Insurers must give this statement to a worker if a claim is lodged.

Workers' compensation in Queensland

Worker rights and responsibilities

Your rights	Your responsibilities
• Be treated with courtesy and respect. • Make a claim for any work-related injury or illness. • Choose your own treating doctor. • Privacy. You can choose who is present during medical treatment for your injury, including choosing whether your employer or the insurer is present. • Privacy. Your employer must not contact your doctor without your consent. • A rehabilitation and return to work plan that you have had a say in, including when it is reviewed. • If you're not happy with the rehabilitation provider selected by the insurer, you can request a different one. • Seek advice from a workplace advisor, union, lawyer, or free support services. • Seek support from a friend or relative to assist you through the process. • Your employer can not influence your decision to make a claim by threatening to disadvantage or offering rewards to you or another person. • Your employer can not obtain or use documents about your workers' compensation claim to decide whether to employ you or whether your employment should continue.	• Treat insurer and regulator staff with courtesy and respect. • Provide requested information to the insurer promptly so that a decision can be made. • Be open and honest about your injuries (including any recent or significant pre-existing injuries). • Take an active part in your rehabilitation and return to work. Your payments might be suspended if you don't take part in medical treatments, rehabilitation programs or host employment without a valid reason. • Notify the insurer within 10 business days of returning to any form of work (whether paid, unpaid, volunteering, self-employed, or with an employer). • If you don't notify your insurer, you may be committing fraud. Workers' compensation fraud is a crime that you may be prosecuted for and face imprisonment.

What types of work-related injuries are covered?

What is included?	What is not included?
✓ All types of injury or illness including a psychological injury ✓ Aggravated injuries or ongoing symptoms ✓ Respiratory diseases or diseases contracted while doing your job, for example Q fever, silicosis ✓ Industrial deafness ✓ Fatalities ✓ Some injuries travelling to or from work or on scheduled breaks	× Injuries and illnesses that are not work-related × Psychological injury caused by reasonable management action taken in a reasonable way. × Injury caused by your serious and wilful misconduct. × Intentionally self-inflicted injuries. × Injuries during travel to or from work if major delays, interruptions or deviations occurred during the journey.

1 | This statement aligns with section 132AA of the *Workers' Compensation and Rehabilitation Act 2003*

What happens once you've lodged your claim?

How a claim is decided

Decisions are typically made within 20 business days. The insurer will let you know if more information and time is needed.

The insurer will talk to you and get information from your employer, doctor and any witnesses about your injury.

The insurer will consider whether you were a worker and if so, whether work was a significant contributing factor to the injury.

For psychological injury claims, the insurer may also consider whether the injury was caused by reasonable management action.

Access to early support for psychological injuries

For psychological injuries, the insurer is required to fund early mental health treatment (like doctor's appointments, counselling or medication) while your claim is decided.

If your claim is not accepted

If you disagree with the insurer's decision on your claim, you can ask for a free independent review by the Workers' Compensation Regulator within 3 months of getting the insurer's written decision. You can request a copy of the insurer's reason for decision.

To apply for a review visit worksafe.qld.gov.au or call 1300 738 197.

If you disagree with the Regulator's decision, you can appeal to the Queensland Industrial Relations Commission within 20 business days of receiving the decision. There may be costs involved, so it's a good idea to get independent legal advice.

Weekly compensation payments and support

If you need to take time off work, you may receive income assistance. You may also be reimbursed for reasonable medical, rehabilitation, travel or other expenses.

If the insurer can't calculate your weekly payment right away, you'll receive a basic weekly payment until they get your wage information.

Return to work support

Getting back to work can significantly improve your health and wellbeing. Studies indicate that an earlier return to work often leads to a faster recovery from injuries.

The insurer and your employer must support your rehabilitation and return to work (RRTW).

Insurers must develop a RRTW plan with you, your employer and your doctor. This plan must be in place within 10 business days of your claim being accepted.

You can request a copy of your RRTW plan from the insurer at any time.

Employers must provide suitable and meaningful work duties based on the doctor's advice.

Where your employer cannot offer suitable duties, the insurer may arrange work with a host employer while you recover.

The insurer may appoint a workplace rehabilitation provider to assist with your recovery. If you're not happy with the provider selected by the insurer, you can request a different one.

If you return to work (paid, unpaid or self-employment) you must notify the insurer.

Lump sum payments

If a doctor has determined that you have a permanent impairment, you might be eligible for a one-time lump sum payment. It's advisable to seek legal advice before accepting this payment.

Access to common law

In some cases, you may be able to sue your employer if you can show that your employer's negligence caused or contributed to your injury.

Making a common law claim is a serious matter and only a small percentage of claims proceed to a common law claim. It's advisable to seek legal advice about making a common law claim.

You or your lawyer will need to submit a notice of claim for damages. This generally needs to: be done within three years of the date you were injured; and describe the allegation of negligence against your employer.

If successful, you may be awarded payments for past and future economic loss, pain and suffering and future medical treatment.

If unsuccessful, you may have to pay legal fees and other costs to the other party.

You will need to disclose any non-work-related stressors or pre-existing injuries which may have contributed to your claim.

Dismissal because of injury

Your employer cannot dismiss you solely or mainly because you have a work-related injury, within 12 months of that injury. Other laws may also apply.

If you have been dismissed within 12 months of your injury, you should report it immediately to the Workers' Compensation Regulator.

If the rules are not followed

The Workers' Compensation Regulator monitors compliance with workers' compensation laws. If you notice that rules aren't followed, report it here.

For support and further information

Workers' Psychological Support Service: A free, independent, and confidential service if you have a work-related psychological injury.

Call 1800 370 732 or https://wpss.org.au.

Mine Dust Health Support Service: A free support service for mine or quarry workers.

Call 1300 445 715 or www.rshq.qld.gov.au.

Legal advice: Find a lawyer: www.youandthelaw.com.au/legal-advice/accidents-and-compensation or access community legal services: www.communitylegalqld.org.au

Lifeline: 24-hour crisis support and suicide prevention service.

Call 13 11 14 or www.lifeline.org.au.

Industrial organisations: A list of employee organisations is available here.

Other supports: www.worksafe.qld.gov.au/workers-compensation/Support-and-advisory-services-for-employers,-workers-and-people-making-a-claim

For more information, visit www.worksafe.qld.gov.au.