

Workers Compensation Toolkit



About the CMI Scheme

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

We understand that employers face unique challenges navigating the workers compensation insurance landscape and that having a workers compensation claim can have a significant impact on safety, production and culture.

We are here to help.

OUR PURPOSE

To protect

OUR VISION

To be a valued industry partner promoting a healthy workforce and safe workplaces

The CMI Scheme covers more than 2,000 policyholders. Of these, around 90% are classified as small employers.

Key to every business is protecting workers from injury through a commitment to provide a healthy and safe working environment for you and your employees. 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.

It's paramount that employers notify CMI of injury within 48 hours, provide suitable duties for injured workers to recover at work and support the return to health journey. This can help to promote a positive work culture, improve attendance and performance and enhance productivity. Similarly, earlier return to work makes good economic and social sense.

Contents

How to use this guide:

This guide has been developed to support employers to manage all aspects of workers compensation.

Each section provides a summary of the key actions and activities that are required of employers along with interactive links to further resources and documentation.

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As an employer, you have an obligation to protect your workers from injury through a commitment to providing a healthy and safe working environment. Preventing workplace injury is part of that obligation.

In this section you will find details of:

- Coal Services' Specialised Health and Safety Scheme
- CMI's employer education series
- Video bites
- Employer obligations and post-injury reviews
- CMI history checks



Why prevention is important

Best practice workers compensation systems have one thing in common: they are predicated on strong prevention programs that emphasise minimising harm at work. Then if in the unfortunate event that a worker is injured, the workers compensation system focuses on recovery and return to work.

The role of CMI is to lead the development and provision of information, education, assistance and loss management services to customers.

Broader to CMI, Coal Services is an industryowned organisation committed to providing critical services and expertise to the NSW coal industry. We are a Specialised Health and Safety Scheme that provides an integrated suite of services aimed at preventing injury and illness in the workplace. These include occupational health and safety, mines rescue and training.

We work in collaboration with employers, workers, Government departments and other industry partners to help identify, assess, monitor and control many risks inherent in the NSW coal industry. Together, we work to protect the health and safety of those working in the industry through prevention, detection, enforcement and education.

For further information click on the following links:

Specialised Health and Safety Scheme

Our preventative and responsive services in the areas of workplace health and safety, workers compensation, emergency response and training help to deliver our purpose, to protect.

We derive all of the sources of power for the company's operations from the provisions set out in the company's approval under section 9 of the *Coal Industry Act 2001* (NSW). We exercise our functions in accordance with section 10(1) of the *Coal Industry Act 2001* (NSW).

The general functions exercised include but are not limited to:

- Establishing, administering, or providing workers compensation insurance
- Providing occupational health and rehabilitation services for workers engaged in the coal industry, including providing preventative medical services, monitoring workers' health and investigating related health matters
- Collecting, collating and disseminating accident and other statistics relating to the health and safety of workers engaged in the coal industry
- Monitoring, promoting and specifying adequate training standards relating to health and safety for workers engaged in the coal industry
- The provision of mines rescue emergency services and brigades training to the NSW coal industry.

Our services

Workers compensation

Our preventative services • Sustainable premium collection rates • Injury prevention • Injury data • Workplace systems review and improvements • Employer/industry education and seminars

Our responsive services • Insurance cover • Injury management • Return to work planning and facilitation • Claims management

Health

Our preventative services • Pre-placement medicals • Pre-placement functional capacity assessments • Periodic health surveillance • Immunisation programs • FIT (hearing and respiratory protection) testing. Ergonomic consultation • Gym facilities • Worker education and employer/industy forums and seminars

Our responsive services • Occupational rehabilitation • Physiotherapy • Exercise physiology

Safety

Our preventative services • Underground mine inductions • Training in confined space, safe working at heights, WHS, first aid and fatigue management • Drug and alcohol screening and education • Auditing and safety consultation services

Our responsive services • Safety performance review • Routine safety reports • Post-incident review checklist

Environment

Our preventative services • Airborne dust monitoring • Diesel particulate monitoring

- Noise and exposure management
 Vibration testing
 Lighting testing
 Heat stress testing
- Gas detection services Gas analysis services
- Worker education and employer/industry forums and seminars

Our responsive services • Mobile gas detection and analysis laboratories

Emergency response

Our preventative services • Brigades training • Response and emergency preparedness training • Emergency simulations

Our responsive services • Mines Rescue emergency response

Employer education

Sharing knowledge and expertise to help manage workers' health and safety.

