

# FACT SHEET

7 August 2012

## Workers compensation changes

### Information for employers

In June the Government introduced changes to the Workers Compensation Scheme in NSW. The changes deliver significant new benefits for workers and improvements for you as employers. They are focused on encouraging and assisting early return to work, and providing better financial support for seriously injured workers. The new arrangements will also return the Scheme to financial sustainability without requiring massive increases in your premiums.

Research has shown that early return to work can reduce the impact of an injury on a worker and their family. It's also good for business and can lower your workers compensation premium costs. Even though we are still developing our policies and procedures for work capacity assessments, you can talk to your workers about how you can help them safely return to work.

To help your employees get back to work, the new legislation requires you find suitable work for injured workers who have a capacity to work. We are currently developing policies to work with employers to improve return to work outcomes and identify suitable duties for injured workers. If you need help with identifying suitable work please contact us. Note that fines will apply if businesses do not follow through with their return to work commitments.

### The changes will be introduced in stages

- The changes, which took effect on **19 June 2012**, included new arrangements for journey claims, lump sum payments and nervous shock, heart attack and stroke and disease injuries.
- The most seriously injured employees (with greater than 30 per cent whole person impairment) will begin receiving their new benefits from **17 September 2012**, irrespective of when they were injured.
- Workers injured at work on or after **1 October 2012** will receive benefits based on their actual pre-injury earnings under the new legislation from then.
- The new WorkCover Independent Review Officer will provide simple, non-adversarial reviews of decisions made about benefits and work capacity from **1 October 2012**.
- All other injured workers will be transitioned to the new legislative requirements, including work capacity assessments, from **1 January 2013** and their claims will be processed under existing legislation prior to that time.
- A legal stakeholder reference group is considering the impact of the new legislation on the provision of legal services under the scheme and is preparing an issues paper for public discussion.

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## We will keep you informed

The legislation is taking effect in stages. You will receive more information during this period so you can keep your employees informed and help them transition to the new laws. If you would like to know more about any aspect of workers compensation please call **13 10 50** or visit **[workcover.nsw.gov.au](http://workcover.nsw.gov.au)**

**Note:** The workers compensation changes do not apply to some workers. The excluded groups of workers are police officers, paramedics, firefighters, coal miners and workers who make dust diseases claims.

### Disclaimer

This publication may contain work health and safety and workers compensation information. It may include some of your obligations under the various legislation that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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