



How are my compensation leave payments worked out if I'm a former employee?

Are you a former employee for the purpose of the Safety, Rehabilitation and Compensation Act 1988 (SRC Act)?

You are if all three of the following apply to you.

- You were injured at work before 1 December 1988.
- You were retired before 1 December 1988.
- You were receiving weekly compensation leave benefits immediately before 1 December 1988.

If you are a *former employee* for the purpose of the SRC Act, then the way your compensation leave payment is worked out depends on two factors:

- how old you were on 1 December 1988
- the amount of *combined benefit* you were receiving on 1 December 1988.

What is my combined benefit?

Your *combined benefit* is the amount of weekly compensation plus any government funded superannuation you receive.

Comcare uses your *combined benefit* when working out how much compensation leave you should receive. We do this because it is a requirement of the SRC Act.

How was my combined benefit worked out at 1 December 1988?

A	If you were 65 years of age or over on 1 December 1988	Your compensation leave payments would have been frozen at the existing level. There are no adjustments to this amount
B	If you were under 65 on 1 December 1988 and your total <i>combined benefit</i> was more than 95% of your normal weekly earnings	The compensation leave part of your <i>combined benefit</i> was reduced on 1 December 1988 so your <i>combined benefit</i> was equal to 95% of your normal weekly earnings
C	If you were under 65 on 1 December 1988 and your total <i>combined benefit</i> was between 70% and 95% of your normal weekly earnings	The compensation leave part of your <i>combined benefit</i> did not change
D	If you were under 65 on 1 December 1988 and your total <i>combined benefit</i> was less than 70% of your normal weekly earnings	The compensation leave part was increased on 1 December 1988 so your <i>combined benefit</i> equalled 70% of your normal weekly earnings

How is my compensation leave benefit updated?

1. Look at the table on the first page.
2. The table will tell you how your *combined benefit* was worked out at 1 December 1988.
3. From the table, work out if **A**, **B**, **C** or **D** applied to you at 1 December 1988. The explanations below will tell you how your compensation leave benefit is updated based on the letter that applies to you.

If A applied to you at 1 December 1988, then:

Your compensation leave amount is frozen and no adjustments will be made.

If B or C applied to you at 1 December 1988, then:

Your compensation leave amount will not change until your *combined benefit* equals 70% of your normal weekly earnings. Every time your normal weekly earnings increase, a record of this is kept on our computer system. Your records are then changed to show the new percentage of *combined benefit* you are receiving.

Once your *combined benefit* reaches 70% of your normal weekly earnings, you are then able to receive increases to the compensation part of your combined benefit. Your *combined benefit* will be maintained at 70% of your normal weekly earnings. Your compensation leave amount will increase whenever your normal weekly earnings increase which, for those who are no longer employed by the Commonwealth, is 1 July each year. The percentage of the normal weekly earnings increase is based on the *Wage Cost Index* figure published annually by the Australian Bureau of Statistics.

If D applied to you at 1 December 1988, then:

Your *combined benefit* will be maintained at 70% of your normal weekly earnings. Your compensation leave amount will increase whenever your normal weekly earnings increase which, for those who are no longer employed by the Commonwealth, is 1 July each year. The percentage of the normal weekly earnings increase is based on the *Wage Cost Index* figure published annually by the Australian Bureau of Statistics.

How do increases to my superannuation affect my compensation leave benefit?

When your superannuation increases, this means that your *combined benefit* will be more than 70% of your normal weekly earnings. So, when your superannuation payments increase each June and December, the compensation leave amount you receive from Comcare will decrease. This is so the *combined benefit* remains at 70% of your normal weekly earnings.

What happens when I turn 65 years of age?

Your compensation leave payment will change when you turn 65 years of age. The SRC Act requires that your compensation leave payment is reduced and frozen at a certain rate. Comcare will tell you how this is done before you turn 65.