

# FACT SHEET

7 August 2012

## Workers compensation changes

### Information for workers

In June the Government introduced changes to the Workers Compensation Scheme in NSW. There are significant new benefits for workers and employers, more assistance to get workers back on the job and better financial support for seriously injured workers.

More than 80 per cent of injured workers go back to work in the first 13 weeks. If they are not working during this period, these workers will receive 95 per cent of their pre-injury average weekly earnings. The benefits step down after 13 weeks to encourage injured workers to safely return to work.

### The changes will be introduced in stages

#### From 19 June 2012

The changes that took effect in June 2012 included new arrangements for journey claims, lump sum payments and nervous shock, heart attack and stroke and disease injuries.

#### From 17 September 2012

Seriously injured workers (with greater than 30 per cent whole person impairment) who are receiving less than the transitional rate of \$725 per week will begin receiving an increased benefit, irrespective of when they were injured. The benefit provided under the old scheme was capped for most workers at \$432.50 per week.

#### From 1 October 2012

Workers injured on or after this date will receive benefits based on their pre-injury earnings more closely aligned with their real earnings prior to injury.

A new WorkCover Independent Review Officer will be available to review decisions made about benefits and work capacity.

#### From 1 January 2013

Workers injured prior to 1 October will be transitioned to the new legislative requirements, including work capacity assessments, from 1 January 2013. Claims will be processed under existing legislation prior to that time.

### Getting back to work

In most cases, you do not need to be 100 per cent recovered to return to work. Getting back to work early is an important part of your recovery. Under the changes, work capacity assessments will be introduced to give you and your employer a better understanding of your capacity to work.

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## Who can I talk to?

You can talk to your insurer, your employer, doctor and health care professionals about how you can safely return to work. You can also contact WorkCover on **13 10 50**.

## We will keep you informed

The legislation is taking effect in stages. The WorkCover website will be regularly updated with more information as it become available. 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.

The information in this fact sheet is general only. Your insurer can provide you with specific information about your claim.

### 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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