

# Information for workers rights and responsibilities

As an injured worker, you have the following...

## Rights

- If you are certified unfit for work, you are entitled to be paid weekly compensation on your employer's usual pay days. Your compensation rate is calculated based on whether you are employed under an industrial award, contract or other, or as a part time, casual or seasonal worker and is capped (please see WorkCover WA website – [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)) and is indexed annually.
  - The maximum compensation payable in weekly payments and lump sum settlements is called the Prescribed Amount, (please see WorkCover WA website for details of prescribed amounts – [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)) and is indexed annually. You will be notified by CGU Workers Compensation when 60 per cent of the Prescribed Amount has been spent.
  - You are entitled to attend a medical practitioner of your choice and to payment of reasonably incurred medical and hospital expenses. In addition, you are entitled to claim for reasonable costs of travelling and accommodation, including vehicle running expenses (at the prescribed per kilometre rate) incurred while obtaining treatment.
  - You have the right to participate in the development of a Return to Work Program, in conjunction with your employer and treating medical practitioner. You may also be entitled to vocational rehabilitation, the maximum entitlement for vocational rehabilitation payments is 7 per cent of the Prescribed Amount and you may attend an accredited vocational rehabilitation provider of your choice.
  - You or your legal practitioner or agent are entitled to request in writing copies of documents relating to your claim as described under S180 of the Workers' Compensation and Injury Management Act 1981 (The Act).
  - If you disagree with a decision made in respect to your weekly payments, medical treatment or other matters please contact your Case Manager to discuss. If you are not satisfied with the result you may speak to their Team Manager. You may also lodge an Application with WorkCover WA to have the dispute resolved.
- your employer medical certificates completed by a registered medical practitioner, certifying your level and period of incapacity and treatment required. You should ensure that your medical certificates do not lapse.
- Treatment such as physiotherapy, osteopathy, exercise programmes and medication must be prescribed by your treating medical practitioner. Chiropractors are only able to treat the spine and cannot certify incapacity.
  - Medical treatment including treatment provided interstate is paid at the Gazetted Rates agreed by WorkCover WA. Please note interstate treatment providers may not be aware of the Gazetted Rates and may charge above those rates. In all cases CGU will only meet medical costs up to the Gazetted Rates, any charges above the Gazetted rates will remain your responsibility, please see the WorkCover WA website for details, [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)
  - You have the responsibility to participate in a Return to Work Program that you, your employer and your treating medical practitioner have agreed to. In addition, you are required to participate and cooperate with any vocational rehabilitation program to assist you back to work and participate in treatment prescribed by your treating medical practitioner.
  - If you commence remunerated work with another employer, after making a claim for weekly payments of compensation, you are required to inform your employer or ourselves within 7 days of the commencement of that work.
  - If you are in receipt of weekly payments and no longer reside in the State you are required to prove your identity and the continuance of your incapacity in respect of which a weekly payment is payable, by delivering to your employer or ourselves, at intervals of 3 months, a declaration completed by yourself and a registered medical practitioner.
  - If CGU or your employer arranges and pays for a medical examination with a medical practitioner of our choice then you are required to attend. If you do not attend without reasonable excuse an application may be made to WorkCover WA to 'The information provided above is general information regarding the workers' compensation and injury management system. It must not be considered legal advice.

## Responsibilities

- If you are certified unfit or partially unfit for work and are in receipt of weekly compensation payments and/or you are seeking ongoing medical treatment you should provide to

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...**

# Information for workers rights and responsibilities

## 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 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 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 claim. It may also lead to your 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 claim or any subsequent claim, **and**
  - b) for the purposes set out in 1(a), disclosing your personal information (on a confidential basis) to and collecting it from:
    - i. your employer; our related entities, our distributors and agents; our investigators, mercantile agents, wage auditors, medical providers, rehabilitation/injury management 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, WorkerCover 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](http://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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