

WORKERS' COMPENSATION AND WHO IS COVERED



Workers' compensation insurance provides protection if you are unable to work or are left with out-of-pocket expenses due to a work-related injury by providing:

- the cost of any medical expenses; and/or
- loss of income.

Employers are required by law to take out workers compensation insurance. In Queensland, many employers have insurance with WorkCover Queensland.

If you are an employee of an Australian government agency or certain national companies, a separate system of workers' compensation may apply known as 'Comcare'. If you think this applies to you, contact WorkCover on 1300 362 128 or email WorkSafe at info@workcoverqld.com.au for further information.

WHAT SORT OF INJURY CAN YOU CLAIM FOR

In Queensland, an individual is eligible for workers compensation if they have a work-related injury which can include physical or psychological injuries, diseases, or even death.

Work-related injuries can happen in the workplace, in work-related situations or when travelling to and from work. For example, if you are travelling between two jobs or travelling interstate for work-related reasons.

Physical injuries can include broken bones, sprains and cuts.

Psychological injuries, on the other hand, come in many different forms and can arise due to a number of situations, including sexual harassment, discrimination, bullying or other harassment in the workplace. Examples include depression, post-traumatic stress disorder, anxiety disorders and adjustment disorders.

It is important to know that even if you have a history of suffering from physical or psychological injuries (before your workplace injury) you may still be entitled to workers' compensation. If that is the case, WorkCover will consider whether the workplace incident has aggravated your pre-existing injury..



What if I am not an employee?

If you are not an employee, WorkCover Queensland will look at a variety of factors, including the nature of your relationship with your employer, to work out if you are eligible for workers' compensation.

You may still be eligible if you are one of the following:

- unpaid intern;
- students on work experience or vocational placement;
- volunteer;
- apprentice;
- contractor who is under a 'contract of service'.



Who is eligible for compensation?

To be eligible for compensation, you must have:

- sustained an injury or illness from or at work, in a work-related situation or while travelling to or from work; and
- as a result of your injury/injuries, you have suffered financial loss, such as medical expenses or loss of income.

It is important to know you may be refused workers' compensation if your injury was caused by your own intentional or reckless actions.

If you are still unsure whether you are eligible for worker's compensation, you can call WorkCover claims on 1300 362 128 or email WorkSafe at info@workcoverqld.com.au.

CONTACTS

Working Women Queensland is a free, confidential and supportive service to help disadvantaged women seeking help with work matters.

Working Women Queensland:

Call us on 1800 621 458 or

visit our website <https://brq.org.au/working-women-qld/>

If you are seeking advice about workers compensation or a personal injury claim, this may be outside not be something we can assist with, and we may provide a referral.

Here is a list of the **workers compensation bodies** across Australia:

Commonwealth – www.comcare.gov.au

ACT – www.worksafe.act.gov.au

NSW – www.workcover.nsw.gov.au and www.wcc.nsw.gov.au

Northern Territory – www.worksafe.nt.gov.au

South Australia – www.rtwsa.com

Tasmania – www.wst.tas.gov.au and www.workcover.tas.gov.au

Victoria – www.workcover.vic.gov.au

Western Australia – www.workcover.wa.gov.au

Queensland – www.worksafe.qld.gov.au/claims-and-insurance

Injured workers can receive legal advice on workers compensation from a variety of services including some State legal aid commissions, or from another community legal centre.

The Queensland Council of Unions provide the Workers' Compensation Information and Advisory Service (WCAIS) and can be contacted on 1800 102 166.

You can also reach out to the Queensland Law Society (www.qls.com.au).

INCOME PROTECTION INSURANCE

Income protection insurance provides financial support you if are no longer able to work, or your earnings decrease due to sickness or injury.

Income protection insurance aims to replace your previous income (usually up to around 75% of your gross annual salary). The amount you may be paid is based on your expected annual earnings in the 12 months before you sustained the illness or injury.

Should I take out income protection insurance?

Taking out income protection insurance is a good idea if:

- you are self-employed and do not receive entitlements such as sick leave or workers compensation;
- you have family members reliant on your income;
- you have regular payments like rent or a mortgage that you would otherwise be unable to meet if you were forced to take time off work.



Will my income protection insurance cover me?

If you have income protection insurance and need to make a claim, you will need to provide evidence that you are partially or totally unable to work in your given field. This may include a letter from your GP or medical specialist.

Exclusion from Claiming Income Insurance

If are going to take out income protection insurance, read the policy to find out what is covered and what support you will receive if you need to make a claim.

In many insurance contracts, there are exclusions or restrictions that prevent cover from being available regardless of your medical history, financial circumstances, health and wellbeing. Some common exclusions that prevent coverage include:

- breaking the law;
- negligent or reckless behaviour;
- suicide or self-harm.

Before you take out a policy, you will need to tell the insurer everything about you and your situation that is, or could be, relevant to their decision to cover you. This includes any pre-existing medical conditions (e.g., asthma, depression, heart conditions, high cholesterol, cancer etc.). If you don't do this or aren't honest, your insurer may not accept a claim from you even if you have a policy with them.

LIFE INSURANCE

Life insurance is designed to financially support your family or dependants upon your death.

Should I take out life insurance?

Taking out life insurance is a good idea, particularly if you have a family which relies on you to financially support them. Life insurance money can be used for:

- your family's living expenses;
- paying off a mortgage;
- paying for a dependent's future education;
- medical bills;
- funeral costs.

How to take out life insurance?

If you take out a life insurance policy, you need to state who exactly you want the money to go to if you die. The cost of life insurance varies depending on the provider and factors such as:

- how much money you want to be paid to your family/dependants upon your death;
- your health and lifestyle;
- your age when you take out the policy.

Remember though, it is possible that exclusions apply, so it is important to read the policy before you sign up.

Your superannuation policy may already provide some form of life insurance. Again though, this policy may be limited and may also include exclusions. If you are interested in finding out more information about a life insurance policy you may already have, contact your superannuation provider.



TOTAL AND PERMANENT DISABILITY (TPD) INSURANCE

Total and permanent disability insurance covers very specific situations where you are not able to work ever again due to a permanent illness, disability, or injury.

Should I take out TPD insurance?

TPD insurance provides peace of mind in case you are in an accident. TPD insurance allows you to receive a lump sum to cover:

- medical costs associated with your permanent illness, disability or injury;
- any debts you may have;
- future expenses related to your illness, disability, or injury.

TPD insurance can be taken out together with a life insurance policy or it can be taken out by itself.

Your superannuation policy may already provide some form of TPD insurance. However, this policy may be limited and may also include exclusions. Contact your superannuation provider for details of any TPD insurance policy you may already have.



TRAUMA COVER

Trauma cover is designed to protect you if you are diagnosed with a significant and specific illness or injury such as cancer or a stroke, that stops you from working for a while, but in situations where you will be able to return to work eventually.

Unlike TPD insurance, trauma cover is designed to help with the costs of your recovery so you can eventually return to work (it is not forever). TPD is designed to provide a lump sum for all future expenses for the rest of your life.