



Coal Workers' Pneumoconiosis (CWP) and other mine dust lung diseases (MDLD)

Workers' compensation information

worksafe.qld.gov.au



What are my entitlements?

Workers who develop CWP or other MDLD as a result of their work are entitled to workers' compensation. If you have received a diagnosis of CWP or another MDLD, you should lodge a claim for workers' compensation as soon as possible.

If your claim is accepted, you may be eligible to receive compensation for lost wages, medical and hospital expenses, and rehabilitation support. Your compensation benefits may depend on the seriousness of your disease. Your workers' compensation insurer can provide more information.

How to lodge a claim with WorkCover Queensland

You can lodge a workers' compensation claim with WorkCover Queensland by:

- phoning **1300 362 128**
- completing and submitting the online claim form at worksafe.qld.gov.au
- lodging through your doctor (if you're unsure if this has happened, you can either call WorkCover Queensland or your GP to check).

How to lodge a claim with a self-insured employer

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 Group Limited: **1800 469 931**,
bhpselfinsurance@eml.com.au

Glencore Queensland Limited: **(07) 3833 8563**,
xtracare@glencore.com.au

South32 Cannington Pty Ltd: **(07) 3859 5580**,
sisouth32@qbe.com

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

Important information

You must submit a claim within six months of being diagnosed with CWP or other MDLD. However, the insurer can make exceptions if you can show that the failure to lodge in time was due to a genuine mistake, your absence from Queensland or Australia, or another reasonable excuse.

An example of a reasonable excuse may include that your doctor never informed you of a possible link between the disease and your work.

WorkCover Queensland or the self-insurer has 20 business days to make a decision on a claim.

Once they have all of the information to decide your claim, they will inform you of the decision. If a decision can't be made in 20 days, the insurer will contact you to explain why.

Benefits payable

If your claim is accepted, you will be entitled to:

- weekly compensation (for lost wages)
- medical, surgical and hospital expenses, and medicines
- counselling and pulmonary rehabilitation services
- rehabilitation treatment and equipment or services
- travelling expenses
- if the condition is terminal, funeral expenses and entitlements for your family members.

Pulmonary rehabilitation

Pulmonary rehabilitation aims to improve exercise tolerance and your wellbeing.

Talk to your doctor about the progression of your diagnosis. There are benefits to pulmonary rehabilitation which can improve your overall quality of life.

You will need to provide your insurer with a referral to a pulmonary rehabilitation program so that they can review possible payment of related expenses.

Lump sum compensation

Depending on your degree of permanent impairment, you may be entitled to lump sum compensation entitlements of up to \$330,240 (indexed in accordance with Queensland Ordinary Time Earnings).

If the degree of permanent impairment is 30% or more you may also be entitled to an additional lump sum compensation of up to an additional \$330,240.

Additional lump sum for pneumoconiosis

If you are diagnosed with pneumoconiosis (including CWP and silicosis) you may be eligible for an additional lump sum amount of up to \$123,700 depending on your level of pneumoconiosis. The amount of additional lump sum is paid on a graduated scale determined by reference to the ILO grading of your chest x-ray. Talk to your insurer for further information.

Return to work

Speak to your doctor when considering returning to work. Your insurer can also assist reviewing return to work options including alternate location of duties and host employment options.

The Office of Industrial Relations is currently working with stakeholders and medical experts to develop guidance on how to safely return a worker with a diagnosis of CWP or other MDLD to work.

What action can I take against my employer?

In Queensland injured workers can sue their employer (or former employer) for common law damages if they can prove that the employer (or someone else) was negligent, and that negligence contributed to them contracting CWP or other MDLD.

If you're able to prove negligence, a lump sum payment of damages can be awarded to you that takes into account your loss of future earnings, pain and suffering.

Contact your union (or former union), or a solicitor for further assistance in making a claim.

Lung disease examinations for former coal workers

If you are a former or retired Queensland coal worker and concerned you may have a coal mine dust lung disease such as CWP or silicosis you may be eligible for a free lung disease examination.

To receive a free lung dust disease examination you will need to demonstrate:

- employment in an industry involved in mining, loading, transporting or otherwise dealing with coal
- you permanently stopped working in the industry **before 1 January 2017**
- six months cumulative exposure to coal dust as a worker at your place/s of employment in Queensland

Applications must be made prior to 1 January 2022. Application forms are available at www.worksafe.qld.gov.au. You will be required to submit a medical certificate with your completed form.

The Department of Natural Resources Mines and Energy (DNRME)

DNRME offers former coal mine workers a free respiratory health assessment through the Coal Mine Workers' Health Scheme. This service is also extended to former mineral mines and quarry workers.

For more information about coal MDLD and support for affected workers, eligibility for health assessment, and to order copies of free pocket guides for coal mine workers please visit www.dnrme.qld.gov.au/miners-health-matters or contact the Department's Health Surveillance Unit on **(07) 3818 5420**, formerworker@dnrme.qld.gov.au.

Did you know there are benefits to support coal workers with latent onset injuries such as CWP or Silicosis? These include payment of medical treatment expenses and access to lump sum compensation.

For more information call: 1300 362 128

or visit www.worksafe.qld.gov.au

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