CMI's complimentary seminars cover a range of industry topics and are led by a team of subject matter experts. The seminars aim to provide employers with insights to help manage their workers compensation obligations and to develop strategies for worker education and injury prevention.

Video bites

CMI's series of short, animated videos provide an overview of key workers compensation topics in 'bite-sized' chunks.

These videos are designed to help:

- Employers understand their workers compensation obligations
- Workers recover from injury and return to health and work
- CMI better manage your claims and costs to your workers compensation scheme

Topics include:

- Premium and policy lifecycle
- Supporting injury recovery and return to work
- Incident reporting and notification of injuries
- Staying mentally fit
- Industrial deafness
- Bullying and harassment
- Chronic pain





Employer obligations checklist

Employers have certain obligations when it comes to workers compensation, injury management and workplace safety.

This checklist can assist employers to meet their obligations.

If you have answered 'no' or 'unsure' to any of these questions, please contact CMI so we can assist you.

Does your business:	Yes	No	Unsure
Have a current CMI workers compensation insurance policy that correctly reflects your NSW coal industry business activity			
Maintain a safe workplace			
Have a return to work program			
Provide information to workers on how they can notify an injury and make a claim. (You can do this by displaying the 'If you get injured at work poster' at your workplace)			
Maintain a record of work-related injuries			
Keep and maintain at least 5 years (or since starting a new businesses) of accurate wage record			
Have processes in place to notify CMI of any workplace injury or illness within 48 hours			
Consider how you would provide support to your workers following a work-related injury			

Post-injury review checklist

Once an incident occurs, employers should ensure that appropriate actions have been followed to notify all parties that your worker has access to treatment and rehabilitation to assist with recovery.

This checklist can assist employers to meet their obligations.

If you have answered 'no' or 'unsure' to any of these questions, please contact CMI so we can assist you.

Injury Management Review	Yes	No	Unsure
The worker was provided appropriate first aid or treatment			
If the injury was considered serious or dangerous, or resulted in death (notifiable incident), it was reported to SafeWork NSW and/or the NSW Resources Regulator			
The incident was recorded in the register of injuries			
The incident was notified to CMI within 48 hours			
The injury was managed in line with the business's Return to Work Program			
Suitable duties were identified and matched with the worker's capacity			
An agreed Return to Work Plan was developed			
The employer maintained regular communication with the worker and other stakeholders as needed			
The worker returned to pre-injury duties within the expected time frame			
The worker has maintained pre-injury duties since being certified for pre-injury capacity			

Coal Mines Insurance history checks

A history check allows employers to confirm if a prospective worker has ever had a claim within the CMI Scheme. Identifying previous injuries can assist employers in ensuring that their workers are working in a healthy and safe environment.

Download the **history check form**; once completed by the prospective worker it can be sent to CMI for processing.

Please email your history check request to: historychecks@coalservices.com.au

Employer Authority

Surname:			
Given names:			
Date of birth:			
Applicant Declaration	ı.		
In order to determine r	ny fitness to perform	m the required duties, any reasonable steps that	need to be taken to accommodate
any disability I may have consent to the following		an safely perform the required duties, I,	
		/ applicable SIRA (State Insurance Regulatory A my workers compensation history) to and discu	
with	7.000	and	
compensation history) Australia.		y collect information relevant to the above surance Pty Ltd and any relevant SIRA (State Insu	
		ent to the disclosure of information, on make a decision to employ me.	may
Signed:			
Dated:			
Witness:			
Witness name (print):			

What to do if an injury occurs

In this section you will find details of:



Injured at work?

Employers must provide information for workers that outlines how they can notify if an injury has occurred and how they may make a workers compensation claim.

To help workers understand what to do in the event of an injury you can download a copy of CMI's 'What to do if you're injured at work' poster. This poster can be displayed at work sites and can be sent electronically to workers.



Chapter name 14

The injured worker pathway

It's important to notify CMI when an injury occurs to ensure timely provision of treatment and support. Early intervention can reduce injury complexities by allowing treatment to start as soon as practicable.

Research shows that the earlier a worker returns to work following an injury the better chances they have of making a recovery and return to health. That is why it is important that as an employer, you provide suitable duties and support a recovery at work.

