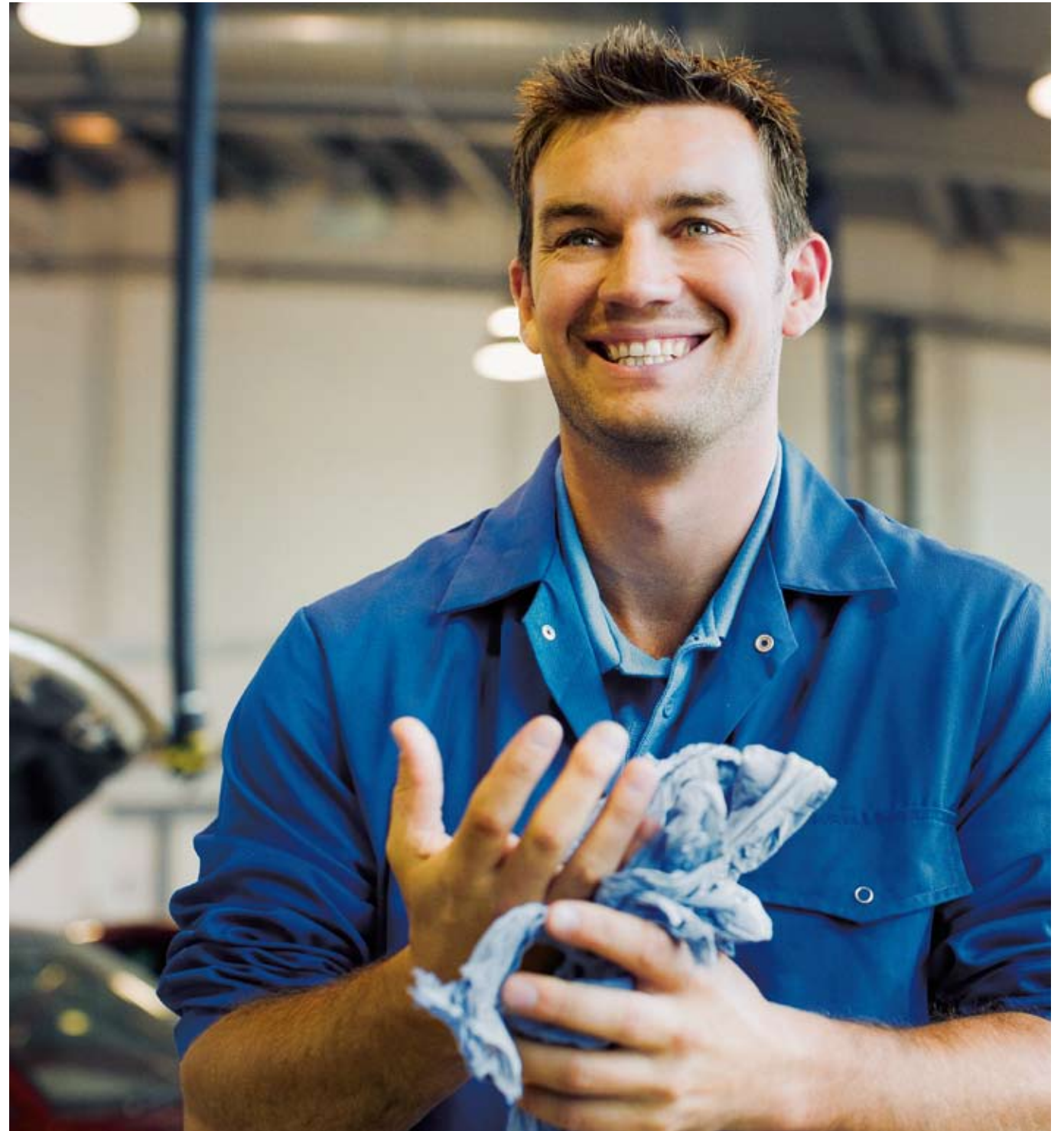
WorkCover Investigations and Recoveries Unit. Phone: 13 18 55.
Email: investigationunit@workcover.com.
Download the *Fraud allegation* form from www.workcover.com.

Examples of employer non-compliance and fraud in relation to registration and levy:

- Failing to register as an employer
- Providing false or misleading information at the time of registering
- Failing to submit returns in the nominated time frames
- Providing false or misleading information regarding remuneration paid during a financial year
- Providing false information for the purpose of evading levy payments



“...you may be eligible for a financial incentive...”



