

## Important Information for Employers

### The Aim of Workers Compensation and Injury Management

The primary goal of the Workers' Compensation and Injury Management Act 1981 (the Act) is to compensate workers who suffer a workplace injury and support injury management to enable injured workers to return to gainful employment.

### Legal Obligations

Your legal obligations as an employer include:

- having workers' compensation insurance cover for all workers
- providing the completed claim form to CCI within five (5) working days
- making weekly payments to the injured worker as soon as the claim is accepted
- developing and implementing a return to work program if a treating medical practitioner indicates it is needed for an injured worker.

### Injury Management

Injury management is defined in the Act as "the management of workers' injuries in a manner that is directed at enabling injured workers to return to work". It is the responsibility of employers and injured workers to cooperate in this process, where it is medically supported.

It is a legal requirement to have an Injury Management system in place.

A Code of Practice (Injury Management) 2005 (the Code) explains your legal responsibilities regarding injury management and is supported by the Guidance Notes for the Code of Practice (Injury Management) 2005. This publication includes information on how to establish injury management systems and return to work programs, with ready-to-use templates. Both of these documents may be found at: [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au), or WorkCover WA can provide and issue the Code upon request.

### Injury Management Systems

The Code requires you to have a written description of your injury management system. You must provide your workers with a copy of the document describing your injury management system if they ask for it.

### Return to Work Programs

If an injured worker's treating medical practitioner informs you in writing that a return to work program should be established or that the injured worker is:

- partially fit to return to work in their usual job;
- or totally or partially fit to return to an alternative job

you are required to establish a return to work (RTW) program for the injured worker. This needs to be done with the worker's agreement, in writing and in accordance with the Code.

## Return to Work Programs (continued)

The RTW program should include the following:

- your name and the name of the injured worker;
- a description of the goal of the RTW program;
- the actions to be taken and who is to take them;
- and a statement as to whether or not the worker agrees to the program.

## Insurer Responsibilities

It is not your decision to accept liability for the claim. Catholic Church Insurance Limited (CCI) must assess the claim and advise you and the injured worker, in writing within 14 days of receiving the claim, whether it is accepted or disputed, or if we need more time to make a decision.

## What to Pay and When

When CCI gives approval, you should begin workers compensation payments without delay. Once payments begin, you are required to pay the worker in the usual manner and on their usual payday, unless notified by CCI to cease payments.

While the claim is being assessed, you may consider paying accrued leave to your injured worker (i.e. annual and/or sick leave). You should ask the injured worker first, make it clear it is not workers compensation, and that payment of accrued leave and/or sick leave is a voluntary option until a decision regarding liability is made.

If the claim is approved, and payment from accrued sick leave entitlements has been made, these entitlements must be refunded to the employer and re-credited to the worker.

## Is the Injured Worker's Job Kept Open?

If a worker attains a capacity for work within 12 months of the day they became entitled to weekly compensation payments, the employer must make the position they held, available to them, if this is reasonably practical. If the position is unavailable or the worker is unable to perform the job, the employer must provide a similar position that the worker is qualified and capable of performing that is comparable in status and pay.

Should the employer wish to terminate a worker within the 12 month period, the worker and WorkCover WA must be given 28 days' written notice of the employer's intent.

### How to Contact Us

Mail Catholic Church Insurance Limited  
Level 1, 61 Fitzgerald Street, Northbridge, Western Australia 6003  
PO Box 307 Northbridge, Western Australia 6865

Email [workerscomp@ccinsurance.org.au](mailto:workerscomp@ccinsurance.org.au)

Website [www.ccinsurance.org.au](http://www.ccinsurance.org.au)

Telephone Toll Free 1300 110 442

Facsimile +61 8 9421 6050

Catholic Church Insurance Limited ABN 76 000 005 210, AFSL no. 235415

### Please Note

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