

Day 1

Genuine
dispute
issued

Day 60

Referral
lodged



An injured worker's eligible if:

- Their date of injury is after September 1, 2022
- They have a Genuine Dispute certificate
- They haven't applied to court for the same dispute
- The dispute involves weekly payments, medical expenses, super or interest



The injured worker gets
information about the
arbitration service and eligibility.



The injured worker
sends in a Referral
for Arbitration.



The injured
worker's request
is accepted.



The injured worker
may choose to take
their matter to court.



The injured worker
submits a request for
extension of time form
within 60 days.



WIC will contact the
injured worker to let
them know their
request is under review.



The injured
worker's request
is rejected.

Request extension of time

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Extension of Time Request Form
- Genuine Dispute certificate

Who from WIC is involved at this stage?

- Case Support Officer
- Senior Technical Officer
- Arbitration Support Team Leader

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

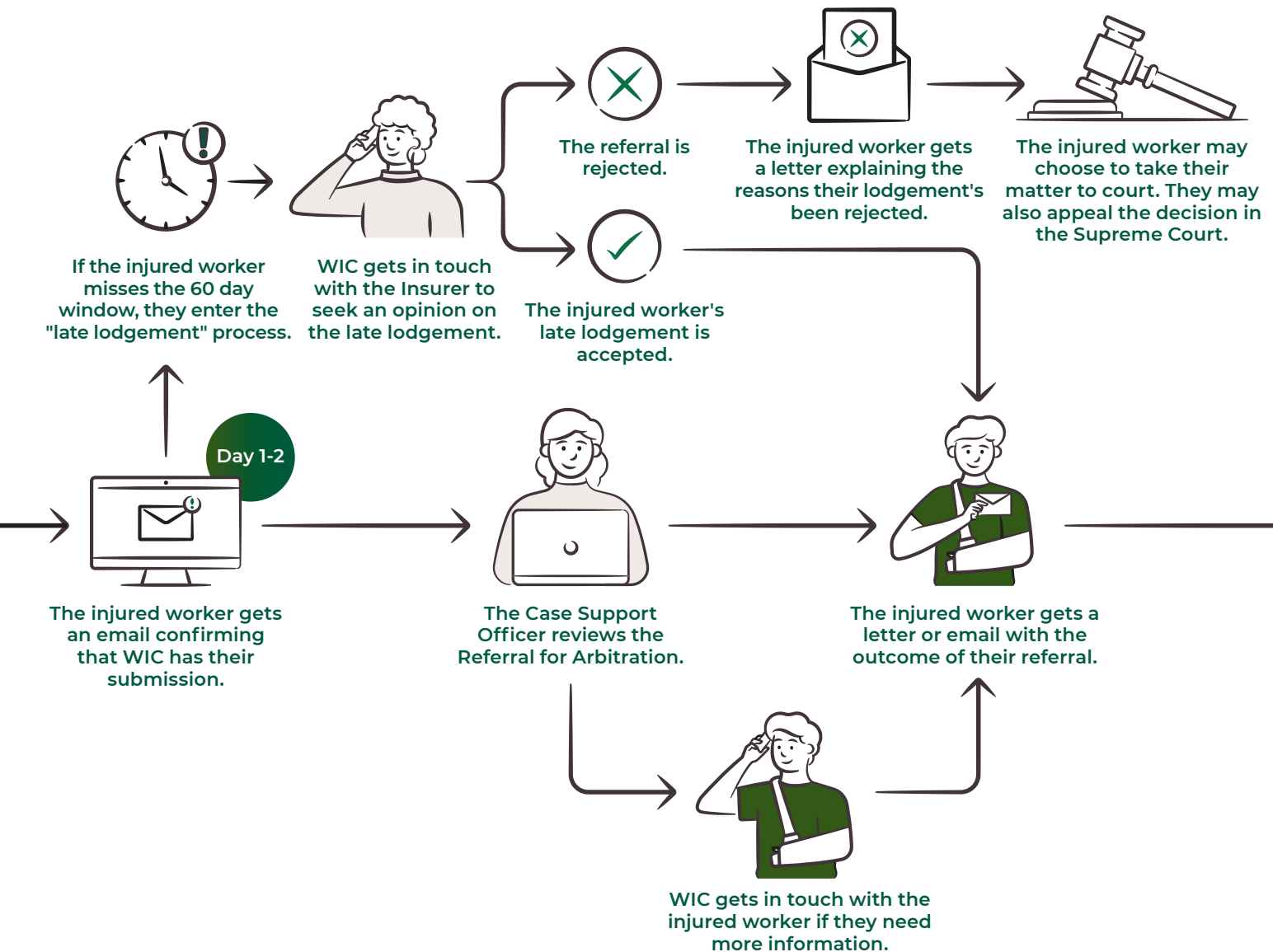
- WorkSafe Agent
- Self-insurer

What are the next steps?

