

WorkCover

Compensation

Your guide to
what's covered

No Win No Fee

OR Expenses*

*Conditions apply

Personal injury claims WorkCover Traffic injury claims Comcare Seacare
Accidents in public Asbestos Institutional abuse Family law Criminal charges
Wills & probate Employment & industrial law Equal opportunity Anti-discrimination
Superannuation claims Crimes compensation Small business advice

rct

RYANCARLISLETHOMAS


LAWYERS

Stringer

Clark
LAWYERS

We're on your side



WorkCover will pay
you medical costs,
weekly benefits
and lump sum
payments. 

What's covered?

WorkCover will pay you medical costs, weekly benefits and lump sum payments. Remember, you may receive a lump sum payment and continue to have your weekly benefits and medicals paid for.

Medical costs

WorkCover must pay for reasonable medical and related costs following your injury. This includes home maintenance help.

Weekly benefits

- Your first 13 weeks off work: 95% of your pre-injury wage.
- After that: 80% of your pre-injury wage (including allowances and overtime for 52 weeks) up to a total of 130 weeks or longer if you continue to remain unfit for all work.

Lump sums

Your compensation amount will depend on your level of permanent impairment. The threshold level of injury to get compensation is low.

These are sample payments for an injury on or after 1 July 2013.

5% injury to spine	\$12,837
10% whole person injury	\$18,810
15% whole person injury	\$32,960
20% whole person injury	\$47,110
25% whole person injury	\$61,260
30% physical or psychiatric injury	\$75,410



We are experts
in appealing poor
decisions made
against workers.



Appealing a WorkCover decision

WorkCover, and the doctors who examine you on WorkCover's behalf, do not always get it right. If the WorkCover Insurer or Self Insurer makes a decision that reduces your entitlements, you can appeal the decision by referring the matter to Conciliation. Appeals must usually be made within 60 days, although some extensions apply. Seek legal advice from our office, as we are experts in appealing poor decisions made against workers.

Common Law claims

If your injury has been caused by the negligence of your employer or any other party, you may have an entitlement to lump sum damages for pain and suffering and loss of income.



For example:

A 23-year-old machine operator suffered an injury to his lower back and was unable to continue working full time.

His employer was found liable for breaching OH&S Regulations.

He was awarded compensation of \$250,000 for pain and suffering and \$810,941 for loss of income.

** Crowe v Trevor Roller Shutter Services Pty Ltd – Victorian Supreme Court 2011*







Common Law claims deadline date

Common Law claims for lump sum damages must be commenced within six years of the injury. There are some exceptions.

Death claims

- Dependants may claim for up to a maximum of \$555,350 for no-fault compensation.
- Weekly pensions for a spouse and dependants are also available.
- Wrongs Act claims for damages for death caused by another party's negligence may also be available.



Common Law claims for lump sum damages must be commenced within six years of the injury. 



WorkCover FAQs

Q How does WorkCover work out how much they have to pay me for my time off work?

A WorkCover uses different formulas to calculate pre-injury earnings. Special rules apply to apprentices, trainees, shift workers, overtime and a whole range of other employment situations. Contact one of our expert lawyers to ensure you are paid your full entitlements while you are injured. WorkCover regularly short changes injured workers.

Q Can I claim compensation even if I am receiving a weekly wage and my medical expenses are being paid by WorkCover?

A Yes, you can. Obtaining compensation does not affect your right to have your medical bills paid into the future. Only after you are compensated for future loss of income will WorkCover stop your weekly wage payments. If you pursue a lump sum impairment claim, your entitlement to weekly wages will also NOT be affected.



Q Is my employer legally obliged to get me back to work after I've been injured?

A Yes, they are. Your employer has legal obligations, punishable by large fines, to take reasonable steps to try and get you back to work. Ryan Carlisle Thomas can help you in reminding your employer of their obligations and give you advice where an employer is not taking reasonable steps, including pursuing discrimination claims for you.

