



WorkCover WA understands it is a difficult time after losing a family member in a workplace accident. If you are a family member who is wholly or partially dependent upon the earnings of the worker at the time of the worker's death, you may claim workers' compensation entitlements. WorkCover WA's Claims Liaison Officer is available to assist you throughout the claim process and may be contacted on **(08) 9388 555** or via email at claims@workcover.wa.gov.au.

This fact sheet provides preliminary information to assist you.

Who may be entitled to compensation?

Compensation can be paid to financially dependent family members, including:

- a current or former partner (spouse or de facto)
- children
- other family members, but only where there is no dependent partner or children

What entitlements are available

Entitlements may include:

- a [lump sum entitlement](#)
- periodic allowance for dependent children
- funeral expenses up to a maximum amount
- the worker's reasonable medical expenses from the workplace injury

How to lodge a claim

A link to the claim form and guidelines is provided [here](#). All sections of the form must be completed. Multiple dependants can be included on the same form.

You will need to attach documents where required (refer to part 4 of the guidelines). If you need help, you can contact the Claims Liaison Officer.

Once you have completed the form, send it to the worker's employer who will lodge it with their insurer.

Insurer's claim decision

Once the insurer receives the claim from the employer, it will be assessed and the insurer will notify you in writing of its decision.

If the insurer requires additional information to make a decision, they will contact you to advise what is required. Where the cause of the worker's death is not clear, this may include awaiting the outcome of a coronial investigation. This can often take some time.

If the insurer accepts the claim, an [application](#) will need to be lodged with WorkCover WA's Arbitration Service for payment of compensation. Talk to the insurer about this process as the insurer may lodge the application for you.

If the insurer does not accept the claim, you will be advised of the reason. If you disagree, you can apply to WorkCover WA's Arbitration Service to have the issue resolved.

What happens at arbitration?

Arbitrators make binding decisions based on evidence, facts and law. Once you have lodged an application, an arbitrator will determine the entitlements to be paid. You or your legal representatives may be required to attend arbitration hearings.

All parties will be informed of the outcome and the insurer will make payment as ordered by the arbitrator.

If your claim is disputed by the insurer, or there are complications, you are encouraged to seek legal advice.