Return to work stories

“I was keen to get back to work, but I was apprehensive – on how I would be perceived, due to the accident. The thing that made returning to work so quickly an actuality was the support of my managers. One manager was on leave in the US [when the accident occurred], but I still received a call to see how I was going. My workmates were also very positive and supportive.”

Carl Fitcher, an electrical fitter from Kimberly Clark Australia Pty Ltd at Millicent, who fractured his skull when he fell down a lift shaft at work.



“Together with the case manager and rehabilitation consultant, we worked out a successful return to work plan. Management has been great too. They put me in the receptionist’s job, and helped me to organise study.”

Deb Robinson, an aged care worker, who has retrained as a diversional therapist since hurting her back.

“My workmates were really concerned for me. When you hear about how affected your workmates and bosses are, it brings home that you’re not ‘just a number’ at work, that you’re part of a community that cares.”

Matthew Ervin, from Nyrstar Port Pirie, a hazardous and high-risk industrial molten metal smelting site, who was injured when he slipped into a 540°C molten metal bath.

“ They put me in the receptionist’s job, and helped me to organise study. ”



Glossary

Case manager – A case manager is employed by the claims agent (Employers Mutual) to work directly with workers and employers to manage workers rehabilitation and compensation matters

Claims agent – Employers Mutual
– An external organisation, contracted by WorkCover to provide workers rehabilitation and compensation services to injured workers and registered employers

Determination – A decision about whether a claim will be accepted, partly accepted or rejected

Freedom of Information Act (FOI)
– This Act of Parliament gives members of the public the right to access records held by State Government agencies (including WorkCover)

Fraud – Seeking any payment or benefit by deception or dishonest means. Fraud is not characterised as minor/infrequent exaggerations of incapacity

Health provider – Health professionals (such as medical practitioners or physiotherapists) whose aim is to treat an injured worker and assist them to recover and return to work

Levy – A fee paid by employers to cover the cost of the Scheme, based on an employer’s main business activity and charged as a percentage of remuneration, and payable in advance based on an estimate of remuneration

Non-compliance – Arises when a person doesn’t meet their obligations under the Act, whether the person deliberately avoided, or simply failed to meet their legal obligations

Occupational Health, Safety and Welfare Act 1986 – An Act that provides for the health, safety and welfare of people at work, administered by SafeWork SA

OHS, OHSW – Occupational health and safety (and welfare)

Reconciliation statement – Sets out the actual amount of remuneration an employer paid to their workers in a financial year

Registered employers – Employers whose workers compensation claims are managed and costs covered by WorkCover through the Scheme

Rehabilitation and return to work coordinator – Coordinators are employed by organisations with 30 or more workers to help manage injury and illness in the workplace and facilitate recovery and return to work

Remuneration return – Sets out the total estimated amount of remuneration an employer expects to pay to their workers in the forthcoming financial year

Return to work – Return to work means the worker is back at work in their old job or another job as a settled or established wage earner

SafeWork SA – SafeWork SA is the Government agency responsible for administering and enforcing OHSW and certain industrial relations laws in South Australia

The Scheme – South Australia’s Workers Rehabilitation and Compensation Scheme

Suitable employment – This involves the worker undertaking pre-injury or alternative employment, full-time or part-time, based on the medical assessment of their capabilities and other factors

Vocational rehabilitation provider
– A service provider whose aim is to help an injured worker return to work

Weekly payments – Sometimes called income maintenance. What the Scheme pays workers to compensate for the income they lose as a result of their injury

WorkCover Levy Review Panel
– A panel set up to hear and determine disputes from employers on levy-related matters

WorkCover Medical Certificate
– Formerly known as Prescribed Medical Certificate, this is a legal form that must be completed by a treating doctor to certify that a worker has a medical condition (disability) that may be work-related

Worker – The *Workers Rehabilitation and Compensation Act 1986* defines a worker as a person working within an employment relationship, or a contractor who is treated as a worker

The Workers Rehabilitation and Compensation Act 1986 (the Act)
– This Act of Parliament provides for the rehabilitation and compensation of workers who suffer workplace injuries, illnesses or death



Notes

