

Working together with small business

Guidance for employers

Working with small business

As a small business owner or manager, we know that there are lots of things you need to be thinking about.

So we want to help you out.

As part of our commitment to working together with small business owners and managers, we want to make things easier for you.

This guide has been prepared specifically for you. The information in this guide aims to help and educate you on WorkCover matters, so you can get on with running your business.

You'll find useful tips on how to make a claim, how to reduce your premium, and links to more information online.



About WorkCover

- If you have a business in Queensland and employ workers, you are required to insure them against workplace accidents with WorkCover Queensland.
- A WorkCover accident insurance policy covers employers for the cost of workers' compensation claims. It also provides injured workers with compensation, medical costs and other benefits.
- We are governed by the [Workers' Compensation and Rehabilitation Act 2003](#)
- A worker is a *person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cth), schedule 1, part 2-5. (s 11 of the Act).*
- For more information, visit our website to see if you need a policy – [Who is a worker?](#)

What happens if a worker is injured at work?

There are two types of workers' compensation claims:

Statutory (no fault) claims

If a worker is injured in the course of their employment and the application is accepted, WorkCover may pay compensation during their medically certified absence from work as well as reasonable and necessary medical, hospital and rehabilitation expenses. This is a no fault system, i.e. the worker is covered irrespective of the cause of the injury.

Common law claims

If a worker is able to prove that the injury he or she suffered in the course of their employment was caused by the negligence of the employer, a common law claim will compensate them for their pain, suffering and loss of amenities of life, loss of income both past and into the future, and out of pocket expenses, both past and into the future.

What happens if a worker is injured at work?

- Applications for compensation can be lodged online at workcoverqld.com.au, via phone on 1300 362 128, fax 1300 651 387 or post to GPO Box 2459 Brisbane Qld 4001 by you, your employee or their doctor.
- Statutory claims are 'no fault' and WorkCover needs to ascertain whether the 'worker', 'event', and 'injury' criteria has been met.
- We will contact you, your employee and the doctor to gather and provide information throughout the determination of the application, usually within three days of lodgement.
- We have 20 business days to make a decision regarding the application.
- Please see the [Employer checklist](#) on our website for more details.

What happens if a worker is injured at work?

Tips:

- Notify us as soon as possible. Early reporting of injuries helps get the injured worker back to work quickly and safely
- Promote injury reporting and near misses in your workplace
- Address all incidents to promote zero harm and injury prevention culture
- Keep accurate records to help you spot trends or problem areas
- Maintain regular contact with your injured worker
- Share information promptly with us
- Disputes regarding the decision on the application should be based on evidence
- The workers' compensation [Regulator](#) is the body that can review decisions.

What happens when the claim is accepted?

A Customer Advisor will be assigned to manage the statutory claim with you to [Help your Employee Return to Work](#) if they are not working.

Your Customer Advisor will work with you to:

- Identify, accommodate and comply with meaningful suitable duties
- Have clear goals that are shared and agreed upon with all parties
- Foster a supportive work environment through communication and participation
- Be involved in worksite visits and case conferencing
- Think 'capacity' rather than 'incapacity' so employees can stay at work as they rehabilitate from injury; what they can do, not what they can't.

WorkCover's focus is for the injured worker to return to work or stay at work.

What is covered under your policy?

Your accident insurance policy covers you for the cost of any work-related injuries sustained by one of your workers.

Your policy covers you for a range of statutory claims' costs we accept as reasonable and necessary to aid recovery and return to work, such as:

- lost wages and hospital costs
- medical costs including doctor consultations, medication, x-rays
- rehabilitation costs including physiotherapy, return to work programs
- travelling expenses
- lump sum payment for a permanent impairment
- death benefits and funeral expenses.

You are liable for paying an [excess](#) on any accepted claim, where your worker has taken time off from work.

See our website for information on [What is not covered](#), or for more information, please contact us on 1300 362 128.

What are your responsibilities as an employer?

Rights and responsibilities

- Take every reasonable step to cooperate and participate with rehabilitation and suitable duties and keep us informed about your worker's progress in returning to work. This assists us to get your worker back to work as quickly and safely as possible.
- You will need to pay an excess on any accepted claim if your worker has taken time off from work due to their injury. This excess will be the lesser of:
 - 100% of Queensland full-time adult's ordinary time earnings (QOTE), or
 - The injured worker's weekly compensation rate.
- This useful guide shows how to [calculate normal weekly earnings](#).
- Please notify us if you pay any claim expenses, so we can reimburse you.

Return to work – what we know

- Early return to work reduces the risk of long-term disability
- Injured workers who are offered suitable duties are twice as likely to return to work
- Strong evidence suggests that work absence tends to perpetuate itself: that is, the longer someone is off work, the less likely they become ever to return.

