

# What to do when a worker is injured

Information for employers  
in the NSW coal industry



Coal Mines Insurance

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# Introduction

Employers have certain roles and responsibilities when someone is injured at work.

When incidents occur, we work with you, the affected worker and their treatment providers to deliver safe, effective and durable outcomes.

This guide outlines your obligations under the NSW coal industry workers compensation scheme, including how to report an injury, make a claim and help workers in their recovery and return to work.

# The NSW coal industry workers compensation scheme

Coal Mines Insurance (CMI) is a specialised insurer responsible for managing and administering the workers compensation scheme for the NSW coal industry.

The NSW workers compensation system provides unlimited 'no fault' protection to workers and their employers in the event of a work-related injury or disease. The cost of workers compensation in NSW is funded by the insurance premiums paid by employers. The NSW workers compensation system objectives apply to all employers and employees in NSW, irrespective of the type of insurance coverage.

Coal Services Pty Limited (and its subsidiaries) exercises its functions and derives its powers from 10(1) of the *Coal Industry Act 2001* (NSW). Under this legislation, CMI is a specialised insurer responsible for managing and administering the workers compensation scheme for the NSW coal industry.

## Understand your obligations

Under NSW workers compensation legislation, employers must:

- ✓ Have a current workers compensation insurance policy
- ✓ Display the 'If you get injured at work poster'
- ✓ Maintain a record of work-related injuries
- ✓ Notify your insurer within 48 hours of becoming aware of a workplace injury
- ✓ Comply with your insurer's injury management program
- ✓ Provide and support suitable duties/suitable employment (where reasonably practicable) while the worker is recovering from injury that is the same as, or equivalent to, their pre-injury duties
- ✓ Participate in the development of the injury management plan including consultation with the worker, insurer and treating doctor
- ✓ Have a documented return to work program that describes the steps you take if a worker is injured and also supports and promotes injury management and return to work
- ✓ Pay workers any compensation received from the insurer as soon as possible after it is received
- ✓ Not dismiss a worker because of the injury within six months from when the worker first became unfit as a result of the injury, or whilst the worker has an entitlement to accident pay.

# When an injury or incident occurs

## When an injury or incident occurs

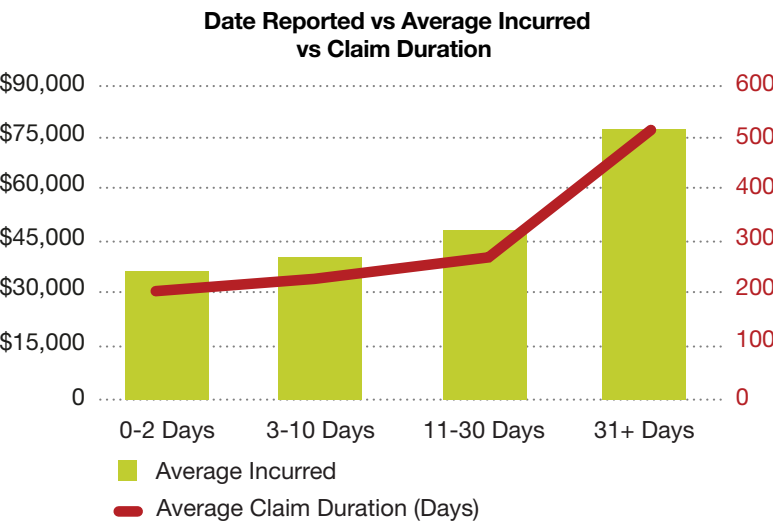
- If someone has been injured at work, seek appropriate medical assistance immediately if needed.
- You must notify CMI within 48 hours of becoming aware that a worker has sustained a workplace injury or that an incident has occurred.
- The injury must be reported even if the worker doesn't intend to make a workers compensation claim. You can complete an Early Notification of Incident Form for this purpose.
- This is important because if their injury becomes worse over time and they need to seek treatment, there will be a record of the incident which may assist the claims process.
- Reporting an injury also enables you to track (and address) potentially hazardous tasks or equipment in the workplace.
- Any work-related injuries and illnesses must also be recorded in the register of injuries, which all workplaces are required to keep.



# The benefits of early notification

Recent reviews of our injury management data confirm there is a clear correlation between the timeliness of claim lodgements and associated duration and costs. Our findings make it clear that early notification of claims can reduce the human and economic costs associated with work related injury and illness.

Specifically, the average duration and costs for a claim **is double** if lodged 30 days post injury as opposed to within the first 48 hours. Late reporting also leads to generally **poorer health outcomes** for injured workers.



# How to notify us of an injury or incident

You, the worker or their representative can make the initial notification to us electronically, in writing or by telephone. The [Employers Incident Notification form](#) details the information that you will need to tell us. The form is available on **our website**.

