

Reporting injuries

All employers must report injuries sustained by workers for which workers' compensation may be payable by their workers' compensation insurer.¹

You must report injuries:

- regardless of whether the worker makes a claim for workers' compensation
- even if you do not agree the injury is compensable.

Reporting the injury is not the same as making a claim for workers' compensation.

Your insurer will notify you if they receive a workers' compensation application from one of your workers. Your insurer will decide if the workers' compensation claim is to be accepted or rejected.

You must report injuries to your insurer if:

- a worker sustains an injury (personal injury, disease, aggravation of a personal injury, disease or medical condition, loss of hearing or death)
- you are aware of the injury
- the injury may be compensable. An injury may be compensable when you and/or a worker reasonably believes:
 - a. the injury has arisen out of, or in the course of employment
 - b. the injury will require medical treatment resulting in the issue of a medical certificate or will require the worker to have time off work (beyond the day of sustaining the injury) or time away from their normal duties to recover from the injury.

If you are not sure, you should report the injury.

If you have concerns about the injury (e.g. whether the injury occurred at work or should be compensated) you can report these concerns to your insurer.

You must also report any payments made by you to or on behalf of the worker, for compensation or instead of compensation for the injury. This includes payments:

- in place of wages due to time off as a result of the injury
- in connection with treatment provided to the worker either by a medical or allied health provider, an in-house provider, or funded through an [early intervention program \(EIP\)](#).

Examples of reportable injuries

<p>A worker is lifting a 20kg object at work when they feel a 'pop' in their back. The worker immediately tells their supervisor. The same day they visit their GP who issues a medical certificate certifying them unfit for work for three days.</p>	<p>The employer must report within eight business days.</p> <p>The employer should ensure the worker has been advised of their right to lodge a workers' compensation claim and provided with an Application for compensation form.</p>
<p>A worker feels pain in their wrist after performing repetitive tasks. They assume the pain will improve, but when it doesn't, they see their GP and obtain a referral for radiology and a medical certificate certifying them fit for suitable duties only. They provide the medical certificate to their supervisor.</p>	
<p>A worker witnesses a traumatic event at work. They immediately take one week off work, using their leave entitlements. They then attend their GP, who diagnoses them with depression and certifies them unfit for work for a further two weeks. The worker provides the medical certificate to their employer.</p>	
<p>A worker cuts their hand while working. Their supervisor takes them to the on-site nurse, who sutures the wound and tells the worker they will need to avoid their normal duties for several days.</p>	

Examples where reporting is not required

Scenario	Reason
<p>A worker is experiencing intermittent lower back pain. They see the on-site physiotherapist and when asked about the cause of the injury, the worker tells the physiotherapist that they 'just get back pain every now and then', but there is no particular cause.</p>	<p>The worker is experiencing pain, but no injury has been diagnosed. The worker has also not seen a doctor and there is no medical certificate or time off work or normal duties.</p> <p>The injury should be reported if the worker sees a doctor, obtains a medical certificate and provides a copy to the employer.</p>

<p>A worker develops a rash at work. They attend the on-site GP and are prescribed a treatment cream. The GP advises the worker they may return to work with no restrictions.</p>	<p>No medical certificate was provided and no time off work or normal duties is required.</p>
<p>A worker is threatened by a customer. The worker calls their employer the next morning and advises that they are going to take the day off due to the incident. The employer refers the worker to the employee assistance program (EAP) for counselling and recommends that they see their GP if it continues to affect them.</p>	<p>Accessing counselling via the EAP does not on its own mean a worker has sustained an injury.</p> <p>The injury should be reported if the worker does see a doctor, obtains a medical certificate and provides a copy to their employer.</p>
<p>A worker is moving items at work when they feels pain in their hip. They tell their co-worker and ask for help moving the heavier items.</p>	<p>The worker is experiencing pain but no injury has been diagnosed.</p> <p>The injury has not been reported to the employer.</p>
<p>A worker trips and falls in the office. They are treated by the first aid officer who bandages their grazed knee.</p>	<p>No medical certificate or time off work or normal duties was required.</p> <p>The supervisor should monitor the worker in case symptoms worsen.</p>

When do I need to report an injury?

You must report an injury to your insurer as soon as possible (but no more than eight business days) after becoming aware of the injury. It is an offence not to report the injury within this timeframe unless you have a reasonable excuse.

A reasonable excuse for an employer not reporting the injury within eight business days may include:

- the employer reasonably believes the injury does not meet one or more of the criteria outlined above (e.g. an employer has not been reliably informed about the injury or there is evidence that the injury was not sustained in the course of employment)
- technical or other issues that lead to a short delay in reporting.

What information does the report need to contain?

You must report the injury using the approved form ([Form 133/133A – Employer reporting – Injury that may be compensable](#)) or by using a reporting system that captures and provides the following required information to the insurer:

1. Employer insurance number (WorkCover Queensland policy number or self-insurance member number).
2. Worker's date of birth.
3. Worker's name.

4. Worker's gender.
5. Worker's job title/occupation description.
6. Injury narrative—how did the injury occur?
7. Injury date.
8. Date employer became aware of injury/Date worker reported injury to employer.
9. Address where injury occurred.
10. Details of any medical or other treatment known to employer.
11. Has the employer made a payment to the worker in place of wages due to time off as a result of their injury (excluding sick leave)? (Yes/No).
12. Has the employer made a payment for medical or other treatment to or on behalf of the worker? (Yes/No).
13. For each payment that has been made, detail:
 - date of payment
 - details of/reasons for payment (medical or GP treatment/allied health treatment/wages/other).

What happens if I do not report?

It is an offence for an employer to fail to report, unless the employer has a reasonable excuse. The maximum penalty is 50 penalty units.²

I've reported the injury. What next?

Once you have reported an injury you should:

- advise the worker of their right to lodge a workers' compensation claim and provide them with an [Application for compensation form](#)
- advise the worker of their right to access their choice of medical or other treatment provider.

If you are paying for the worker's treatment or paying the worker an amount in place of their wages if they take time off as a result of the work-related injury, you should be aware that employers may only pay for compensation (or an amount in place of compensation) if:

- the worker has made an application for compensation under section 132
- the employer has complied with its reporting obligations under section 133A.³

For more information

Find out more about [early intervention programs](#).

If you have further questions, contact us on 1300 362 128.

¹ See sections 133 and 133A of the *Workers' Compensation and Rehabilitation Act 2003* (Qld).

² Amount as at 1 May 2020 – see Section 5 of the *Penalties and Sentences Act 1992* (Qld).

³ If you have further questions, contact us on 1300 362 128.