WORKSAFE ACT SAFE + HEALTHY WORKPLACES

GUIDANCE NOTE 49

WORKERS COMPENSATION EMPLOYER OBLIGATIONS

WorkSafe ACT is the government agency responsible for the administration of the workers' compensation, workplace safety and dangerous substances legislation. Our office provides an advisory and inspectorate function on a range of these matters to assist employers and workers.

Below is a list of some the workers' compensation obligations for employers under the Act together with the proof required for inspectors conducting workplace visits.

Employer obligations under the *Workers Compensation Act 1951*	Proof required for Inspectors
Current Workers Compensation Policy in place	Workers Compensation Policy Certificate of Currency, or current policy details including policy number, inception date and renewal date
Register of Injuries maintained	Accident report form or similar tool for the reporting of accidents and injuries within the workplace. In a place that is readily accessible to workers. A Register of Injuries must include the name and address of the injured worker, the cause of the injury, the date and time the injury happened, the name and address of the employer and the name and address of the treating doctor
Information Summary displayed	An Information Summary is a notice containing a summary of the requirements of this Act for making workers compensation claims - available from an approved ACT Workers Compensation insurer
Return to Work Plan displayed	A return-to-work program provides policies and procedures for the rehabilitation of injured workers - available from an approved ACT Workers Compensation insurer
Return to Work Coordinator	All self-insurers and employers with an annual premium of $200,000 or more, must appoint a suitably qualified or experienced Return to Work Coordinator

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FAILURE TO PAY WORKERS COMPENSATION

An employer must make workers compensation payments to an Injured worker who has submitted a claim form.

Employers who fail to hold a compulsory workers compensation policy will face a civil penalty of up to double the avoided premiums.

A hierarchy of offences utilising infringement notices, a cease business order, and/or criminal prosecution will also be enforced. Below is a list of penalties associated with non-compliance with these employer obligations.

Infringement Notice Penalties	Individual	Court Enforceable Penalties	Individual	Corporation
Fail to maintain a compulsory insurance	$1,500	Fail to comply with Default Notice within 10 business days	$8,000	$40,500
Fail to keep a Register of Injuries	$1,500	Fail to comply with 2nd Default Notice within 10 business days	$40,000	$202,500
Fail to display a Return-to-Work Program	$300	Fail to comply with Cease Business Notice within 5 business days	$40,000	$202,500
Fail to display an Information Summary	$300			
Fail to appoint a Return to Work	$1,500			
Fails to pay workers compensation	$300			
Fail to comply with Default Notice within 10 business days	$1,500			

Court enforceable penalties may be applied in addition to those resulting from infringement notices. Should you require any further information please call 13 22 81.

Further Information | Phone: Access Canberra on 13 22 81 | Email: workerscompensation@act.gov.au | Web: www.worksafe.act.gov.au/workers-compensation

Note: This guidance material has been prepared using the best information available to WorkSafe ACT. Any information about legislative obligations or responsibilities included in this material is only applicable to the circumstances described in the material. You should always check the legislation referred to in this material and make your own judgement about what action you may need to take to ensure you have complied with the law. Accordingly, WorkSafe ACT extends no warranties as to the suitability of the information for your specific situation.