If the worker is unable to work, you should continue to engage with and support them. Supporting recovery at work allows for timely return to health and claim closure, reducing overall costs and providing social benefits to the worker.



What to do if an injury occurs 15

Workers pocket guide

CMI has developed a handy businesscard size brochure for workers that includes information on what to do if they are injured at work, how to make a claim, and their rights and responsibilities.



We are listening

Coal Services is committed to listening and acting on your feedback.

To share your experience with us please contact us:

1800 LISTEN (1800 547 836)

Email

customerconnect@coalservices

customerconnect@coalservices.com.au Write to us at GPO Box 3842, Sydney NSW 2001 Or complete a form online www.coalservices.com.au/feedback

Coal Mines Insurance

Call 1800 WORKER

(1800 967 537) if you

need help to report an injury or if you have

questions about claims.

www.coalservices.com.au

If you have been injured at work:

Get help & report it!

- Seek medical assistance immediately if needed
- Tell your supervisor or manager as soon as you can

Report your injury even if you don't think you will make a claim.

If you wish to:

Make a claim

- Tell your employer you would like to make a claim
- See your doctor and ask for a Certificate of Capacity
- Fill out a CMI claim form (from our website or ask your employer)
- Give the claim form and Certificate of Capacity to your employer

Your employer must notify CMI within 48 hours of becoming aware of your injury.

Return to health and work

- Work with CMI on an Injury Management Plan
- Work with your treatment provider and employer on a Return to Work Plan
- Evidence shows you can recover from an injury better at work than being at home
- If you can, stay at work or plan how to return to suitable duties

You have the right to:

 Choose your nominated treating doctor

Choose your other

- Choose your rehabilitation provider
- treatment providers

 Have a say in your Return
- To Work Plan

 Have a support person help you if you wish

You have a responsibility to:

- Actively participate in the rehabilitation process
- Respond to all reasonable requests from CMI, your employer and your treatment providers during your claim
- Cooperate and comply with your Injury Management Plan and Return to Work Plan
- Keep CMI and your employer updated about your condition
- Tell CMI of any changes to your employment

Remember:

- Get help immediately
- Report all injuries to your employer
- See a doctor
- Tell your employer you would
 like to make a claim.
- the forms if you need
- Keep copies of all documents and forms

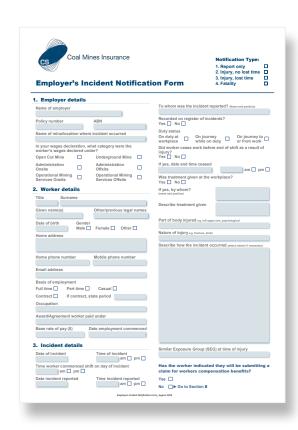
Injury claim forms

If an injury does occur, employers are required to notify CMI within 48 hours of becoming aware of a workplace injury.

Employers can notify CMI of incidents using the **Employer's Incident Notification Form**.

The Worker's Injury Claim Form is completed by the worker and details the events of the injury. The workers injury claim form, along with a SIRA Certificate of Capacity, which is completed by the nominated treating doctor, is required to be sent to CMI for a claim to be assessed.

CMI have created a **Industrial Deafness Claim Form** to make the process of lodging a claim for industrial deafness easier for workers. The industrial deafness claim form is completed for any worker wishing to lodge a claim for hearing loss.



Claims and injury management

There are key aspects to injury management which includes CMI's injury management program, the employer's return to work program, a worker's return to work plan and identifying appropriate suitable duties.

In this section you will find details of:

- Injury and return to work programs
- How to identify and assess what a worker can do
- Funding available to help with return to work



Injury management

Recovery at work and return to work are key to supporting a worker's recovery from a workplace injury. It is a legislative requirement that all insurers have an injury management program, as per section 43 of the Workplace Injury Management and Workers Compensation Act 1998 (WIM Act 1998).

An injury management program is a coordinated and managed program that documents all aspects of injury management to achieve optimum return to work outcomes for workers. It includes treatment, rehabilitation, retraining, claims management and employment management practices.

As the insurer, CMI is required to develop and maintain an overarching injury management program for the NSW coal industry.

CMI's injury management program is designed≈to support the employer's workplace injury management by:

- ensuring commitment to promote return to work for all workers
- setting responsibilities and obligations of all stakeholders
- planning resources and key stakeholders to support return to work and rehabilitation
- outlining communication and decision-making protocols.

