

basis may be entitled to receive workers' compensation benefits that make up the difference between their pre-dust disease earnings and their current earnings.

A benefit may be paid towards the cost of a worker's funeral up to a maximum prescribed rate up to a maximum prescribed rate. Funeral Benefit rates are available on the DDB website or from the DDB office.

Compensation rates are reviewed twice yearly on 1 April and 1 October. Latest rates are available on the DDB website or from the DDB office.

## WHAT STEPS ARE INVOLVED IN THE COMPENSATION PROCESS?

There are seven main stages involved in the process of securing compensation:

- An application for compensation must be filled out and lodged with the Board.
- Medical information such as respiratory tests and x-rays and any other supporting material must be collected and submitted to the Medical Authority. These tests may be performed by the DDB's Medical Section or by a designated doctor in your local area.
- An Industrial History Officer from the DDB may visit you in your home to assist with the completion of application forms and to compile a detailed report of your employment history, called an Industrial History Report.
- The Medical Authority reviews all information submitted and makes a determination on the existence of a dust disease and level of disablement.
- Compensation is assessed and calculated in accordance with the relevant legislation ie. Workers Compensation (Dust Diseases) Act and Workers Compensation Act
- The DDB makes its determination based on the advice of the Medical Authority and the proper exercise of its legislative authority under the Act.

- The Award for compensation is processed for payment by the DDB's Financial Services Branch.

The Board does not charge a fee for this service. Any reasonable costs incurred as a result of the Board directing you to attend medical tests, will be met by the Board.

## WILL COMPENSATION AFFECT OTHER INCOME?

Applicants who are also receiving payments from Commonwealth Government Departments, such as Centrelink may find that their pension, benefit or allowance is reduced when they begin to receive workers' compensation benefits from the DDB. This is because Departments such as Centrelink and Department of Veterans Affairs may assesses a worker's compensation benefits as "income".

Applicants with questions about how their DDB workers' compensation payments may affect their Commonwealth pension, benefit or allowance should contact the relevant Government Department for their expert advice.

Some useful phone numbers have been listed below:

- Centrelink Compensation Team (NSW) 02 9280 2001
- Centrelink Compensation Team (Qld) 07 3871 6111
- (outside Brisbane) (free call) 1800 777 653
- Centrelink Age Pension 13 23 00
- Dept of Veterans Affairs (Metro) 13 32 54
- Dept of Veterans Affairs (Non Metro) (free call) 1800 555 254

## COMPENSATION TO DEPENDANTS OF DECEASED WORKERS

Dependants of a disabled worker may be entitled to compensation. Dependants include spouses, children aged up to 16 years and full time students aged up to 21 years.

The compensation is in two forms:

- A lump sum award which will be placed in trust by the DDB and may be drawn upon in part or in total as desired by the dependants for their personal benefit and;
- A weekly payment of compensation to the dependant together with a separate weekly payment for each dependant child.

The actual amount of compensation is determined by:

- the degree of disability of the deceased worker;
- whether the worker's death was due to a dust disease;
- the degree of dependency of the dependant or children of the deceased worker;
- the deceased worker's life expectancy.

A dependant spouse is entitled to continue receiving weekly benefits for the rest of their life or until they remarry or enter into a defacto relationship. The appropriate application form is available by contacting the DDB office.

## FURTHER INFORMATION CAN BE OBTAINED FROM:



Level 2  
82 Elizabeth Street  
Sydney NSW 2000

Telephone: (02) 8223 6600  
Facsimile: (02) 8223 6699  
Toll Free: 1800 550 027

Email: [enquiries@ddb.nsw.gov.au](mailto:enquiries@ddb.nsw.gov.au)  
Web: [www.ddb.nsw.gov.au](http://www.ddb.nsw.gov.au)



## WHAT IS A DUST DISEASE?

A dust disease is caused by inhaling certain dust particles. Symptoms of a dust disease may include:

- shortness of breath;
- reduction in the capacity of the lungs;
- reduced capability to exercise or work;
- chest tightness & pain
- coughing & sputum production

Some of the more common dust diseases include:

- Asbestosis
- Asbestos induced lung cancer
- Asbestos related pleural disease (ARPD)
- Mesothelioma
- Silicosis

Dust diseases generally are the result of many years of industrial exposure, although serious malignant disease can develop after shorter periods. It can take many years before symptoms become apparent and before a diagnosis can be made.

