

UNION FACT SHEET 2 - SA

Workers Compensation



WorkCover Disputes

Workers Rehabilitation and Compensation Act, 1986

Reviewable decisions

Any person who is directly affected by and dissatisfied with a decision that is reviewable such as:

- a decision on a claim for compensation;
- a decision in relation to the nature of rehabilitation services provided for a worker;
- a decision to vary, suspend or discontinue weekly payments;
- a decision on an employer application to have weekly payments reviewed;
- a decision to disallow a charge for a service

may apply to the Workers Compensation Tribunal (the Tribunal) for a review of that decision.

Notice of dispute

A Notice of Dispute must be made on the prescribed form and should set out clearly the reasons for the dispute. A Notice of Dispute is available from WorkCover SA, Tribunal or most trade unions or employer organisations. Notices of Dispute must be lodged within one month of receiving the decision, unless the Tribunal allows an extension of time.

Reviews

Following receipt of a Notice of Dispute by the Tribunal, the Notice will be sent to the decision-maker for reconsideration of the decision in dispute. Where the reconsideration fails to resolve the matter, the Tribunal will contact the parties involved in an attempt to resolve the dispute by conciliation. Where the dispute cannot be resolved by conciliation, the Notice of Dispute will be referred for arbitration or judicial review.

Delay in a determination

A worker or employer who believes there has been an undue delay in deciding a claim or other matter (apart from a question about the redemption of a liability) may apply to the Tribunal under section 97 of the WorkCover Act for an expedited determination of the matter. An application cannot be made until 14 days after the matter was placed before the decision-maker.

For more information call WorkCover SA on 13 18 55.

Contact us on 1800 060 556 Free call

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Visit our website www.cfmeuffpd.org for more information

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