



COMPENSATION FUND'S

INJURY ON DUTY REPORTING PROCEDURES

Employee

1. The employee has to report the accident to the employer as soon as possible after such accident has happened – Section 38 of the COID Act. If notice is not given to the employer/ Compensation Commissioner within 12 months after the date of accident the employee forfeits his right to compensation, as the claim cannot be considered in terms of the Act.
2. Should the employer fail to report the accident the employee has to complete a Notice of Accident and Claim for Compensation (W.Cl. 3).
3. The employee must assist the employer in obtaining the medical reports as the employee has chosen the doctor, sees the doctor regularly and it is his (the employee's) case that has to be finalised.

It is important that the employee must get involved and drive his/her case. He/she must not sit back and wait for other people to do it.

Employer

1. The employer has to report the accident in the prescribed manner – i.e. by completing the Employer's Report of an Accident (W.Cl. 2). The act requires that an accident be reported by the employer to the Compensation Commissioner within 7 days after the accident took place.
2. Part B of the Employer's Report of an Accident (W.Cl. 2) is a carbon copy of Part A and should be handed to the employee to give to the doctor/hospital/chiropractor who is going to treat him.

If an employer fails to report the accident, the doctor can report the case by sending a copy of Part B to the Compensation Commissioner. The employer will then be subpoenaed to submit Part A.

3. Obtain First Medical Report (W.Cl. 4) from the treating doctor – medical evidence plays an important part when liability for the payment of compensation and medical expenses is considered.
4. Obtain Progress Medical Reports (W.Cl. 5) – when an employee is receiving prolonged medical treatment and is off duty as a result of injuries sustained in an accident, progress medical reports should be submitted on a monthly basis to the Compensation Fund to ensure that compensation in respect of temporary total disablement is paid timeously.
5. Final Medical Report (W.Cl. 5) – should be submitted as soon as the employee's condition has become stable. The doctor has to describe the impairment of function as a result of the accident, if any, to enable the Fund to assess permanent disablement, if any.
6. Resumption Report (W.Cl. 6) – the form has to be completed by the employer immediately after the employee has resumed work. Where an employee is booked off duty for a lengthy period, interim reports must be submitted.
7. Employee's banking details form should be submitted – should the claim qualify for any compensation, this form will be used to verify the claimant's banking details.

It is important that employers should not wait for full documentation before reporting an accident.



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