



WORKERS' COMPENSATION FAQs

Workers' compensation is a type of insurance that can offer you an important safety net if you become injured or ill because of work. Under Australian law, employers must have insurance to cover their workers in case they get sick or injured because of work.

I am a worker who was not born in Australia. Am I covered under my workplace's workers compensation?

Yes, you are entitled to the same workplace rights as Australian citizens. Your citizenship or visa status do not stop you from having access to workers' compensation if you (as a worker) are injured from your work.

How is Workers' Compensation Insurance provided?

Workers' Compensation Insurance in the ACT is provided by licensed private insurance companies.

- Allianz Insurance
- Guild Insurance Ltd
- QBE Insurance
- CGU Insurance, and
- GIO Insurance

All offer workers compensation insurance in the ACT. You can get their contact details from our [website](#).

I have been injured at work how do I make a workers' compensation claim?

Step 1 - You **must** first let your employer know that you got injured.

- your employer does not investigate the claim. The insurer will investigate it.
- your employer **must** keep paying you until they get advice from the insurer.
- your employer **cannot** use your personal or annual leave.
- the insurer will pay your employer back your wages.

Step 2 - Your employer **must** tell the insurer about your injury within 48 hours of being aware of your injury. Your employer will put the details of the injury in the Register of Injuries for the workplace.

If you are so injured that you cannot work for 7 days or more, you will need to follow the below steps.

Step 3 - the insurer **must** contact you, your employer and (if needed) your treating doctor, within 3 business days of being made aware of your injury. You **must** complete and give a claim form and [Certificate of Capacity](#) to your employer within 7 days. If you do not provide the documents within 7 days your employer will stop paying you your wages.

- your employer will give you the claim form .
- your doctor will give you the Certificate of Capacity.
- your employer **must** send the claim form to the insurer within 7 days of receiving the claim from you.
- the insurer will accept or reject the claim within 28 days.



Step 4 - You and your employer **must** make a personal injury plan with the insurer. This plan must be followed.

- the personal injury plan can be made with the help of an approved workplace rehabilitation provider.
- if you have not returned to your normal duties and working hours within 4 weeks after the day you told your employer of the injury, the insurer must appoint an approved rehabilitation provider to you.
- for 6 months after you got injured your employer **must** provide suitable duties for you if requested and where available.

If you are not satisfied with this process, you can ask the insurance provider to organise a conciliation process to try to mediate the issue and have it resolved.

If you are unable to resolve the problem through these methods, you should seek legal advice about making an application to the Magistrates Court for a decision about the issue.

Is there a certain amount of money that medical and/or rehabilitation service providers must be paid?

No. In the ACT, all workers' compensation insurance is provided by private insurance companies. WorkSafe ACT does not determine what fees should be charged for these services.

Do interstate businesses need workers' compensation insurance in the ACT?

If the workers spend most of their work time in the ACT, then an ACT workers' compensation insurance policy is required.

This is worked out by a "State of Connection Test". The test considers where the worker spends the majority of their time working over a twelve month period.

For further information about cross-border workers, please [click here](#).

If I don't agree with the decision of a workers compensation insurance provider what can I do?

If you disagree with the decision made by an insurance provider, you can ask the provider to review their decision. You can also give them additional information about the issue.