- Injured worker may be contacted by WIC for more information
- All parties involved are notified by phone, letter or email

Day 1

Referral lodged



Arbitration referral

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Referral For Arbitration Form
- Genuine Dispute Certificate

Who from WIC is involved at this stage?

- Case Support Officer
- Senior Technical Officer
- Arbitration Support Team Leader

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

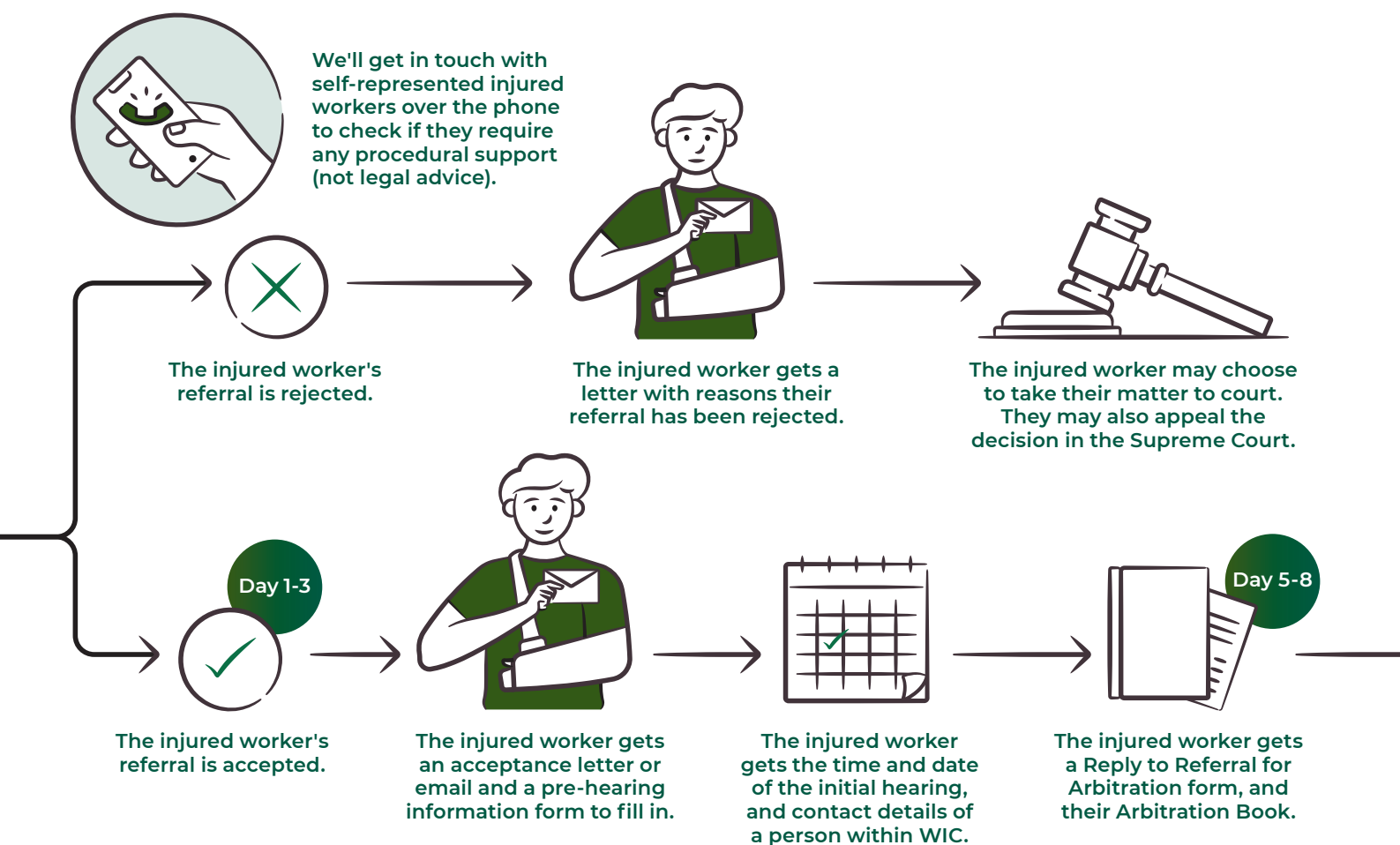
- WorkSafe Agent
- Self-insurer

What are the next steps?

