

INFORMATION FOR WORKERS

YOUR RIGHTS AND RESPONSIBILITIES

Australian Capital Territory

You play the most important role in your recovery. It is important to actively participate in your treatment and rehabilitation, stay in touch with your workplace and your family and friends and return to your normal routine when it is safe to do so. Within your role, you have the following rights and responsibilities:

Rights

- Weekly compensation payments (if applicable), will commence from the date of incapacity, supported by a valid ACT Certificate of Capacity.

If there is a total incapacity, for 26 weeks after the incapacity date you are entitled to receive weekly compensation equal to your average pre-incapacity weekly earnings (APIWE) which includes overtime if it is a regular established pattern and uniform as to overtime hours worked. After 26 weeks incapacity, you are entitled to receive weekly compensation equal to 65% of your average pre-incapacity weekly earnings (APIWE), or the statutory floor.

If there is a partial incapacity, for 26 weeks after the incapacity date you are entitled to receive weekly compensation equal to the difference between your average pre-incapacity weekly earnings (APIWE) and the average weekly amount that you are being paid for working or could earn in reasonably available suitable employment. If you are partially incapacitated after 26 weeks, you are entitled to a sliding scale which is determined by the percentage amount of pre-injury hours worked.
- If you have an entitlement to weekly compensation payments they will be paid to you by your employer, on their usual pay day.
- You are entitled to attend a medical practitioner of your choice and to payment of reasonably incurred medical and hospital expenses. In addition, you are entitled to claim for reasonable costs of travelling and accommodation, including vehicle running expenses (at the prescribed per kilometre rate) incurred while obtaining treatment.
- You have the right to participate in the development of a Return to Work Plan and Personal Injury Plan, in conjunction with your employer and treating medical practitioner. You may also be entitled to workplace rehabilitation to assist you to return to work.
- You are entitled to request in writing copies of documents relating to your claim.
- If you disagree with a decision made in relation to your claim, you have the right to request that the decision be reviewed via our internal Dispute Resolution process. If you are not satisfied with the result, you may file an application with WorkSafe ACT.

Responsibilities

- To support any ongoing incapacity for work and need for treatment, you are required to supply your employer with an ACT Certificate of Capacity. If your condition deteriorates, please see your doctor for review and advise us or your employer immediately. It is your responsibility to always have a current valid medical certificate.
- All invoices for medical and other expenses are to be forwarded to your employer or us. If the invoice has been paid, forward a copy of the receipt clearly indicating who should be reimbursed.
- Treatment such as physiotherapy, osteopathy, exercise programmes and medication must be prescribed by your treating medical practitioner. So we can provide prompt approval for reasonable treatment and costs, please keep us informed of your treatment referrals. Any non-attendance fees that are incurred will be your responsibility.
- You are required to actively participate in a Return to Work Plan and Personal Injury Plan.
- If you commence remunerated work with another employer after making a claim for weekly payments of compensation, you are required to inform your employer or us within 7 days of the commencement of that work.
- If you no longer reside in Australia and in receipt of weekly compensation payments you are required to provide proof of your identity and evidence that your continuing incapacity results from the workplace injury. You are required to comply with this requirement in order to remain in receipt of weekly compensation payments.

The information provided above is general information regarding the workers' compensation and injury management system. It must not be considered legal advice. If you have any queries, please contact your Claims Consultant.

Privacy and your information

Set out below is important information about:

- a) the purposes for which we collect your personal information
- b) the way in which we handle your personal information
- c) how you can gain access to your personal information
- d) the organisations (or the types of organisations) to which we disclose personal information
- e) the main consequences for you if all or part of your personal information is not provided to us, **and**
- f) how you can gain further information about the way in which we handle your personal information in accordance with our Privacy Policy.

Collection, use and disclosure of personal information

We need to collect, use and disclose your personal information to assess, investigate, manage, defend and otherwise deal with your claim. If you choose not to provide any or some of the information requested, this will affect our ability to do the above and will result in a delay in the assessment of your claim. It may also lead to your claim being declined. In addition we may collect, use and disclose your personal information to administer and manage our products and services, including the management and administration of underwriting and claims, recoveries and settlements.

1. By providing your personal information (including sensitive information such as medical information) to us, you consent to us:
 - a) collecting and using your personal information for the purposes of assessing, investigating, managing, defending and otherwise dealing with your claim or any subsequent claim including producing and providing access to claim data reports, **and**
 - b) for the purposes set out in (1)(a), disclosing your personal information (on a confidential basis) to and collecting it from any of the following parties (some of which may be located outside of Australia)
 - i. your employer; our related entities, our distributors and agents; our investigators, mercantile agents, wage auditors, medical providers, rehabilitation/injury management providers and any other party providing services to us or to your employer.
 - ii. the agent of any of the parties referred to in (b)(i) above
 - iii. other insurers, insurance intermediaries, insurance brokers, insurance consultants, government regulators or insurance reference bureaux
 - iv. lawyers, Workers Compensation Regulators and law enforcement agencies, **and**
 - v. any other party as is required by law or other Court order.

2. By providing personal information about anyone else, you acknowledge that you are authorised to provide that personal information to us and that you will inform such other persons:
 - a) who we are
 - b) that we will use and disclose their personal information in the manner detailed in 1 above, and
 - c) that they can gain access to their personal information.

If you do not consent to our collection, use and disclosure of your personal information as explained in this form, you need to inform us immediately in writing.

Our Privacy Policy

Any personal information you provide to CGU Workers Compensation will be collected, stored, used and disclosed in accordance with our Privacy Policy located at www.cgu.com.au/privacy. Alternatively, contact us on 13 15 32 and we will send you a copy.



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