The longer someone remains off work the less likely it is they will ever return. If someone is off work for:

- 20 days, the chance of ever getting back to work is 70%
- 45 days, the chance of ever getting back to work is reduced to 50% and
- 70 days, the chance is then again reduced to 35%.

[Realising the Health Benefits of Work](#)



How is premium calculated?

- The amount of premium you pay is based on your current wages and claims experience, as well as the claims experience of your industry. Like other types of insurance, it links your claims costs to the cost of your [premium](#).
- You pay your premium provisionally – that is, you pay for your insurance at the beginning of a period, and adjust it at the end. You can reassess your premium at any time throughout the year if your circumstances change.
- Your premium rate is influenced by a number of factors, including:
 - your claims performance
 - your industry's claims performance
 - your size relative to your industry.
- We will automatically assess policies with premiums less than \$1200.

More information about calculating premium is available on our [website](#).

Billing options

- WorkCover offers several payment options:
 - credit card (Visa/Mastercard)
 - B-Pay
 - Electronic Funds Transfer (EFT)
 - cheque
 - monthly or quarterly payment plans
- Policy holders can also pay online with their credit card, or select a direct debit or payment plan via [Premium online](#)
- To be eligible for a payment plan the premium amount must exceed \$1200 for the current financial year. Payment plans are available for monthly or quarterly deductions from a nominated bank account.

More information about [Calculating premium](#) is available on our website.

What can you do to save money?

Positively impact on premium by reducing costs:

- Prevention is better than cure – keep your workplace safe
- Let us know about a claim as soon as possible
- Work with us and support your worker to recover at work or return to work quickly
- Promote an injury prevention culture in the workplace
- Be return to work focused and have suitable duties available immediately (reduces common law risk)
- [Stay at work.](#)

A positive approach to rehabilitation can help speed up your worker's recovery and help them get back to their pre-injury duties. Not doing this can cost you more ...

Common law claims

- A notice of claim for damages (NOC) can be lodged with both WorkCover and the employer within three years from the date of injury. A notice of assessment for permanent impairment must be issued by WorkCover first.
- We contact all parties to gather further information and within six months we make a decision on liability (fault) and contact you about the [Common Law](#) claim.
- Queensland Parliament has passed the *Workers' Compensation and Rehabilitation and Other Legislation Amendment Act 2013*. This [fact sheet](#) can help you understand some of the amendments.

For more information please call us on 1300 362 128.

Prevention

As with statutory claims, prevention is best. The factors that may motivate an injured worker to lodge a common law claim to seek damages include:

- Lack of support from the employer after the injury
- Return to work options not accommodated
- Termination, excessive downtime or job instability/risk
- Lack of communication or understanding
- Risk still present within the workplace
- Work limitations due to injury (no redeployment offered to facilitate transitional skills)
- Financial hardship.

These are factors an employer may be able to control. You can help to mitigate the common law claim by proactively addressing these motivators.

[Workplace Health and Safety Queensland](#) website is a useful source of information and guides on injury prevention.

Value for money

We look at ways to add value for money by offering a range of services and information, at no extra cost, to help you control your workers' compensation costs.

Services and information include:

- understanding and simulating your premium
- strategies for return to work
- individual and industry performance analysis
- online services
- a link to workplace health and safety advisory initiatives
- claims contact.



Working with us is easy

- Flexible interactions – SMS, email, face to face, [online services](#), phone
- A Claims Representative can assist you regarding new applications for compensation being determined
- Our Customer Advisors keep you up-to-date with information
- We can assist you regarding your common law claim queries
- [Connect](#) with us via Facebook, Twitter and LinkedIn, or subscribe to RSS feeds to receive workers' compensation news, practical tools or event updates.



Need more information?

- WorkCover Queensland website and news workcoverqld.com.au
- [Rehab and claims](#)
- [Insurance](#)
- [Forms and resources](#)
- [Register for online services](#)
- Our [industry sites](#) can provide you with information specific to your industry
- Sign up for our [quarterly e-newsletter](#)
- [Educational workplace posters](#)
- [Your accident insurance cover explained](#)
- ['Worker' definition video](#)
- [Back on the Road – a return to work story](#)
- [Legislative amendments factsheet](#)
- Call us on 1300 362 128.



Other useful resources

- [Workplace Health and Safety Queensland](#) including the Office of Fair and Safe Work Queensland and the Regulator
- Safe Work Australia [website](#)
- [IPaM](#) initiative to help employers (supported by Workplace Health & Safety and WorkCover Queensland)
- [PErforM](#) Participative Ergonomics for Manual Tasks program endorsed by Workplace Health & Safety
- [Fair Work Act](#)
- Personal Injury and Education Foundation [website](#)
- [Healthy workers](#)