- Injured worker may be contacted by WIC for more information
- Receive decision about dispute (accepted or rejected)

What other supporting documents or resources might be useful?

- Conciliation reference number
- Dispute information



Arbitration acceptance

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Pre-hearing information form

Who from WIC is involved at this stage?

- Case Support Officer
- Hearing Support Officer
- Arbitration Support Team Leader

What other supporting documents or resources might be useful?

- Pre-hearing information form is sent
- Reply to the Referral for Arbitration Form
- Arbitration Book
- Timeline
- Fact sheets

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

- WorkSafe Agent
- Self-insurer
- Employer

What are the next steps?

- Pre-hearing information form is sent
- Injured worker notified by phone, email or letter
- All parties notified
- Initial hearing scheduled



At any time during arbitration, an injured worker can submit requests.

Requests may include:

- A Medical Panel opinion
- Dismissal
- Adjournment
- Hearing on the Papers
- Oral Evidence
- Legal representation
- Further conciliation



At any time during arbitration, the case may be dismissed.

The injured worker is issued a Certificate of Dismissal, and arbitration is finalised.

The injured worker may come back to arbitration if a Genuine Dispute is certified in the Certificate of Dismissal.

Day 8-13



The injured worker sends in their pre-hearing information form.



The injured worker gets copies of all the forms from all the other parties involved.

Arbitration preparation

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Pre-hearing information form
- Request in writing with reasons
- Written responses to relevant requests

Who from WIC is involved at this stage?

- Hearing Support Officer
- Arbitration Officer
- Case Support Officer

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

- WorkSafe Agent
- Self-insurer
- Employer

What are the next steps?

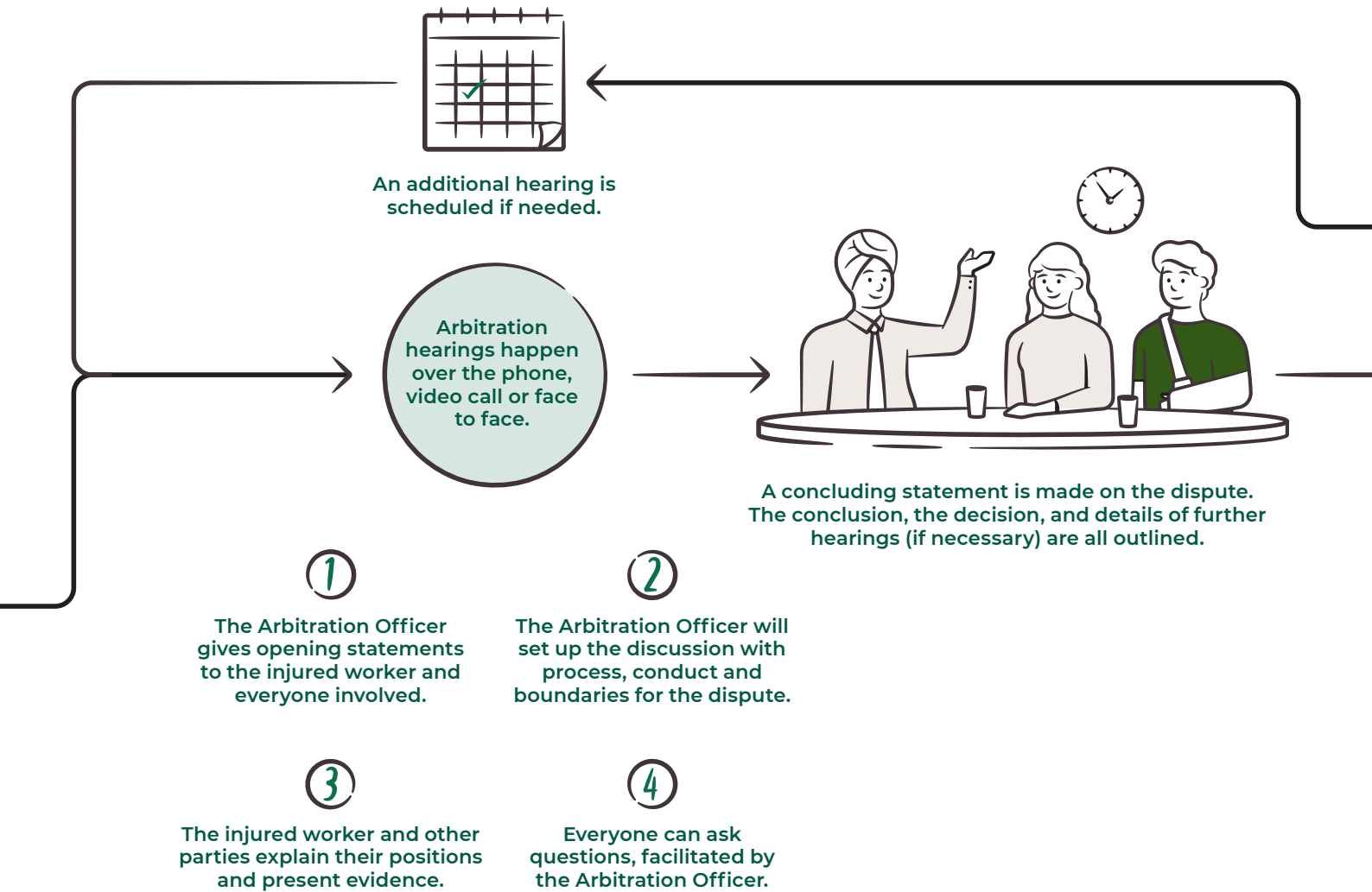
- Request accepted or rejected
- Injured worker notified by phone, email or letter
- WorkSafe Agent, Self-insurer and representatives notified of outcome
- Hearing may be scheduled to discuss requests

