

# Coal workers' pneumoconiosis

## How your workers' compensation claim is processed by WorkCover

WorkCover Queensland has a dedicated team assessing and managing coal workers' pneumoconiosis (CWP) claims. This specialised team will help step you through the claims process and ensure that your claim is processed in a timely manner.

Queensland's workers' compensation scheme provides no fault statutory compensation for workplace injuries so if you think you may have CWP you should visit your doctor to organise a screening. If your doctor thinks your illness is caused by work, they will give you a workers' compensation medical certificate and they may lodge a claim with WorkCover Queensland on your behalf. Alternatively, you may lodge your own claim with WorkCover using the details from your medical certificate. Call WorkCover on **1300 362 128** or visit **[www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au)**.

A representative from WorkCover's dedicated team will contact you within 48 hours of receiving your claim to discuss the information and to help determine whether there is a link between your diagnosis of CWP and your employment. This information may include:

- evidence supporting your employment history
- the level of dust exposure through your employment, such as details of work tasks and duration/shift hours, e.g. longwall or development production, underground maintenance or construction, delivering supplies etc.
- a list of doctors you have consulted in relation to your injury
- a signed authority to allow WorkCover Queensland to obtain your relevant medical information
- your smoking history (if any)
- confirmation that the radiological scans have been reviewed by an approved radiologist to confirm the diagnosis of CWP.

Once all relevant information is received, WorkCover may require you to see an independent medical practitioner for confirmation of your diagnosis and/or confirm the link between your employment and your diagnosis.

WorkCover has 20 business days to make a decision on your claim. If a decision cannot be made within this timeframe, you may choose to allow an extension of time or ask WorkCover to make a decision based on the information currently available.

If your claim is not accepted, WorkCover will provide reasons for this decision and explain your rights of appeal.

If your claim is accepted, WorkCover will explain to you the payments you are entitled to in relation to your level of incapacity. WorkCover will also confirm these benefits in writing and outline how to reassess your entitlement should your incapacity increase.

If you have a permanent impairment due to the injury you will be offered statutory lump sum compensation quickly, often within two weeks. This can avoid the need for a lengthy process of undertaking common law damages claim.

Permanent impairment lump sum compensation entitlements are up to \$314,920. If the degree of permanent impairment is 30% or more you may also be entitled to additional lump sum compensation of up to an additional \$314,920. You may also be entitled to a caring allowance if you are dependent on day to day care from a person who provides the care on a voluntary basis.

You may also have the right to sue your employer (or former employer) for common law damages if you can prove that your employer (or someone else) was negligent, and that negligence contributed to you contracting coal workers' pneumoconiosis. You can contact your union (or former union), or a solicitor for further assistance in making a claim.

### Self-Insurer claims

If you work or worked for BHP Billiton Limited, Glencore Queensland Limited or South32 Cannington Pty Ltd, these three companies self-insure for workers' compensation, so you will need to contact their workers' compensation departments:

- BHP Billiton Limited **1800 247 927**
- Glencore Queensland Limited **(07) 3833 8571** or Copper and Zinc Operations **(07) 4744 2092**
- South32 Cannington Pty Ltd **(07) 3859 5580**

A claim lodged with a self-insurer for CWP will be managed in a similar way and will require the same information to be provided to the insurer.

### Contact us

For more information call **1300 362 128**

or visit **[www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au)**