

Information for employers – rights and responsibilities

As an employer, you have the following...

Rights

- If a worker in receipt of workers' compensation returns to work with another employer they must notify you within 7 days of starting such work. You must then notify your Case Manager immediately, so that we can contact the worker for further details.
- Through CGU Workers Compensation, you may seek a review of the worker's medical condition by referring the worker to a medical practitioner of your choice no more than once a fortnight. This should be organised through your Case Manager.
- You are entitled to information about how your worker's claim is being managed. We are required by WorkCover WA to communicate with you to provide information regarding claims management and to confirm that appropriate return to work activities have commenced when a worker has been injured at work. Please contact your Case Manager for any information and if you are not satisfied, please ask to speak to their Team Manager.
- As part of the claims management process, you will be consulted in respect of any major development on a claim that impacts on the worker's entitlement to statutory benefits, such as a reduction or cessation in weekly payments or an entitlement to medical treatment. The outcome of any WorkCover WA decisions will be conveyed to you within 3 business days.
- If you would like a claims review meeting to discuss any of your open claims, please contact your Case Manager to arrange a suitable time.
- You should submit invoices for reimbursement of compensation at least monthly, but preferably more frequently. Reimbursement will be arranged within 7 business days.
- Where an injured worker attains partial or total capacity for work within 12 months from the day the worker becomes entitled to weekly payments of compensation, you must make available:
 - the position held by the worker immediately before that day if it is reasonably practicable to do so, **or**
 - if that job is not available, or the worker can no longer perform that job, a similar position for which the worker is qualified and capable of doing, **or**
 - if you intend to dismiss the worker you must provide to WorkCover WA a Notice of Intention to dismiss the worker no less than 28 days before the dismissal is to take place.
- If either CGU Workers Compensation or the worker file an application with WorkCover WA in respect of a dispute over entitlements, you must attend all Arbitration hearings.
- You must have an Injury Management System (IMS) established in accordance with the Injury Management Code of Practice. If you require assistance in establishing an IMS then please contact your Case Manager. Please note a \$2,000.00 penalty applies to employers who do not have an IMS in place.
- You are required to establish a Return to Work Program (RTWP) either on receipt of a medical practitioner advising in writing that a RTWP should be established or certifying the employee as having a total or partial incapacity to return to work. If you require assistance in establishing a RTWP then please contact your Case Manager. Please note a \$2,000.00 penalty applies to employers who do not establish a RTWP.
- Please note: where you seek reimbursement of a tax invoice including GST, and you are registered for GST, CGU will reduce the amount of the payment by the amount of Input Tax Credit that you are, or will be, or would have been entitled to under A New Tax System (Goods and Services Tax) Act 1999, in relation to that acquisition.

Responsibilities

- For all claims with an accident date on or after 1 October 2011 you must make the first weekly payment to your injured worker within 14 days of notification of acceptance of the claim by CGU, or within 14 days of the date of the arbitrator's order. If you fail to do so a \$2000 fine may apply. Subsequently weekly payments must also be paid to your injured worker on your usual pay days. If you reduce or withhold weekly payments of compensation that you have received from CGU for the worker, a \$2000 fine may apply. This fine applies individually for each weekly payment not made.

The information provided above is general information regarding the workers' compensation and injury management system. It must not be considered legal advice.

If you have any queries please contact your Case Manager. You may also contact WorkCover WA the statutory authority for workers' compensation and injury management on telephone 1300 794 744.

Discover the CGU Advantage...

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Privacy and your information

Set out below is important information about:

- a) the purposes for which we collect your personal information
- b) the way in which we will handle your personal information
- c) how you can gain access to your personal information
- d) the organisations (or the types of organisations) to which we disclose personal information
- e) the main consequences for you if all or part of your personal information is not provided to us, **and**
- f) how you can gain further information about the way in which we handle your personal information in accordance with our Privacy Charter.

Collection, use and disclosure of personal information

We need to collect, use and disclose your personal information to assess, investigate, manage, defend and otherwise deal with your employee's claim. If you choose not to provide any or some of the information requested, this will affect our ability to do the above and will result in a delay in the assessment of your employee's claim. It may also lead to your employee's claim being declined.

1. By providing your personal information to us, you consent to us:
 - a) collecting and using your personal information for the purposes of assessing, investigating, managing, defending and otherwise dealing with your employee's claim or any subsequent claim; **and**
 - b) for the purposes set out in 1(a), disclosing your personal information (on a confidential basis) to:
 - (i) our related entities, our distributors and agents; our investigators, mercantile agents, wage auditors, rehabilitation/injury management providers, medical providers and any other party providing services to us
 - (ii) the agent of any of the parties referred to in (b)(i) above,
 - (iii) other insurers, insurance intermediaries, insurance brokers, government regulators or insurance reference bureaux
 - (iv) lawyers, WorkCover WA and law enforcement agencies, **and**
 - (v) any other party as is required by law or other Court order.

2. By providing personal information about anyone else, you acknowledge that you are authorised to provide that personal information to us and that you will inform such other persons:
 - a) who we are
 - b) that we will use and disclose their personal information in the manner detailed in 1 above; **and**
 - c) that they can gain access to their personal information.

If you do not consent to our collection, use and disclosure of your personal information as explained in this form, you need to inform us immediately in writing.

Our Privacy Charter

Further information on how we handle your personal information is explained in our Privacy Charter, including how to access your personal information.

If you require information on the CGU Privacy Charter please access the CGU website www.cgu.com.au or write to us and we will forward a copy of the Privacy Charter to you.

...that's the CGU Advantage

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