What supporting resources might be needed?

- 'Request for' documentation
- Arbitration Book
- Reply to Referral to Arbitration Form

Day 30

Initial hearing



Arbitration hearing/s

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Arbitration Book
- Schedule B

Who from WIC is involved at this stage?

- Hearing Support Officer
- Arbitration Officer

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

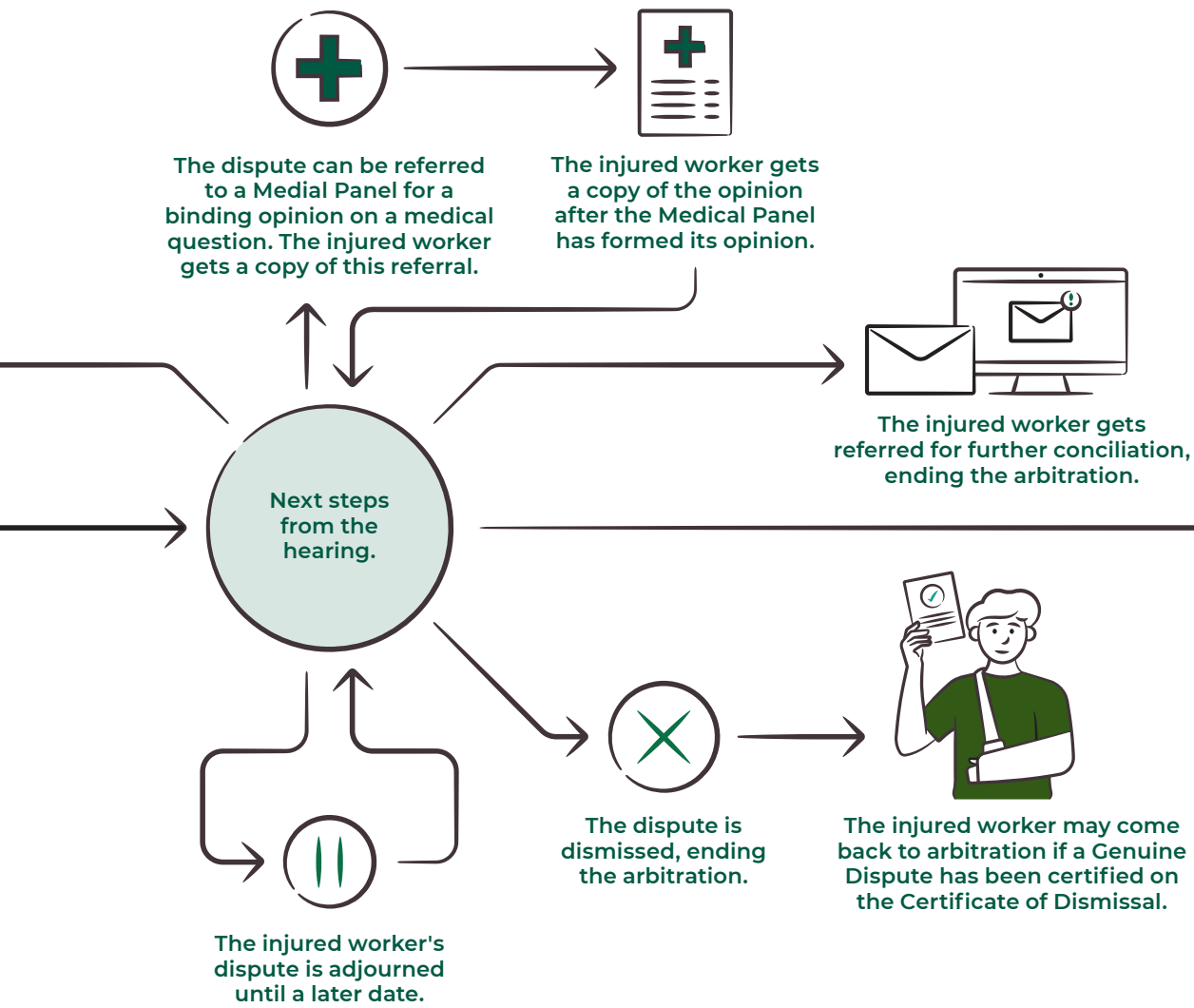
- WorkSafe Agent
- Self-insurer
- Employer
- Witnesses

