



New claims – employer checklist

The checklist is designed to help employers with the Workers Compensation process.

1. Ensure the worker is okay

Your number one priority is that the worker is safe and has seen a doctor (if required).

2. Send notification of injury to your insurer within 48 hours

Claims can be lodged via multiple channels and these channels are currently dependent on who your claims service provider is.

Make your claim here: www.icare.nsw.gov.au/make-a-claim

Note: An excess may be payable if notification is not provided to your insurer within 5 days of when you became aware of the injury.

3. Send any documentation that you have received to your insurer within 48 hours

This may include a claim form, certificate of capacity, tax invoice from a doctor etc. Any documentation that you receive relating to the worker's injury should be provided to your insurer.

4. Send details of the worker's pre-injury average weekly earnings (PIAWE) to your insurer within 48 hours

PIAWE refers to the average of a worker's earnings during a given period before their injury. This amount will form the basis for determining ongoing weekly payments.

Employers will need to ensure the relevant information is provided to the insurer as soon as possible. This information should cover the period of 52 weeks before the worker's injury, or the period of employment if the worker has been employed less than 52 weeks. The information to provide is:

1. Details of all gross earnings received by the worker: payroll records in Excel format, or if that isn't possible, copies of payslips.
2. A completed PIAWE form – completing the form may reduce the need for your insurer to contact you for more information and will increase the likelihood that PIAWE will be calculated correctly.

Note: After reviewing this information, your insurer may request additional information depending on the employment circumstances of your worker. Such information may include, but is not limited to:

- A copy of the award/EBA/employment contract/industrial instrument, or
- A copy of leave records for the past 12 months.

Alternatively, the option exists for the employer and worker to choose to enter into an agreement on the amount of the worker's PIAWE within five days of notification.

Find out more: www.icare.nsw.gov.au/piawe-agreements

5. Review the certificate of capacity – can you provide suitable employment / duties?

If the worker has provided you with a certificate of capacity that certifies that the worker has some capacity for work (but cannot undertake their normal job), you will need to determine if you can provide them with suitable employment in line with the certificate of capacity.

To view our Injury Management Program visit www.icare.nsw.gov.au/employer-responsibilities.

6. Expect a call from your insurer within 3 business days of notification

The insurer will contact you and the worker within 3 business days of receiving the claim.

The insurer will take you through the next steps, answer any questions that you may have and may seek additional information from you. You can contact your insurer at any time if you have questions or require assistance.

Whether you're a small employer or a medium or large business, we have resources to assist you in supporting your injured staff to recover at work.

Visit www.icare.nsw.gov.au/return-to-work-small-employers/

or

www.icare.nsw.gov.au/return-to-work-med-large-employers/

7. Payments to the worker

The insurer must determine PIAWE and start payments within seven days of the initial notification of injury, unless there is a reasonable excuse not to, or liability is disputed.

It is the responsibility of your insurer to calculate PIAWE. If all relevant information is not provided to your insurer before the first weekly payment is due, your insurer will use the available information to make the best possible calculation of PIAWE.

Weekly payments should continue to be made by you, in line with the worker's regular pay cycle, and will be reimbursed by the insurer. If your worker's next pay is due before the 7-day period and you have any concerns or questions regarding the payment and/or reimbursement of weekly payments, please contact your insurer.