

YOUR ROAD TO RECOVERY



Government
of South Australia



publicsector.sa.gov.au

OUR COMMITMENT

THE GOVERNMENT OF SOUTH AUSTRALIA IS COMMITTED TO SUPPORTING OUR INJURED WORKERS. WE HAVE A STRONG FOCUS ON SUPPORTING YOUR **QUICK, SAFE** AND **SUSTAINABLE** RETURN TO SUITABLE EMPLOYMENT.

ALTHOUGH THE SOUTH AUSTRALIAN PUBLIC SECTOR IS MADE UP OF A NUMBER OF AGENCIES, WE OPERATE AS ONE EMPLOYER. THIS DOCUMENT OUTLINES YOUR RIGHTS AND RESPONSIBILITIES, OUR OBLIGATIONS AS YOUR EMPLOYER, WHAT HAPPENS WHEN YOU LODGE A CLAIM FOR A WORK-RELATED INJURY AND THE PROCESS OF RETURNING TO WORK.



I have lodged a claim; what happens next?

We will immediately start the process to support your recovery and return to work. We work to help you as soon as we receive notification of your injury – even before your claim is determined – to ensure that you are quickly on the path to recovery.

We will determine your claim as quickly as possible and advise you when a decision has been made. Wherever possible, we will make this decision within 10 business days of receiving your claim.

In some cases a decision may need to be deferred to gather further information. If this happens we may need to speak to your treating medical practitioner or other people involved in your claim. Once all information has been received, we will make a decision about your claim.



Who is involved?

Early in the process you'll mainly be speaking to your line manager and your Claims Case Manager. While you're recovering and returning to work you'll also probably have treating medical practitioners, allied health professionals and a Return to Work Consultant working with you.



What does capacity mean and why is it important?

Your doctor's opinion of what you can do at work – your capacity – is extremely important.

Your doctor will provide you with a 'Work Capacity Certificate' (WCC) – a description of what you can safely do, and any physical and/or mental considerations, to minimise the risk of aggravating your injury. We will regularly review your situation to make sure:

- your duties are within your current capacity
- appropriate support is provided to help you maximise your recovery.



When can I return to work?

We know you want to get back to your job, and it's our goal to make that happen. If you receive medical advice that this won't be possible, we'll identify duties that match your capacity. We will work closely with you and your medical practitioner to clearly outline your capacity for work and get you back into the workplace as soon as possible.



Will I get paid?

We will let you know exactly how much income support will be paid to you for any period of reduced capacity for work. As a guide, support is structured so total pay generally reflects salary earned over the last 12 months – or average weekly earnings (AWE), taking into account an employee's particular situation. The legislation sets out minimum and maximum support payments that employees may receive. If you have any concerns, we will provide you with the calculation method used and guidance on how to have the calculation result examined independently.

Income support is not paid indefinitely. Your income support reduces over time, and will come to an end as per Table 1.



Seriously injured workers

If you are determined as having a 'whole person impairment' (WPI) of 30% or more by an approved medical practitioner, you will be considered a seriously injured worker. Seriously injured workers are entitled to income support until retirement age, as well as lifetime payment of reasonable medical expenses.

Some examples of serious injuries have included limb amputations, severe burns, acquired brain injury and spinal cord injury.

Table 1: General guide to income support

<p>The periods below are from the first date of work incapacity</p>	<p>For periods when you have no capacity to work (When you are not working at all)</p>	<p>For periods when you do have a capacity to work For example you have returned to work on reduced hours</p>
<p>For up to 52 weeks</p>	<p>We pay 100% of your average weekly earnings (AWE)</p>	<p>You get paid for the hours you have worked, plus any difference to ensure you receive 100% of your AWE</p>
<p>Week 53 to week 104</p>	<p>We pay 80% of your AWE</p>	<p>You get paid for the hours you have worked, plus 80% of the difference between what you earned and your AWE</p>
<p>Week 105 onwards</p>	<p>We will no longer provide income support</p>	<p>You get paid for the hours you have worked. We will no longer provide additional income support</p>
<p>Week 105 onwards for 'seriously injured workers'</p>	<p>We pay 80% of your AWE until retirement age</p>	<p>You get paid for the hours you have worked, plus 80% of the difference between what you earned and your AWE until retirement (age)</p>



Can I get financial support if it takes a while to determine my claim?

If we are unable to make a decision on your claim immediately, it is important to your recovery and return to work that you are not concerned about your immediate financial needs. If a decision cannot be made within 10 business days after we receive your claim, you will be offered income support by way of 'interim benefits'. You can accept the payment of interim benefits, or you may choose to use your available leave. If your claim is rejected, interim benefits payments made to you will need to be paid back.



Will you pay for my medical and related expenses?

As a result of your injury you may incur medical and related expenses. All reasonable expenses related to your work injury for medical, return to work and similar services will be paid by us. We will pay for these for 12 months after your income support ceases. If you don't receive income support, we will pay for these expenses for 12 months after your injury occurs.

If your injury means you require a therapeutic aid, the reasonable cost of replacement and maintenance of your aid will be maintained. Therapeutic aids include spectacles, contact lenses, hearing aids, false teeth, a prosthesis, crutches and wheelchairs.

If you are a 'seriously injured worker', we will continue to pay for medical and related expenses indefinitely.



How will we stay in touch?

To manage your claim, it is important that we maintain regular contact with each other. We will find out what works best for you, like regular phone calls, emails or face-to-face contact.

You should let us know if:

- there is any change in your condition that affects your capacity for work
- you have received a medical report
- your treating medical practitioner has recommended treatment, services or special equipment
- you are considering a surgical procedure
- you are changing your treating medical practitioner
- you require time off work to attend an appointment
- your address or contact details change
- you wish to take some leave that you are entitled to.



Am I entitled to any other compensation or payments?

You may be entitled to a lump sum payment if you have suffered a permanent impairment as a result of your injury. We will discuss this option with you in more detail once your injury has stabilised.



What happens if my claim is rejected?

If your claim is rejected we will tell you why, and follow this up in writing to you. The letter will tell you about your right to appeal our decision, and the process that needs to be followed.



What do I do if I think my claim is not being correctly managed?

Please refer to your agency's complaint management procedure. Your agency will work with you to address and resolve problems and concerns, keeping you advised along the way. If you remain unsatisfied, your agency will advise you how to lodge a complaint with the State Ombudsman.



What if English is not my preferred language?

We can arrange access to professional interpreting and translating services during the injury management (claims) and return to work processes, including services for people with impaired vision or hearing.



Where can I get more information?

You can get more information from the following:

- **Your Claims Case Manager**
- **Your Return to Work Consultant**
- **Your line manager**
- **Office for the Public Sector**

Website: publicsector.sa.gov.au

Email: publicsector@sa.gov.au

Phone: (08) 8226 2700

Street address: Level 4, Westpac House, 91 King William Street, Adelaide SA 5000

Mailing address: GPO Box 2343, Adelaide SA 5001

- **ReturnToWorkSA**

Website: rtwsa.com

Email: info@rtwsa.com

Phone: 13 18 55

Street address: 400 King William Street, Adelaide SA 5000

Mailing address: GPO Box 2668, Adelaide SA 5001