What are the next steps?

- Determination issued
- Further hearing scheduled
- Adjourned
- Dismissed
- Further conciliation
- Referral to Medical Panel

What other supporting documents or resources might be useful?

- Witness statements
- Evidence
- Timeline
- Pre-hearing information form



Hearing outcomes

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

Who from WIC is involved at this stage?

- Arbitration Officer
- Hearing Support Officer

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

- WorkSafe Agent
- Self-insurer
- Employer
- Medical Panel
- Legal representatives

What are the next steps?

- Referral for further conciliation
- Referral to Medical Panel
- Adjournment
- Dismissal
- Further hearing scheduled
- Determination

Day 0

Day 14

Final hearing
concluded

Determination
issued



There's a
determination
on the injured
worker's
dispute.



The injured worker gets a final
and binding Determination
Certificate, and the written
reasons for the decision.



The injured worker submits a
form to request a transcript of
the hearing (at a cost to them).



The injured worker can get
audio recordings of hearings
(on request), which are free.

Determination

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

Who from WIC is involved at this stage?

- Determination Certificate
- Written reasons for determination

Who can help the injured worker?

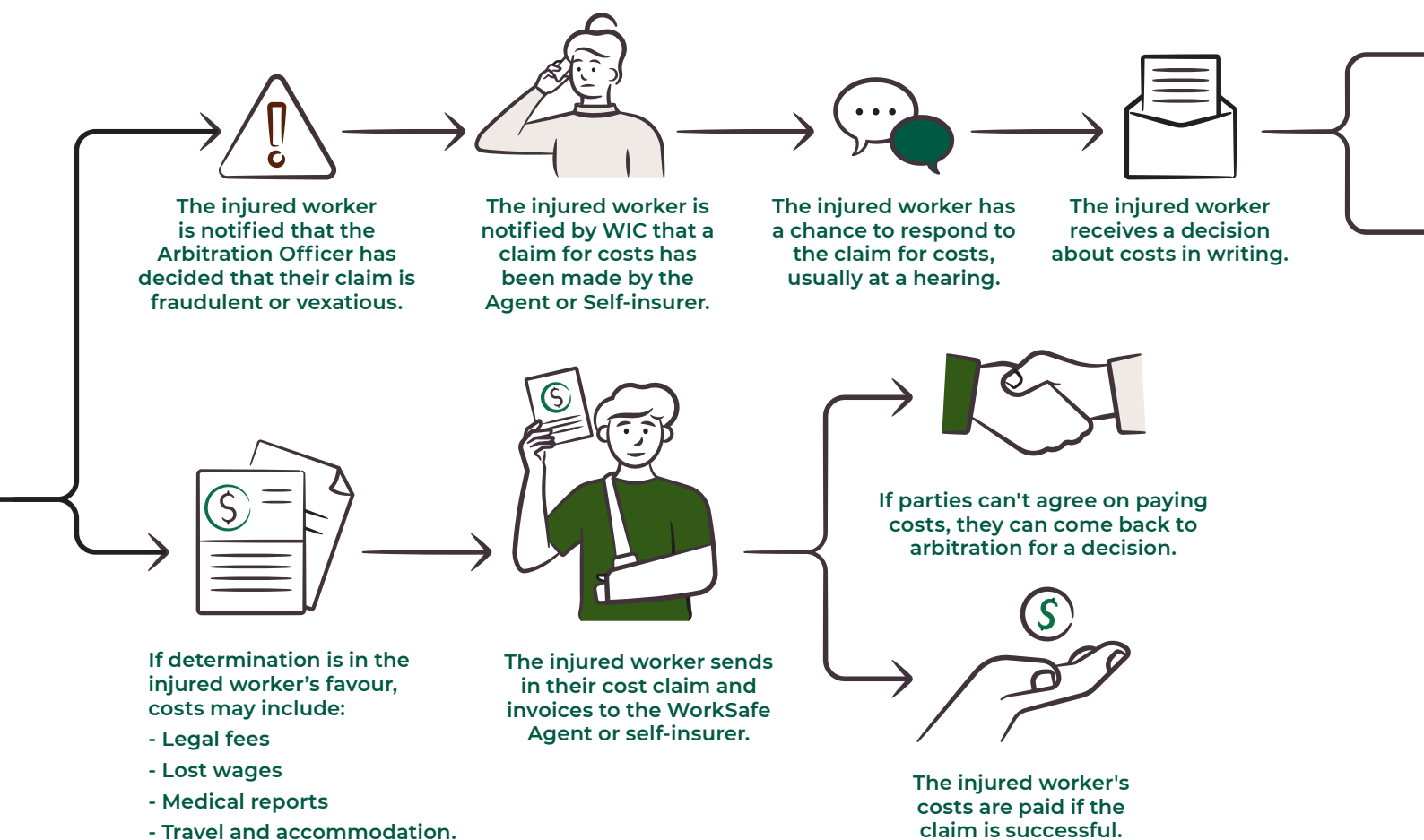
- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

- WorkSafe Agent
- Self-insurer
- Employer

What are the next steps?

- Dispute is finalised
- Determination Certificate issued
- Injured worker can appeal decision at the Supreme Court
- Costs are finalised



Finalising costs