Q What type of medical expenses can I get paid for to assist in my recovery?

A WorkCover will fund many different forms of treatment, such as physio, medications, surgery, GP visits. Upon Doctor's recommendation, you can have WorkCover pay for new furniture, appliances and fitness equipment to help you get better. They also have to pay for your travel expenses to access medical treatment.

WorkCover legal experts



1300 366 441



Fees

Under our *No Win No Fee OR Expenses** policy on fees and out of pocket expenses, we will waive our fees if you don't win a case we have agreed to fund and pick up the tab on your out of pocket expenses. Out of pocket expenses are counted as medical report costs, court fees and many other expenses other firms would typically require you to pay in the event the case was lost.

The terms of our policy will be fully explained to you during your first free consultation.

Our record

We have prosecuted more than 60,000 successful injury claims and are respected as an industry leader.

Our philosophy

We believe in listening, advising and, when instructed, fighting for you. Our team takes client care seriously.

We're always there for you. Always on your side.

Our offices



In 2007, Ryan Carlisle Thomas joined forces with leading regional law firm, Stringer Clark, to create Victoria's biggest legal network.

Ryan Carlisle Thomas offices

Ballarat

29 Lydiard Street Sth
p: 5226 3654
e: ballarat@rct-law.com.au

Bayswater

Suite 11, 653 Mountain Hwy
p: 8792 7555
e: bayswater@rct-law.com.au

Castlemaine

13 Hargraves St
p: 5226 3654
e: castlemaine@rct-law.com.au

Cranbourne

98A High St
p: 8792 7590
e: cranbourne@rct-law.com.au

Dandenong

41 Robinson St
p: 9238 7878
e: dandenong@rct-law.com.au

Epping

1st Floor, 813 High St
p: 9240 1466
e: epping@rct-law.com.au

Frankston

142 Young St
p: 8792 7580
e: frankston@rct-law.com.au

Geelong

127 Myers St
p: 5221 6266
e: geelong@rct-law.com.au

Glenroy

Suite 102, 2A Hartington St
p: 9240 1432
e: glenroy@rct-law.com.au

Stringer Clark offices

Ararat

165 Barkly St
p: 5352 1866
e: ararat@stringerclark.com.au

Cobden

17 Curdie St
p: 5500 6250
e: cobden@stringerclark.com.au

Colac

13 Murray St
p: 5231 6955
e: colac@stringerclark.com.au

Hamilton

44 Brown St
p: 5571 2528
e: hamilton@stringerclark.com.au

Melbourne

Level 10, 533 Little Lonsdale St
p: 9240 1414
e: melbourne@rct-law.com.au

Melbourne

Level 3, 540 Elizabeth St
p: 9240 1460
e: anf@rct-law.com.au

Melton

112 McKenzie St
p: 5226 3680
e: melton@rct-law.com.au

Narre Warren

2 Malcolm Crt
p: 8792 7545
e: narrewarren@rct-law.com.au

Pakenham

114 Main St
p: 8792 7570
e: pakenham@rct-law.com.au

Traralgon

Lvl 1, 55 Grey St
p: 8792 7550
e: traralgon@rct-law.com.au

Werribee

67 Watton St
p: 5226 3666
e: werribee@rct-law.com.au

Wonthaggi

45 McBride Ave
p: 8792 7560
e: wonthaggi@rct-law.com.au

www.rct-law.com.au

enquiries@rct-law.com.au

Horsham

40 McLachlan St
p: 5382 2244
e: horsham@stringerclark.com.au

Portland

10 Henty St
p: 5523 1288
e: portland@stringerclark.com.au

Warrnambool

129 Timor St
p: 5562 5733
e: warrnambool@stringerclark.com.au

www.stringerclark.com.au

enquiries@stringerclark.com.au

“ We’re fighting
for you ”

No Win No Fee

OR Expenses*

*Conditions apply

rct
RYANCARLISLETHOMAS
LAWYERS

Stringer
Clark
LAWYERS

We're on your side