The Employers Incident Notification form can be emailed to:

Newcastle	cmi.newcastle@coalservices.com.au
Singleton	cmi.singleton@coalservices.com.au
Woonona	cmi.woonona@coalservices.com.au

Alternatively, you can us call on **1800 WORKER (1800 967 537)** or any of our offices:

Newcastle	T. (02) 4948 3150
Singleton	T. (02) 6571 9999
Woonona	T. (02) 4286 5430

# 1800 WORKER

What to do when a worker is injured



# Managing return to work



## Managing return to work

Not all injuries result in time away from work. For those that do, more than 70 per cent of workers return to work within 13 weeks of sustaining their injury.

Evidence has shown that the earlier a worker returns to work, the better their chances of recovery and return to health.

If a person is off work for:

- 20 days they have a 70 per cent chance of returning to work
- 45 days the chance of returning to work is 50 per cent
- 70 days there is just a 35 per cent chance they will return to work.

Recovery from physical injuries and a return to normal life can reduce stress and other mental health issues for the worker.

For employers, it can help to promote a positive work culture, improve attendance and performance and enhance productivity. Similarly, earlier return to work also helps to reduce claim and premium costs.

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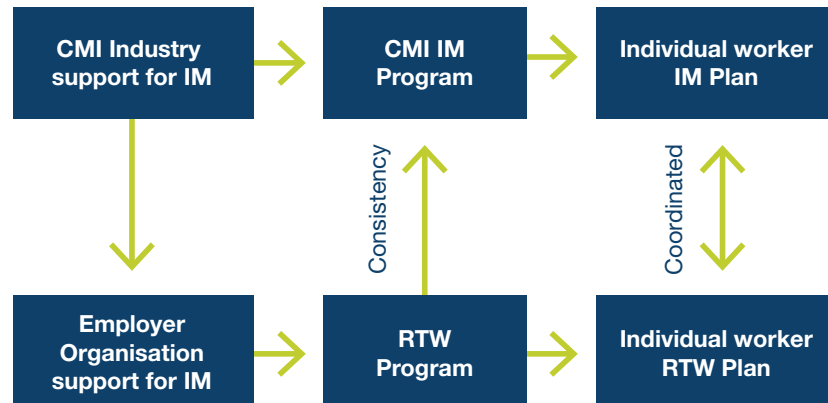
# Integrated injury management and return to work

Injury management covers all aspects of managing workplace injury and illness in order to achieve an effective return to work.

Supporting recovery and return to work takes a collaborative approach, founded on the following elements:

- Early reporting of injuries
  - Injury management
  - Assistance with return to work and the identification of suitable duties
  - Communication
- We encourage an integrated approach to injury management and return to work by linking:
- Our injury management program with your return to work program for your workforce
  - Our injury management plan with your return to work plan for any worker.

## NSW Coal Industry Injury Management



# Injury management programs

It is a legislative requirement that all insurers have an injury management program. An injury management program outlines the overarching approach for an organisation to manage injury and illness in the workplace from an holistic point of view with an emphasis on recovery at work.

It includes treatment, rehabilitation, retraining, claims management and employment management practices.

Employers must comply with their obligations under the insurer's injury management program.

# Injury management plans

An injury management plan is tailored to the specific needs of the worker. It outlines the activities, services and individual responsibilities required to safely assist the worker back into suitable employment following a workplace injury. It also includes treatment, rehabilitation and retraining of the worker.

It is essential that all parties collaborate throughout the development of this plan to ensure it is suitable for the worker and that you are aware of all aspects that may impact on their return to work.

## Return to work programs

A return to work program is developed by you in consultation with your workforce to support and promote injury management and return to work in your organisation.

A return to work program is common to all workers and includes procedures relating to early notification of injury through to return to work duties or redeployment into alternative employment.

## Return to work plans

A return to work plan is a written document that outlines how your workplace will help an individual worker to return to work as soon as possible, or how you will help them to stay at work while they recover.

Together, the return to work plan and the injury management plan outline how a worker will progress toward a final return to work outcome.

The documents should indicate what actions are being undertaken to improve the worker's health status and overcome any barriers identified in the claim, whilst performing suitable duties.

The return to work plan is developed by the employer, worker and nominated treating doctor.

Sample return to work plans can be found on our website.



## Identifying suitable duties

Providing suitable duties is one of the most important factors in helping a worker return to work, as well as minimising claim costs which assists in keeping premium costs down.

Consider the following when identifying suitable duties at your workplace:

- Can the pre-injury duties be modified or redesigned?
- Can work practices be changed?
- Can the worker work with a co-worker to complete a task?
- Can the worker perform all duties for reduced hours?
- Can the same job be performed in a different place or area?
- Can the worker supervise or assist new staff?
- Can the worker learn new skills to complete other tasks?

## Job dictionary

A job dictionary contains information about the work tasks and physical demands of a particular role. Having the various roles within the organisation assessed according to the job dictionary can help to identify any tasks which present a risk of injury, so that modifications to the role can be made to minimise the chance of an injury occurring.