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Request for Costs Decision Form (if costs are disputed)
- Invoices and details of costs

Who from WIC is involved at this stage?

- Hearing Support Officer
- Arbitration Officer
- Arbitration Support Team Leader

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

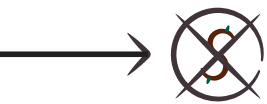
- WorkSafe Agent
- Self-insurer

What are the next steps?

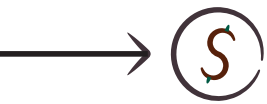
- Parties agree to pay costs
- If costs are disputed, can come back to arbitration to resolve

What other supporting documents or resources might be useful?

- Cost Schedule
- Cost Policy



The injured worker does not have to pay costs.



The injured worker pays the costs.



The injured worker can choose to appeal the decision / determination only on a question of law. There are limited grounds of appeal for them at the Supreme Court.

Appealing a decision

Where can the injured worker find information?

- Letter or email from WIC
- Website
- Phone
- In person

What documents are required at this stage?

- Copy of Arbitration Dispute File (all materials provided by parties to WIC)
- Any other documents required by Supreme Court

Who from WIC is involved at this stage?

- Hearing Support Officer
- Arbitration Officer
- Arbitration Support Team Leader

Who can help the injured worker?

- Support person
- Union Assist or WorkCover Assist
- Legal representatives
- Interpreter
- WIC
- Other reps

Who else might be involved?

- Supreme Court
- WorkSafe Agent
- Self-insurer

What are the next steps?

- Dispute is re-opened by a Supreme Court decision
- Determination / decision remains unchanged

What other supporting documents or resources might be useful?

- Arbitration hearing transcript
- Arbitration hearing recording