



COVID-19 and Workers' Compensation

Author: [Linda Brangan](#)

Email: lindab@hallpayne.com.au

Phone: 07 3017 2400

Date: Monday March 23, 2020

All workers are rightly questioning their rights and entitlements if they, or their colleagues, are exposed to or contract COVID-19. If in the course of your employment, you are exposed to persons who have contracted or have been exposed to COVID-19 and you are subsequently diagnosed with Covid-19, you may be entitled to workers' compensation.

In order to access workers' compensation 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 lodge an application for compensation online and obtain information about workers' compensation and COVID-19, via:

- **Queensland:** [WorkSafe Queensland](#)
- **NSW:** [SafeWork NSW](#)
- **Tasmania:** [WorkSafe Tasmania](#)
- **Northern Territory:** [NTWorkSafe](#)

Whilst the information in this article primarily relates to Queensland workers, comparable legislation applies to other States and Territories.

What's required to lodge a workers' compensation claim for COVID-19 in Queensland?

If you have been diagnosed with COVID-19, in order to lodge a valid claim for workers' compensation, you 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.

What will the insurer consider when assessing a claim for Queensland workers?

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 a '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.

Currently, with limited cases in Australia, proving the causal link to employment is possible.

However, if the virus spreads throughout the community, it will become extremely difficult for a worker to establish the necessary causal link required for a workers' compensation claim to be accepted.

If you have other queries related to COVID-19 and your employment, you can read "[Implications of Coronavirus for your Employment](#)".

This article relates to Australian law; either at a State or Federal level. The information contained on this site is for general guidance only. No person should act or refrain from acting on the basis of such information. Appropriate professional advice should be sought based upon your particular circumstances. For further information, please do not hesitate to contact Hall Payne Lawyers.