

About weekly compensation

– employee



If you were an employee at the time of your incapacity and you're unable to work because of your injury, you may be eligible for weekly compensation.

What if I recently stopped work?

If you were injured just after you left a job and you received a termination payment in your final pay, you may still be eligible for weekly compensation.

You may still be eligible if, for example, you're paid 10 days holiday pay in your final pay and you're injured within 10 days of stopping work.

You may also be eligible if you were injured within 28 days of stopping work and you were going to start work within:

- three months after the date you were unable to work, and you had arranged to start with your new employer before you were unable to work because of your injury, or
- 12 months after the date you were unable to work, because of your injury, if you're a regular seasonal worker with a particular employer. Special rules apply.

What if I was on unpaid parental leave?

If you're injured while on unpaid parental leave and you're unable to return to work on the date you were expected to, you may be eligible for weekly compensation.

You must have a written agreement with your employer that confirms you're on unpaid parental leave, and which states the dates you start your leave and return to work.

What about other unpaid leave?

If you chose to take unpaid leave in agreement with your employer and you would have returned to your job, then you may be eligible for weekly compensation if:

- you're unable to work, because of your injury, during the first 28 days of the leave period; and
- the agreed leave period was no more than three months.

When do weekly compensation payments start?

We don't pay weekly compensation for your first week off work.

If we accept your injury for cover as a work-related personal injury, then your employer must pay your first week's compensation.

How is weekly compensation worked out?

You should have been getting PAYE deductible earnings (eg salary or wages but not including schedular or withholding income). This is where your employer takes tax from your earnings and pays it directly to Inland Revenue.

We'll look at your PAYE earnings before you were unable to work and work out 80% of your earnings before tax.

There are separate calculations if you're reconsidered to be in permanent or non-permanent employment.

This decision is made on whether or not you would have continued to receive earnings from your employer every week for the next 52 weeks if not for your incapacity. If the answer is 'yes', then you're considered permanent. If 'no', then you're considered non-permanent.

What is weekly compensation based on?

For the second to fifth week you're off work, payments are based on your earnings in the four weeks before the date you were unable to work.

After five weeks, if you're still unable to work, your payments are based on your earnings in the 52 weeks before the date you were unable to work.

What if my earnings are low?

If you have low earnings, then after the fifth week of incapacity you may be eligible to have weekly

compensation paid at the minimum rate. To be eligible, you must have worked, on average, 30 hours or more a week before you were unable to work.

Minimum and maximum rates

The minimum and maximum rates of weekly compensation that we can pay are adjusted each year.

For more information about assistance from ACC, call us on 0800 101 996.