

Workplace Health and Safety and workers' compensation



One of your fundamental rights as a worker is to work in a place that is healthy and safe.

Occupational Health and Safety

Under the NT *Workplace Health and Safety Act*, your employer has a general legal duty to provide a safe and healthy work environment. This means your employer must provide and maintain a healthy working environment and ensure that the health and safety of workers is not adversely affected by their work.

You have the right to be protected from injury and all other mental and physical health risks whilst at work. This includes things like the correct storage of chemicals and limits on lifting heavy loads, as well as the right to work in an environment free from harassment or bullying.

Workers' Compensation

If you are injured at work or become ill as a result of work, you may be entitled to workers' compensation for lost wages, medical and other expenses. You are also covered if you are injured on a journey to or from work, except if the accident involved a motor vehicle (this is covered by the *Motor Accidents Compensation Act*).

You should report any injury or accident to your employer as soon as possible and preferably in writing. Do this even if the injury is minor and you don't need time off, as the injury may cause problems later on. Any employee can claim, including casuals and apprentices and trainees. Generally, independent contractors are not able to make a claim.

How do I claim?

You usually have up to 6 months to lodge a claim for workers' compensation from the date of the injury or when first becoming aware of the injury or disease. However some claims have been accepted even when they have been lodged after 6 months. You must complete the first 2 pages of the NT WorkSafe approved claim form which you can get from your employer or from NT WorkSafe. You will need to submit the form to your employer along with the approved workers' compensation medical certificate. Everyone has the right to see his or her own doctor.

If you are granted workers' compensation, you will receive your normal weekly earnings for the first 26 weeks of total or partial incapacity, less any amount you actually earn. After this you will normally be paid at 75% of your loss of earning capacity. Workers compensation can also cover medical costs which may include fees charged by doctors, specialists, chiropractors, physiotherapists, psychologists and various other practitioners, chemist items, the cost of travelling to and from treatment and replacement of damaged personal belongings. If your claim is rejected, you have the right to appeal the decision by applying to NT WorkSafe for mediation, and, following this, to the Work Health Court.

What is rehabilitation?

Rehabilitation is extra help to get you back to work or to help you cope at home. It might include counselling, medical treatment, physiotherapy, occupational therapy or a fitness program. It may also involve training for a new job and help in finding you a new job.

Where can I get more help?

NT Working Women's Centre
Ph: 8981 0655
Freecall: 1800 817 055
Web: www.ntwwc.com.au

NT WorkSafe
Ph: 1800 019 115
Web: www.worksafe.nt.gov.au



Your Union
Unions NT
Ph: 8941 0001
Web: www.unionsnt.com.au

Comcare (For enquiries on workers' compensation for Commonwealth employees)
Local call: 1300 366 979
Web: www.comcare.gov.au

Telephone Interpreter Service
Ph: 131 450

National Relay Service (for people with a hearing and/or speech impairment)
Ph: 133 677
Freecall: 1800 555 677



**The NT Working Women's Centre provides free and confidential information, advice and assistance to women about work related matters.
Contact us on 1800 817 055, or www.ntwwc.com.au**

Thanks to Chiggy's Place of Art & Design and Clayton Utz. The NT Working Women's Centre gratefully acknowledges the support of the Northern Territory Government in funding this factsheet. The information, opinions and advice contained have been prepared with due care and are believed to be correct at the time of printing. The publishers expressly disclaim any liability whatsoever to any person who suffers any loss arising from the contents of, errors in, or omissions from this publication. This factsheet is not intended as a substitute for legal advice. Please seek advice for further information about your situation.

Printed May 2010.

