



Frequently asked questions

FOR WORKERS

Q. Can I still make a claim to WorkCover if I am injured at work?

Yes. You will still have access to make claims to WorkCover for injuries sustained when undertaking work-related activities, within the appropriate guidelines.

Q. What will be covered? An insurer will cover reasonable expenses for the following:

- Lost wages – Yes
- Medical and rehabilitation costs – Yes
- Hospital costs – Yes
- Travelling expenses – Yes
- Lump sum payment for permanent impairment – Yes

Q. Will I still be able to make a claim if I am injured on my way to or from work?

Yes you will. The provisions protecting a worker's rights to make a worker's compensation claim if injured on their way to or from work, on their break, or on a designated work outing have not changed.

Q. If I lodge a claim to WorkCover and the claim is assessed 5% or less degree of permanent impairment (DPI), will I still be able to DC £ 0m and access compensation under Queensland's WorkCover Scheme?

Yes you will. The method of assessing the overwhelming majority of claims has not changed. You will still be assessed and compensated, where appropriate, for lost wages, medical, hospital and rehabilitation costs, travelling expenses, lump sum payments, regardless of the degree of permanent impairment sustained.

Q. I have heard there are two types of claims I can DC relating to workers' compensation – a 'Common Law Claim' and a 'Statutory Claim'. Can you please explain each of these claim types to De?

In very simple terms, a **statutory claim** is a no-fault claim that ensures you continue to get a weekly income where you are injured at work and cannot work due to the injury. The vast majority of claims made to WorkCover are statutory claims. Statutory claims are able to compensate workers for, among other things, lost wages, medical, hospital and rehabilitation costs, and travelling expenses.

A **common law claim** may also be made in addition to a statutory claim, when a worker with a work-related injury tC s legal action against thei r employer through the courts for negligence. An injured worker is only entitled to one form of compensation, either a statutory claim or a common law claim. If a common law claim is accepted, the statutory payments are refunded.



Q. Is the newly introduced threshold of greater than 5% to access common law damages high or low by Australian standards?

By Australian standards, a 5% degree of permanent impairment (DPI) minimum threshold to access common law is low. For example, in New South Wales the minimum threshold is 15% and in Victoria it is 30%.

Q. If I make a common law claim, will I be referred to an accredited return to work program?

Yes. One of the changes the government has made is that all workers who lodge a common law claim will be referred by their insurer to an accredited return to work program. Return to work programs minimise the economic loss sustained by injured workers and improve rehabilitation and return to work outcomes. What this means is better outcomes for employers and workers.

Q. Will my prospective employer be able to access my previous injuries and workers' claims?

When applying for a new job your prospective employer may ask you to provide authority to access a history of your previous workers' compensation claims. These details can only be accessed by employers, from the workers' compensation Regulator, with the express written consent of the worker. Employers are prohibited from passing this information on to others.