

The team of
workers' compensation
specialist lawyers at
Turner Freeman can assist
with all types of workers'
compensation claims.

**Turner
Freeman**
LAWYERS

**Words are unable
to express how
thankful we are for
your kindness and
guidance through
all of this.**

Steve & Alyssa

Workers' compensation claims

Unfortunately, many injuries happen in the workplace. If you are injured at work, or your work contributed to you suffering an injury or contracting a disease, you are entitled to claim workers' compensation benefits.

The workers' compensation legislation is very complex, and it is important to get advice in order to ensure that your workers' compensation entitlements are fully claimed.

Turner Freeman has specialist lawyers with in-depth knowledge and experience in workers' compensation law. Changes to the workers' compensation laws take place frequently and it is important that you seek up to date advice to be aware of your rights and entitlements as these changes take effect.

What are your general entitlements?

Weekly payments of compensation

During the first 13 weeks of incapacity, you are entitled to be paid 95% of your pre-injury average weekly earnings by the insurer during periods of total or partial incapacity. From 14 weeks to 2.5 years, you are entitled to be paid 95% of your pre-injury average weekly earnings by the insurer if you are working at least 15 hours per week. You are entitled to be paid 80% of your pre-injury average weekly earnings by the insurer if you have no capacity to work or if you are not working at least 15 hours per week. You are only entitled to ongoing payments from the workers' compensation insurer after 2.5 years in limited circumstances.

Medical, hospital and pharmaceutical expenses

You are entitled to payment or reimbursement for your medical and related expenses if the treatment is considered to be medically reasonably necessary. The entitlement to these medical expenses is limited. The extent of the entitlement is determined by reference to your degree of whole person permanent impairment. The higher your impairment the longer your entitlement to these expenses last.

Some workers may also be entitled to claim the cost of care and domestic assistance if their injuries result in the need for those services.

Lump sum compensation for permanent impairment

You have an entitlement to pursue a claim for lump sum compensation if you are suffering from a whole person impairment of 11% or greater. This assessment must be made by an independent medico-legal specialist in accordance with specific guidelines. For psychological injuries, you must be assessed as suffering from a 15% or greater whole person impairment to be entitled.

How much will it cost for Turner Freeman to act for me in a workers' compensation claim?

It will cost you nothing. The Workers Compensation Independent Review Officer (WIRO) provides funding to cover your legal costs and disbursements. Should you require our assistance, we will prepare an application for funding on your behalf and submit it to WIRO. Once approved, WIRO will pay for all of your legal costs and disbursements.

Work Injury Damages Claims

In some cases an injured worker may be entitled to bring a work injury damages claim. That claim cannot be pursued unless the injured worker has been assessed as having at least 15% whole person impairment.

A work injury damages claim is a claim in negligence. If the injured worker is able to prove that the injuries were caused by the negligence of their employer, then they can claim damages for the full entire extent of their past and future economic losses, including the loss of superannuation benefits.

It is necessary to comply with strict time limits and procedures in order to make work injury damages claims, and it is therefore recommended that legal advice be obtained as soon as possible in this regard.

The team of workers' compensation specialist lawyers at Turner Freeman can assist with all types of workers' compensation claims.

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Thank you so much for helping me with my workers' compensation mediation. You have given me a happy ending to a nearly ten year ordeal.

Julie

13 43 63

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