

“Return to Work” & what to know during the life of your claim

10 things to know series



South Australian workers compensation claims and what to be aware of during the life of your claim

The “10 things to know series” looks at 10 of the key components of a particular section of the South Australian Return to Work scheme.

This document looks at your rights and entitlements during the life of your workers compensation claim.

You may also want to look at our other “10 things to know series” including:

- ◆ Completing the workers compensation claim form
- ◆ Workers compensation and medical expenses
- ◆ Workers compensation and hearing loss



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Do not quit your job as this will likely impact on your entitlement to receive weekly payments.

Do not accept a “voluntary” redundancy (that is, where you choose to depart) without first seeking legal advice. Note: if your employer does not redeploy you and otherwise chooses to force you into redundancy, this is a different situation but you still need to seek legal advice.

Do not move overseas or interstate without seeking advice from a lawyer as you generally require the consent of your case manager in order to avoid having your weekly payments stopped.

Have you investigated your entitlement for a lump sum payment arising from your physical injury.

Your employer has an obligation to provide you with suitable or alternate duties. If your employer claims they can no longer provide you with suitable or alternate duties, you must **seek urgent legal advice** to protect your interests and entitlements.

If you are offered a “redemption” (to finalise your Return to Work Claim) seek urgent legal advice as this is a very tricky area of law.

If you have been in receipt of weekly payments for a Return to Work Claim and these payments cease, seek legal advice immediately.

Whilst you must comply with all reasonable requests made by your Return to Work support team, please discuss with your representative if you are uncertain as to the reasonableness of the request. For example, you do not have to attend a doctor recommended by the employer for treatment.

If Return to Work make any changes to your benefits, seek advice. Such benefits may include:

- Travel reimbursement
- Income support
- Medical expenses
- Your claim reaching 2nd year anniversary
- Your claim reaching 3rd year anniversary
- Access to home help and gardening

If your doctor informs you there is no likely return to work, speak to your Union or a lawyer about a claim for income protection or total permanent disability (TPD) compensation from your Superannuation fund insurance policies.