Should an injury occur, the job dictionary can assist with identifying suitable duties.

A combination of suitable duties across various roles may be required in order to provide the worker with tasks appropriate to their medical condition or restrictions.



# The claims process

## The claims process

A worker is entitled or has a legal right to make a claim for loss of income and/or medical expenses incurred following a work-related injury or illness.

If this is the case, you must:

- Complete and submit an [Employers Incident Notification form](#) within 7 days of the worker advising you that they are going to lodge a claim. This form should be completed by the worker's supervisor. It includes details of how the incident and injury occurred.
- Send us the worker's State Insurance Regulatory Authority (SIRA) **Certificate of Capacity** and their completed [Workers Injury Claim form](#) within 7 days of the worker giving you these forms.
- For claims made in relation to travel to or from the workplace, Section 8 of the Workers Injury Claim form must be completed.

# Managing the claim

Within 3 days of receiving the claim, an injury management specialist will contact you, the worker and their treating doctor (if required) to gather information about the incident. This information will assist the case manager to assess the claim.

The case manager will write to you within 7 days to advise if the claim has been accepted or declined. If more information is needed to assess the claim, the case manager will advise you in writing of what is needed and that a decision will be made within 21 days. This period to make a decision may be extended to 42 days if information continues to be unavailable.

If the claim is accepted we will work with you, the worker and their nominated treating doctor and/or specialists to ensure they receive the treatment and rehabilitation support they need to help them recover and return to work.

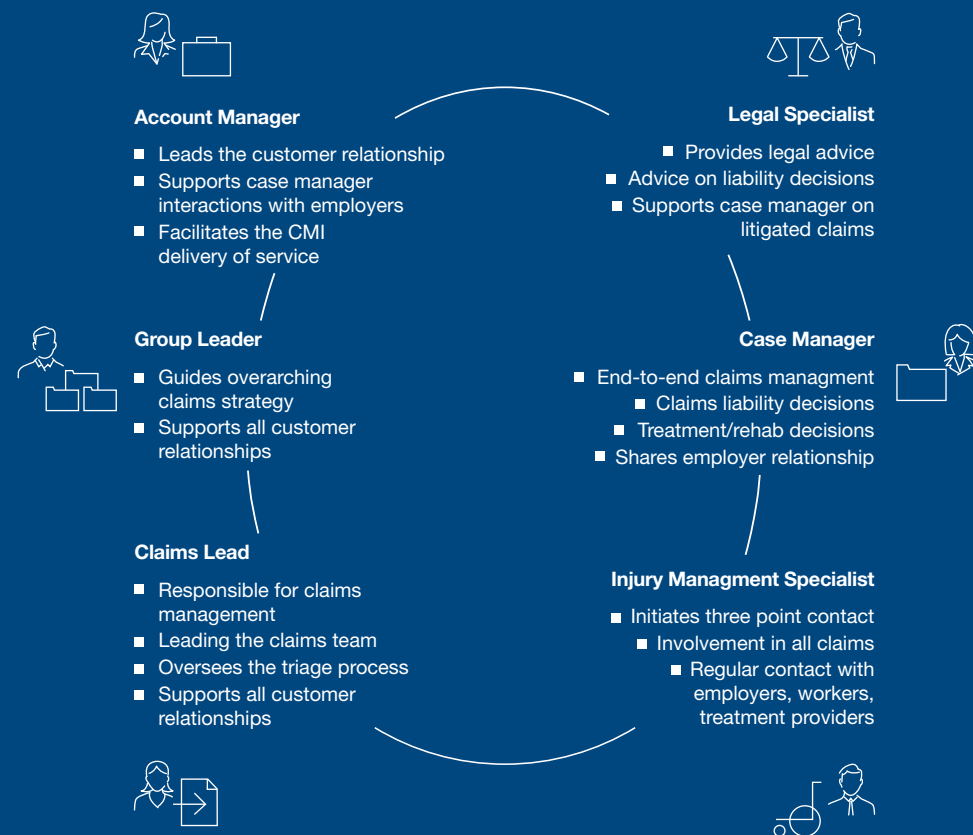
If the claim has been declined, the case manager will provide you with an explanation regarding this decision. If you don't agree with this decision, you can ask for a review where you may also provide further information regarding the claim.

# Throughout the worker's recovery you must

- ✓ Consult with the worker, their treating doctor (if appropriate) and your CMI case management team about their injury management and return to work plans
- ✓ Identify suitable duties, where reasonably practicable, to support

- the worker while they are recovering
- ✓ Maintain regular communication with the worker until they recover from their injury and return to their pre-injury duties.

# Key roles in the claims management process



# For more information

More information about the  
NSW coal industry workers  
compensation scheme is available  
at **[www.coalservices.com.au](http://www.coalservices.com.au)**

Call **1800 WORKER** (1800 967 537)  
if you need help to report an injury or  
if you have questions about claims.



Coal Mines Insurance