

TREATMENT

You can choose your own treating doctor. Your treating doctor will provide treatment or refer you to another treatment provider, such as a specialist or physiotherapist. To ensure their costs are covered, treatment providers should contact CMI before treating you and provide a treatment plan as required by WorkCover guidelines. If you have paid for treatment, forward receipts to CMI who will review your entitlement for reimbursement at reasonable costs.

Normally, injured workers should not have to pay or be expected to pay for treatment. Check with CMI before signing any agreement with a treatment or service provider. Expenses incurred as a result of these agreements may not be covered by CMI and you may be responsible for paying them yourself.

What can I do if CMI has refuted my need for treatment?

CMI will provide you with copies of reports relating to this decision. If you don't agree you can provide further information to support your need for treatment and ask CMI to review the decision. If you still have concerns, contact your employer or union to discuss.

What do I do if I have a problem with one of my service providers?

You can choose your own approved provider. If you have a problem regarding your provider (medical, treatment or rehabilitation), lodge a complaint with the manager of the service provider.

If you are not satisfied with the outcome, advise CMI of your difficulty and request a change of provider. If difficulties persist, contact your employer or union.

FINANCIAL SUPPORT

Your benefits depend on the nature and severity of your injury. You may be eligible for some or all of the following benefits:

- Weekly benefits – subject to workplace awards/agreements and legislative limits;
- Reasonable hospital, medical and ancillary expenses resulting from your workplace injury or disease;
- Occupational rehabilitation services including vocational retraining and job seeking assistance if required and;
- Reasonable expenses incurred while obtaining medical treatment.

What do I do if I have a problem with my payments?

Contact your employer or CMI to resolve problems regarding the payment of benefits. If further assistance is required, contact your union or legal representative.

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Coal Mines Insurance

Coal Services Pty Limited is jointly owned by the NSW Minerals Council (through a subsidiary company) and the CFMEU and provides best practice occupational health services, rehabilitation services, workers compensation insurance and mines rescue services to the NSW Coal Industry. Through their business units, Coal Mines Insurance Pty Limited, Mines Rescue Pty Limited, CS Health and Regulation & Compliance, Coal Services Pty Limited delivers these critical services to the NSW Coal industry.

This publication contains information regarding occupational health, safety, injury management and workers compensation. It includes some of your obligations under the various workers compensation and occupational health and safety legislation that Coal Mines Insurance Pty Ltd administers. To ensure you comply with your legal obligations you must refer to the appropriate Acts. When reading this publication you should always refer to the latest laws.

Information on the latest laws can be checked at www.legislation.nsw.gov.au or contact 1300 656 986.

Information for Injured Workers in the NSW Coal Industry

A guide to your Rights & Responsibilities





CLAIMING FOR WORKERS COMPENSATION

Workers Compensation can be claimed if you have had time off work or if medical expenses have been incurred due to a work related injury or disease. Coal Mines Insurance Pty Ltd (CMI) administers the Workers Compensation Scheme for workers employed in the NSW Coal Industry.

If you have been injured whilst at work:

- Tell your employer or supervisor as soon as possible;
- Complete the register of injuries book available from your employer;
- See the doctor of your choice and ask for a WorkCover Medical Certificate as soon as possible. Back dated medical certificates may not be accepted by CMI;
- Provide your employer with your WorkCover Medical Certificate and completed workers compensation claim form as soon as possible. Claims must be lodged with CMI within 48 hours;
- If you cannot complete the form yourself you can have a family member or union official assist you.

Once CMI receives the documentation as listed above, they will:

- Contact you, your employer and nominated treating doctor (as required) if you are suffering from a significant injury to ensure you receive help with your recovery and return to work. A significant injury is an injury that results in more than 7 days total or partial absence from normal duties and;
- Notify you (in writing) if your claim has been accepted or denied within 21 days.

How does CMI make a decision on a workers compensation claim?

Information from you, your employer and your treating doctor is obtained to assist toward making a decision regarding the claim.

CMI's focus is on managing your injury. If sufficient evidence exists to support the claim, payments can be made on a provisional basis until such time as liability is determined.

CMI may also require you to attend a medical examination by an independent medical examiner.

INJURY MANAGEMENT AND RETURN TO WORK

If you are injured at work, the NSW workers compensation system provides you with benefits and assistance to help you recover and return to safe, durable work as soon as possible.

You have rights and responsibilities, as does your employer, CMI and any treatment providers.

Injury management covers all aspects of managing your injury or illness. The key to effective injury management involves:

- Early reporting of injuries;
- Timely treatment and assistance with return to work;
- Appropriate return to work – the workplace is the most effective place for you to recover; even if you only return to partial duties, it will help your recovery;
- You, your employer, CMI and treatment providers working together to ensure the best possible outcomes;
- Timely payment of benefits and medical expenses.

An injury management plan, developed by CMI, outlines all activities and services required to safely return you to work following a significant injury. CMI will contact you, your employer and your treating doctor to make sure the plan being developed addresses your specific needs. The injury management plan includes information about:

- The treatment required for your injury and when you are likely to return to work;
- Whether you can start back at work doing duties that are different from your usual job – i.e. suitable duties;
- Whether these suitable duties are available at your workplace.

Suitable duties can be parts of the job that you were doing before your injury, the same job (but on reduced hours) or different duties altogether.

Your employer has an obligation to:

- Notify CMI within 48 hours of receiving the claim from you;
- Consult with you, your treating doctor (if appropriate) and CMI about your injury management and return to work plans;
- Organise suitable (transitional) duties, where reasonably practicable, while you are recovering from your injury and;
- Keep in touch with you until you recover from your injury and return to your normal duties.

Your treating doctor has an obligation to:

- Arrange necessary treatment and complete WorkCover medical certificates;
- Monitor your condition regularly and liaise with CMI and your employer to develop and agree upon your return to work plan;
- Advise your employer on suitable duties while you are recovering and;
- If your nominated treating doctor does not provide these services, CMI can ask you to select another doctor.

You have the right to:

- Choose your nominated treating doctor (you must choose a doctor that is willing to participate with the injury management legislation);
- Choose your approved rehabilitation provider;
- Choose your treatment providers;
- Have a say in your return to work plan;
- Have a union representative present, if required.

You have an obligation to:

- Participate with all reasonable requests from CMI, your doctor and your employer during your claim;
- Cooperate and comply with your injury management and return to work plans. If you do not comply with your injury management plan, CMI can suspend your benefits;
- Maintain regular contact with your employer regarding the progress of your injury;
- Immediately notify your employer and/or CMI of any changes in your condition;
- Notify CMI immediately if any of your employment circumstances change and;
- Keep copies of the paperwork relating to your injury and claim.

What do I do if I have a problem with returning to work?

If a problem or a disagreement arises about your return to work, an approved rehabilitation provider or an injury management consultant may be able to assist you.

An approved rehabilitation provider is an independent team of health professionals who specialise in assessing you and your workplace in order to develop a program to ensure a safe return to work.

Injury management consultants are medical practitioners, approved by WorkCover, who review your fitness for employment, assess the suitability of employment available to you and discuss options about your return to work with your nominated treating doctor.

