WHEN IS WORKERS COMPENSATION INSURANCE REQUIRED?
Under the Act an employer is liable for any compensation payable to a worker suffering any work-related injury or disease. Where an employer has a current workers compensation policy, the insurer indemnifies the employer for costs of the claim.

It is compulsory for all employers in the ACT to have a current ACT workers compensation policy in place with an Approved Insurer. Persons conducting a business or undertaking (PCBU) with the resources to fund any workers compensation liability imposed on them may apply to be a self-insurer.

An Information Summary, as defined under section 178 of the Act, the employer’s and worker’s obligations, must be displayed in the workplace where it is conveniently available and can be read by all workers.

WHEN IS A WORKER COVERED FOR WORKERS COMPENSATION?
In the ACT a worker may be entitled to compensation for any personal injury, disease or aggravation that occurs:
> during the course of employment; or
> by any incident arising out of employment; or
> on a journey to or from work.

WHO IS A WORKER?
A worker is an individual who:
> Works under a contract of service, whether the contract is express or implied, oral or written; or
> Works for another person under contract;
> Unless the individual is paid to achieve a stated outcome and has to supply all the plant and equipment or tools needed to carry out the work, and would be liable for the cost of rectifying any defect in the work carried out; or
> Unless a personal services business determination is in effect for the person carrying out work under the Income Tax Assessment Act 1997 (Cwlth) Section 87-60

There is a growing trend towards the use of contract workers in the workplace. Employers should be aware that any arrangements purporting to contract out workers compensation matters are null and void when the contract falls within the jurisdiction of the Act.
FAMILY MEMBERS
A member of the employer’s family, who lives in the employer’s home, is deemed NOT to be a worker under the Act, unless coverage is arranged through their insurer.

INJURY MANAGEMENT
Injury Management primarily focuses on early reporting, rehabilitation and return to work strategies, all designed to assist the injured worker make an early and safe return to the workplace. The key processes include - an Injury Management Program, a Return to Work Program, and a Personal Injury Plan.

To ensure a comprehensive approach to injury management, participation and co-operation in these three processes is required from all relevant stakeholders including the employer, injured worker, insurer and the approved rehabilitation provider.

INSPECTORS
Inspectors are appointed under the Act to ensure compliance with the legislation. They also investigate worker complaints, undertake investigations in relation to prosecutions, and provide information on workers compensation matters to the general public.