

Workers Compensation

6 Legal Requirements When Making a Claim



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Introduction

If you are injured at work, you may be entitled to workers compensation. This checklist helps you to understand the legal requirements when making a work injury claim in Western Australia.

Key Benefits

Not all workers compensation claims are accepted by the workers compensation insurer. It is important to follow this checklist to make sure:

- You are legally complaint when making a workers compensation claim
- Your claim is correctly lodged with your employer
- Your employer is fulfilling their legal obligations
- Your employer's workers compensation insurer is getting back to you within a legally required timeframe

Please note - if you have made a claim, you don't have to go through this process alone. Foyle Legal can guide you through the process! And, it's without upfront legal fees for qualified clients.

Foyle Legal

Foyle Legal Team

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Free Claim Check

Use our [online claim checker](#) to confirm your eligibility for a workers compensation claim in WA. Don't ignore this step! This is not a legal requirement, but it will help you to proceed with confidence.

[START FREE ONLINE CLAIM CHECK NOW >>](#)

Find out where you stand in 30 seconds!

You don't need to leave the house - and there's no paperwork involved!

Report Your Injury

Be sure to report your injury to your employer in writing as soon as practicable after the injury. You should include your name, address, the cause of the injury, the date and place where the injury occurred.

First Certificate of Capacity

Seek medical treatment as soon as practicable for your workplace injury. Please make sure you request a **First Certificate of Capacity** from your medical treatment provider.

Workers Compensation Claim Form 2B

Complete the **Workers Compensation Claim Form 2B**. Submit it to your employer together with the **First Certificate of Capacity**. You can deliver the documents to your employer in person or send it to their normal place of business by registered letter.

Remind Your Employer

Your employer has 5 working days to complete the claim form and submit it to their workers compensation insurer. Please remind them at day 5. Don't let your employer delay your workers compensation claim.

□ Checking With Insurer

The workers compensation insurer has 14 days after claim documents are submitted to make a determination on liability. They must advise the employer and the injured worker in writing if the liability for the claim is accepted, disputed or undecided.

- Accepted - you may start receiving compensation entitlements
- Disputed - the insurer / employer doesn't accept your claim
- Unable to make decision regarding liability - the insurer / employer doesn't accept your claim but doesn't dispute it - usually more time is needed to make a decision.

In reality, insurers receive an overwhelming amount of claims every day. It is a good practice to follow up with your employer's workers compensation insurer to make sure your claim is not overlooked!

** If your claim is accepted, it is a good idea to consult a workers compensation lawyer to make sure the correct entitlement is paid in full and on time.*

*** If your claim is disputed or undecided you can seek a determination of liability through WorkCover WA. It is also a good idea to consult a workers compensation lawyer before lodging a conciliation application with WorkCover WA.*



Book FREE Consultation !

Don't miss out on what is rightfully yours.

Don't wait - get a free consultation today!



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