Fact sheet: Leave without pay impacts during WorkCover claims, income protection claims and sick leave

Information for employees regarding payroll impacts when on leave without pay.

Once a workers' compensation claim or income protection claim (for example, QSuper claim) is accepted, employees may receive payments directly from these insurers and not from the department.

In addition, employees on extended absences may exhaust their leave balances and be on unpaid sick leave with the department.

When the department is no longer paying wages to employees, the following payroll arrangements cease:

- disbursement of pay into multiple bank accounts
- salary packaging arrangements (e.g. novated leases)
- individual employee contributions to superannuation
- HELP/VSL/FS/SSL/TSL tax payments (higher education loan programs)
- overpayment deductions
- other personal deductions
- notification of payments to Centrelink.

Contact your financial institutions to negotiate alternate payment methods to meet the relevant terms and conditions of your personal arrangements.

Contact your income protection insurer. For example, QSuper members can phone 1300 360 750 or refer to the Employees on leave without pay FAQs on the QSuper website (https://qsuper.qld.gov.au/employers/making-payments/qld-gov-payments).

Contact your salary packaging provider:

- RemServ (http://www.remserv.com.au) phone 1300 304 010
- Smartsalary (http://www.qldsmartsalary.com.au) phone 1300 218 596

If you are receiving benefits from Centrelink, contact Centrelink on 132 717 or send a message through your myGov account.

Examples of when the department may cease paying wages

For workers' compensation claims:

- when you are being paid directly by WorkCover Queensland due to a different pay rate
- when you reach 26 weeks of compensation, at which point WorkCover Queensland may reduce payments.

For income protection claims:

- when your paid sick leave and paid leave in lieu of sick leave is exhausted during the wait period
- when your income protection insurer (for example, QSuper) commences directly paying insurance payments to you.

For sick leave:

- when your paid sick leave and paid leave in lieu of sick leave is exhausted.

Leave while waiting for a workers' compensation claim decision

If you are absent from work while waiting for a claim decision, you can apply to access sick leave or paid leave in lieu of sick leave for periods covered by medical certificates.

If WorkCover Queensland accept your claim, leave will be reversed to:

- full pay from the department from the date of injury
- payment of the excess period by the department (up to one week of wages)
- workers' compensation leave (paid or unpaid).

When leave is reversed, this may create an overpayment. You can offset overpayments with your paid leave balances or you can use payments from WorkCover Queensland to repay the department.

Leave while waiting for an income protection claim decision

While you are absent from work waiting for a claim decision, you can apply to access sick leave.
Your income protection insurer (for example, QSuper) can advise you on your specific entitlements, including:

- your insurance wait period (for example, 90 days)
- whether you can access paid sick leave, paid leave in lieu of sick leave or unpaid sick leave during the wait period (for absences covered by medical certificates).

Wage payments during graduated return to work programs

During a graduated return to work program, the department will pay you for the hours you work and the relevant insurer pays you for the hours not worked. Once the department re-commences paying wages directly to employees, the previous payroll deduction arrangements can recommence.

You need to complete weekly graduated return to work timesheets with your Rehabilitation and Return to Work Coordinator (RRTWC) and supervisor, and *submit timesheets each week* to ensure you are correctly paid by your insurer and the department. If there are delays with timesheets, this may delay payments to you. Work with your local RRTWC to ensure you complete the timesheets.

Leave accruals

While you are absent on an accepted workers' compensation claim, your industrial leave entitlements continue to accrue through the department's payroll system.

While you are absent on an accepted income protection claim, your leave accruals cease during unpaid leave, in accordance with the Leave without salary credited as service directive (15/24).

Superannuation contributions

The department makes employer contributions to superannuation funds while you are absent on an accepted workers' compensation claim, in accordance with the conditions of those funds.
For QSuper members, specific information is available on the QSuper website.

Taxation impacts

If you receive wages paid by the department and also payments from an insurer (for example, WorkCover or QSuper), there may be tax implications. Only one employer can apply the tax-free threshold. Cessation of salary sacrifice pre-tax disbursements may have tax impacts. You should seek financial and taxation advice on your specific circumstances.

Further information

Contact your assigned WorkCover claim owner directly or phone 1300 362 128 and provide your claim number.

Contact your income protection insurer, for example QSuper case manager or phone QSuper on 1300 367 845.

Contact the Claims Management Officer in your regional office regarding leave queries.