Employers must comply with their obligations under the CMI injury management program.



Return to work plan

A return to work plan is a written document that outlines how an employer will help an injured worker to return to work as soon as possible, or how to help them stay at work while they recover. The plan 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. The return to work plan is a requirement under section 52 of the *Workplace Injury Management and Workers Compensation Act* 1998.

CMI have developed a **return to work plan** template to assist employers with their return to work planning.



Job task analysis

A **job task analysis** is used to examine the specific work tasks and physical demands of a particular role. Job task analysis provides an indication of the minimal abilities required for an individual to safely and efficiently perform a task.

Assessing various roles within the company can also help identify any tasks that present a risk of injury, enabling the role to be modified to minimise the chance of an injury occurring.

Job task analysis can help identify suitable duties that can be assigned to a worker whilst they recover at work.

CMI have developed a **job task analysis template** to assist employers with this process.



SIRA Recover at Work programs

Work is an important part of rehabilitation. The longer someone is off work, the less chance they have of ever returning. Staying away from work may lead to depression, isolation and poorer physical and mental health.

The State Insurance Regulatory Authority (SIRA) provide funding for programs to support recovery at work. The programs aim to address barriers for workers to return to work after suffering a workplace injury, either with their same employer or with a new employer. The programs are:

Recover at Work Assist for Small Business

This program is designed for small employers (combined base tariff premium of \$30,000 or less) who face financial hardship when trying to support their worker to recover at work. An assistance payment of up to \$400 per week for a combined total of six weeks is available to offset the costs of making alternative arrangements to cover the usual duties of the worker, while the worker recovers at work.

Work trial program

The work trial program is a voluntary short-term work arrangement that provides workers with suitable work. If an employer is unable to provide suitable work, a work trial can place the worker with a new employer (host employer) for a short-term work arrangement of up to 12 weeks. Work trials can be used to facilitate increases in work capacity and conditioning and can be utilised for workers who are currently employed or are job detached.

Equipment and workplace modification program

This program provides funding for workplace equipment or modifications that may assist a worker to remain at work with their pre-injury employer or to commence work with a new employer.

Training program

The SIRA training program provides funding to assist a worker to develop new skills and/or obtain qualifications to remain at work with their pre-injury employer or to commence work with a new employer.

SIRA Recover at Work programs

JobCover Placement program

The JobCover Placement program provides financial incentives (up to \$27,400 over 12 months) to employers to employ a worker who is recovering from a workplace injury.

Transition to work program

This program provides funding to help pay for immediate or short-term costs that might prevent a worker from starting work with a new employer.

JobCover6

JobCover6 helps workers locate suitable work where ongoing employment cannot be secured with a new employer. The program supports employers to offer employment for up to 6 months duration to a worker recovering from a work-related injury, where the worker is looking for new employment. The host employer is able to access incentive payments of up to \$10,400 for up to 6 months.

Connect2work

Connect2work is a voluntary short-term work place with a host employer. It supports recovery at work where the pre-injury employer is unable to offer suitable work or if a worker is looking for new employment. The insurer provides the host employer with an assistance payment of \$200 per week for a combined total of up to 12 weeks.

For more information about any of the programs please contact CMI.

Weekly benefits

Workers recovering from a workplace injury may be eligible for a weekly benefit to cover a portion or all of their wages during their recovery period. The amount payable is determined by their industrial entitlement.

To access these benefits, you must complete and submit a Request for Payment (RFP) form. Through this form, you can indicate whether the payment should be reimbursed to your company or directly to the worker.

Keeping in regular contact with CMI is essential to ensure timely processing of payments.

When should the form be completed?

The form should be completed and submitted to CMI in line with the worker's regular pay cycle; whether on a weekly, fortnightly, or monthly basis.

The initial RFP form must reach CMI within 7 days of the date of injury. It should be completed for any period during which the worker has an incapacity, regardless of whether liability on the claim has been determined.

Submitting the RFP form in a timely manner allows CMI to accelerate the payment processing for accepted claims, leading to prompt transactions and potentially reducing the overall claim estimate.

CMI have developed a **guide** to assist employers complete the **request for payment form**.

