

# UNION FACT SHEET 1 - Victoria

## Workers Compensation



### **Step by Step Workers Compensation Claim Process** The Accident Compensation Act 1985

**Step 1:** Notify the employer as soon as possible, but within 30 days of the injury this is done by recording the injury or illness in the employer's Register of Injuries. The employer must acknowledge in writing that they have been notified of your injury or illness.

**Step 2:** If the injured worker can't do their normal job they will need to get a Certificate of Capacity from their nominated treating doctor or hospital outlining the nature of the injury or illness, what time off the injured worker needs and if they can get back to work, in what capacity would that be. The first certificate 14 days must be from a doctor, after that a 30 day certificate can be obtained from a chiropractor, osteopath or physiotherapist.

**Step 4:** Fill in a WorkCover Claim form and give it to the employer. These can be got from the post office or workplace. Attach any doctor's bills or medical expenses incurred due to the injury or illness. The employer must acknowledge receipt of a claim in writing.

**Step 5:** If they are not able to get back to work, the injured worker will receive 95% of pre injury weekly earnings including shift penalties. After 13 weeks it drops to 80% until 130 weeks.

**Step 6:** The employer must develop a Return to Work Plan and injured worker should return to work when their treating practitioner says they are able to perform some work. They might work in a different area while they recover or work reduced hours. The employer will usually speak to the injured worker, their representative and their treating practitioner about the best way to get them back to work.

**Step 7:** If the injured worker is not back at their full pre-injury job by 52 weeks, the employer is not obliged to hold their position for them. The injured worker may need to ask their Agent for retraining.

**WorkSafe Advisory Service will provide free advice to both workers and employers.  
Contact the WorkSafe Advisory Service on (03) 9641 1444 or 1800 136 089**

**Contact us on 1800 060 556 Free call**

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Visit our website [www.cfmeuffpd.org](http://www.cfmeuffpd.org) for more information

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