

Changes to pre-injury average weekly earnings (PIAWE)

Applies to workers injured on or after 21 October 2019.

In late 2018 the NSW Government introduced a range of changes to the NSW workers compensation system. The changes aim to reduce disputes and streamline the claims process.



Simple

Logical, easy to apply to a range of working agreements with fewer complexities



Transparent

Clearly articulated in a way in which insurers, employers and workers can understand and explain



Fair & Equitable

Consistent for injured workers (where applicable)

The key changes to PIAWE include:

1 A new PIAWE definition

Reference to ordinary earnings, shift and overtime have been removed. PIAWE simply means the weekly average of the gross pre-injury earnings received by the worker in all employment at the time of injury.



2 A simpler calculation of PIAWE

PIAWE is calculated as gross earnings divided by the relevant earning period which is the 52 weeks before injury unless an adjustment applies. Gross earnings include income from all employment at time of injury and the cash value of non-monetary benefits that have been withdrawn after injury but excludes compulsory superannuation, workers compensation and or other compensation payments.



3 A simpler calculation of the amount of weekly payments

Deductions are no longer considered.



4 A new PIAWE agreement

In certain circumstances, an agent is allowed to give effect to an agreement between a worker and employer about a worker's PIAWE.



Disclaimer: These changes have been made under Schedule 3 of the *Workers Compensation Legislation Amendment Act 2018* (the PIAWE provisions). Amendments to PIAWE do not apply to exempt workers.