

COVID-19 and Workers' Compensation

All workers, especially Medical Officers (Doctors), are rightly questioning their rights and entitlements if they, or their colleagues, are exposed to or contract COVID-19.

Medical Officers (Doctors), in the course of their employment will be exposed disproportionately to persons who have contracted or been exposed to COVID-19. In order to access workers' compensation entitlements for a COVID-19 diagnosis, a workers' compensation claim must first be lodged with WorkCover Queensland or the appropriate workers' compensation self insurer.

You can obtain information about Workers' Compensation and COVID-19, and lodge an application for compensation via www.worksafe.qld.gov.au/claims-and-return-to-work/novel-coronavirus-covid-19-faqs

If you have been diagnosed with Covid-19, in order to lodge a valid claim for workers' compensation an injured worker will be required to provide:

- Medical confirmation of a COVID-19 diagnosis;
- Evidence to demonstrate that your COVID-19 exposure occurred within your work environment; and
- Medical confirmation that your employment was a significant contributing factor to the contraction of COVID-19.

In deciding whether to accept a claim for COVID-19 diagnosis the workers' compensation insurer will require:

- The claim to be made within six months of diagnosis;
- Confirmation that you are 'worker' within the meaning of the Workers Compensation and Rehabilitation Act 2003;
 - A diagnosis of COVID-19;
- Evidence that the exposure to COVID-19 occurred in the work environment; and that
 - The work exposure was a significant contributing factor to the COVID-19 diagnosis.

Contact ASMOFQ (Doctors Union) to obtain a referral to Hall Payne Lawyers for advice regarding a positive COVID-19 diagnosis and accessing workers' compensation.