There are some occupational respiratory diseases that are not classified as dust diseases under the Dust Diseases Act. A full list of compensable dust diseases by the DDB can be found on our website or provided upon request.

## WHY DO WE HAVE A DUST DISEASES ACT?

With most claims for compensation for workplace injuries (eg. loss of movement, burns, amputations etc) the injured worker receives compensation from the moment the accident occurs and there is no difficulty in determining:

- who is the employer and;
- where the claim for compensation should be made.

However, because dust diseases have a slow onset it may be many years before any symptoms of a dust disease start to show. During these years he/she may have changed jobs several times and may be faced with

the problem of identifying:

- which employment caused the dust disease?
- which employer is liable to pay compensation?
- whether the employer was still in business.

Because of these problems the NSW Parliament saw the need to establish a central body responsible for the administration of a compensation scheme to cover workers disabled by a dust disease. The DDB is responsible for providing a statutory 'no fault' workers compensation scheme. This means that it is not necessary to lodge a claim against a particular employer to receive compensation for a dust disease.

## WHO IS ELIGIBLE FOR COMPENSATION?

A worker is entitled to compensation if:

- he/she was exposed to the inhalation of dust whilst employed by a NSW employer and;
- the Medical Authority certifies that there is a disablement due to a dust disease.

Applicants do not require legal representation before the Board for their application to be processed.

## COMPENSATION SCREENING

The DDB provides a free medical screening service for workers and retired workers with a history of occupational dust exposure in order to determine if workers have any entitlement to compensation benefits under the Workers' Compensation (Dust Diseases) Act 1942.

As a general rule because dust diseases are of slow onset applicants for compensation need only consider making an application 15 years after initial exposure. The 15 year time period ensures that x-rays will in most cases enable a proper diagnosis of any dust disease.

Applicants with a history of dust exposure are generally reviewed by the DDB every two to three years to monitor

their health condition and to ensure that they receive any entitlements in a timely manner.

Compensation screening involves:

- Chest X-Ray
- Lung Function Test
- Medical Examination by a Doctor
- Review of Results by DDB Medical Authority

If you live within the area bounded by Newcastle, Blue Mountains and Wollongong then the examination will usually take place at the DDB Medical Screening Centre in Sydney. If you live further from Sydney then the DDB can make arrangements for you to be examined by a doctor in your region.

The Board's compensation screening facilities are located on Level 7, 82 Elizabeth Street, Sydney. The Board's diagnostic equipment is the same standard as that available at leading hospitals. The whole process of X-rays, lung function tests and clinical examination normally takes 40 minutes to 1 hour. The results of your medical examination remain confidential.

You will be reimbursed by the DDB should you lose any wages in attending the medical examination. You will also be paid for the cost of public transport from your home or workplace. If your circumstances make it difficult to travel by public transport, suitable alternative arrangements may be made by contacting the DDB.

## WHEN IS SCREENING NOT REQUIRED?

If you have already been diagnosed with a dust disease by your own medical practitioners then the DDB may not require you to undergo any further screening or testing. The DDB will collect relevant medical information from your current medical practitioners and will use that information during the assessment of your application.

## HOW DO I APPLY AND HOW LONG DOES IT TAKE TO PROCESS AN APPLICATION

All application forms can be found on the DDB website under "Forms" or you can contact the DDB and we will send them to you.

The time it takes depends largely on how long it takes to obtain all the necessary medical information for the Medical Authority to make a decision. It can vary from days to months but in most cases it is a matter of weeks.

## WHAT ARE YOUR ENTITLEMENTS IF THE DDB APPROVES YOUR APPLICATION?

When the DDB approves an application, an award of workers' compensation benefits is made. Award entitlements may include:

- Weekly payments, which may include additional payments for any dependants; and
- Medical and other reasonable expenses. This includes any medical treatment, medicines, hospitalisation or ambulance transport provided the costs are related to your dust disease. Arrangements can also be made to forward these payment direct to the doctor, hospital, pharmacy etc.

The weekly amount paid varies, according to degree of disability, as certified by the Medical Authority and is based on the medical evidence provided. Should any DDB beneficiary consider that their dust disease has deteriorated and they are able to produce supporting medical evidence, the Medical Authority will review their level of disability.

Applicants who have stopped working full time as a result of their dust disease are paid a rate of workers' compensation benefits that is based on their previous earnings for the first 26 weeks. After 26 weeks workers' compensation benefits are paid at a rate that reflects the percentage of disability suffered. Partially disabled beneficiaries who return to work on a part time or casual