

What pre-injury earnings information should employers provide?

As icare has invited workers to come forward if they believe they've been underpaid in weekly benefits, some workers may ask their current or previous employer for wage information.

[icare's website](#) has more information regarding employer obligations, including a calculating [PIAWE form](#) for employers to complete.

The form has been developed to ensure all relevant earnings information is provided to the insurer where a worker has sustained incapacity as a result of their employment and has an entitlement to weekly payments. The information will assist the insurer to calculate the correct benefits payable in accordance with the provisions of the Workers Compensation Act 1987.

In addition to the PIAWE form, the following list details the type of documentation employers may be asked to provide:

- ✓ Itemised list of payments (or copies of payslips) made to the worker, such as:
 - For a 52-week period, commencing the day prior to the injury, working backwards for 52 weeks
 - Details of each payment made (weekly, fortnightly, monthly etc)
 - Details of any leave payments, ordinary earnings, overtime, shift allowances, other allowances
- ✓ Leave records for the 52-week period prior to the worker's injury
- ✓ A copy of the applicable Award / EBA / or Contract of Employment to assist us in understanding the nature of the payments made e.g. allowances

FAQs

Why would current or former employees need to get in touch with their current or past employer?

They may need to obtain information on their pre-injury earnings to ensure they have provided all the necessary documentation for the assessment.

Over what period is it expected workers will need to get in touch with current or past employers?

The assessments are being carried out from November 2020 and throughout 2021 so current or former employees may be in contact over this period.

How can employers assist in the current remediation of workers compensation payments from 2012?

There may be current or former employees that had a workplace injury from 1 October 2012 that may contact you as their employer seeking information on their pre-injury earnings. It is the information provided by employers to insurers that is used to calculate pre-injury average weekly earnings (PIAWE) to assist in working out how much compensation can be paid to an injured worker.

What is the obligation on employers to provide current or former employees with documentation on their workers compensation payments?

The insurer and case manager are dependent on information from the employer to calculate pre-injury average weekly earnings (PIAWE) to assist in working out how much compensation can be paid. icare's website has more information regarding your obligations as the employer: <https://www.icare.nsw.gov.au/employers/industry-and-partners/industry-hub/need-to-make-a-claim/payments-for-your-employees>

The FairWork Ombudsman also has information on employer obligations to provide information to employees. If an employee asks to see their records, an employer must make them available. This includes after the employee has ceased employment. See: <https://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/record-keeping>

Is there a timeframe for which employers must provide current or former employees with documentation on their workers compensation payments?

There is no mandated timeframe for providing this information under workers compensation legislation in NSW.

However, providing workers with wage documentation as quickly as possible will assist us in conducting a timely assessment of the worker's PIAWE determination.

Where can employers contact if they have any questions?

Claims-specific enquiries - Email or phone the relevant claims service provider, if known;

Enquiries about icare's PIAWE remediation program or a claim where the claims service provider is unknown - Phone icare on 02 6714 8003.