All employers in the NSW coal industry must hold a CMI workers compensation policy. Your policy will cover the costs of supporting your injured workers which may include weekly benefits, rehabilitation services, medical and hospital expenses, and a lump sum payment for death and permanent impairment.

CMI calculates your premium, issues policy renewals and certificate of currency, collects the mines safety levy and provides support and assistance to help you understand what is in your premium calculation and who should be covered by a CMI policy.

In this section you will find details of:

- How CMI calculate premium
- The CMI policy lifecycle
- Who is a coal miner?
- The wage declaration forms



Calculating your premium

All employers who work in or about a coal mine are required to hold a CMI workers compensation policy. Policy premiums are collected to cover the costs of claims and associated expenses when someone is injured at work.

Within the CMI Scheme you are considered a **Small Employer** if you have **annual assessable** wages within the NSW coal mining industry of less than \$2.5 million.

Small Employers in the CMI scheme are not experience-rated, which means premium remains unaffected by claims costs if a worker is injured.

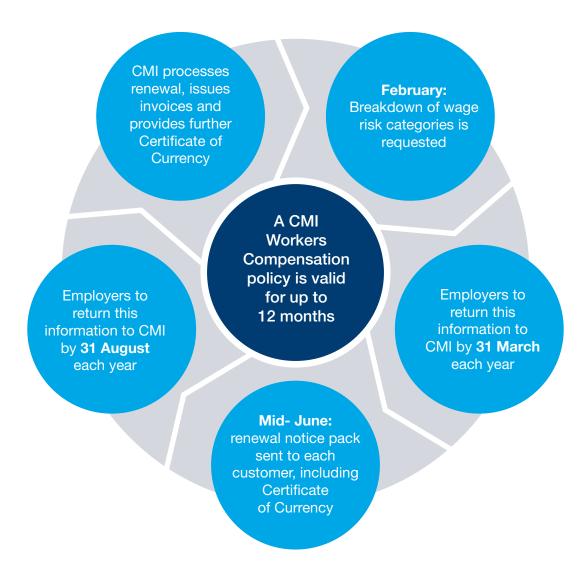
For Small Employers, premium is set at equal to the Base Tariff Premium (BTP).

The BTP is calculated by taking the Weighted Category Rate and multiplying it with how much the business pays in wages within the NSW coal mining industry during the policy period.

For Large Employers, the maximum paid will be based on a multiple of their Weighted Category Rate. The minimum premium is different depending on the size of the employer, as follows:

ВТР	Premium capped at
Less than or equal to \$500,000	1.5 x BTP
More than \$500,000 and up to \$1.5 million	2.0 x BTP
More than \$1.5 million and up to \$3 million	2.5 x BTP
More than \$3 million	3.0 x BTP

Policy lifecycle



All CMI policies expire at 11:59pm on 30 June, with the new policy period commencing at 12:00am on 1 July. New policies that are started after 30 June will have a term of less than 12 months.

Who is a coal miner?

An employer in the coal industry means any employer whose employees work in or about a coal mine.

In some instances, a worker may be considered a non-coal miner but their employer has a policy with CMI that covers that worker.

For more information on who is a coal miner please click on the link below.



What is required for my policy renewal?

Workers compensation insurance premium is calculated using wages and other benefits paid to workers. This may include (but is not limited to) salary, overtime, shift and other allowances and bonuses.

An annual wage declaration form is sent as part of the annual policy renewal pack each June and must be returned to CMI by 31 August each year.

Please click on the link for a copy of an **Annual Wages Declaration Form**.

Please refer to the **Definition of Assessable Wages** document for further information.

How do I cancel my policy?

If an employer no longer operates in or about a coal mine and no longer needs a workers compensation policy for the NSW coal industry, a **Policy Cancellation Form** must be completed and returned to CMI.

Contact us



Coal Mines Insurance

Employer Services

T. +61 (2) 8270 3257

E. employerservices@coalservices.com.au

Worker Services

T. **1800 WORKER** (1800 967 537)

E. cmiworkerservices@coalservices.com.au

More information about the CMI Scheme is available at www.coalservices.com.au

CS Health

To contact CS Health, please call **1800 CSH MED** (1800 274 633) and follow the prompts.

F. 1800 CSH FAX (1800 274 329)

E. csh@coalservices.com.au

Gunnedah

Lithgow

Mudgee

Singleton

Speers Point

Woonona