



Insurer's responsibilities

Workers Comp Fact Sheet 6

Unions worked hard to change the Law to make sure that insurance companies pay injured workers on time.

Insurance companies **must** now begin paying claims for weekly compensation within seven days after receiving an initial notification of injury (unless there is a “reasonable excuse”). **If an insurer fails to pay within 7 days, they can be fined \$5,000.**

The WorkCover guidelines set out “**what is a reasonable excuse**” and these are listed below.

- Unable to contact worker
- Insufficient medical evidence
- Worker is not an employee – for example a Director of a company
- Worker refuses to sign privacy clause on the claim form
- Injury is not work related
- Injury is notified after two months
- Injury is not significant.

As a Union Representative, if the insurer does not pay within the set time, you should contact the insurer or your union.

The seven days commences from the time the notification number is issued and not when the claim form is received. The notification number is issued over the telephone.

Under Provisional Liability:

- Weekly compensation payments can be made for up to 12 weeks from the date of incapacity
- The length of time will depend on the type of injury and how long the person is likely to be off work
- The payments do not mean acceptance of liability for the claim
- Medical and treatment expenses can be approved up to \$5,000. Rejected and

Fraudulent claims

If the insurer pays provisional liability benefits and later rejects the claim, they cannot get the money back, unless fraud is involved.

Note: there are severe penalties for fraud (a fine of up to \$55,000 and/or up to 2 years imprisonment).

For more information please contact your union. This Literature is recommended as a guide only and is not a substitute for professional or legal advice. If you need clarification or further advice please consult your Union for further information or *Contact the Workers Health Centre. The [Workers Health Centre](#) is a non-profit organisation that has provided workers with quality health and safety services since 1976.*

If you are an Injured Worker and in need of assistance and support when injured, please contact us
The Injured Workers Support Network

Address:
Phone:
Email:
Website:

The Injured Workers Support Network is a Not for Profit Organisation.

Who can participate?

- **All injured workers**
- **Any immediate family or support persons of injured workers.**

If interested in further information concerning meetings, membership or other forms of support for the Injured Workers Support Network, please contact us.