

GIO WORKERS COMPENSATION

INITIAL WEEKLY RATE CALCULATOR

| | |
|---|---------------------------------|
| Worker's Base Rate of Pay | <input type="text" value="\$"/> |
| Overtime & Shift Allowances | <input type="text" value="\$"/> |
| Non Pecuniary Benefits (D) | <input type="text" value="\$"/> |
| PIAWE | <input type="text" value="\$"/> |
| Weekly rate payable | |
| First Entitlement Period – No Current Work Capacity | <input type="text" value="\$"/> |

Weekly Rate = (PIAWE x 95%) – D

Important information

- This document and calculations are for general information only. Please note that Weekly Benefit rates may vary depending on the circumstances of each individual claim, please consult a GIO representative should you require any additional information.
- This calculator is suitable for use when determining the initial Pre-Injury Average Weekly Earnings rate (PIAWE) for claims on or after 1 October 2012.
- It is not suitable for re-calculating the PIAWE rate following indexation factors as described by Section 82A of the Act (currently indexed 1 April and 1 October each year).
- Notwithstanding the calculated PIAWE rate above, a worker's weekly compensation is capped at the Maximum Weekly Compensation Amount, pursuant to Section 34 of the Act. As at 1 October 2012, the maximum weekly compensation amount is \$1,868.50.

Definitions:

Pre-Injury average weekly earnings (PIAWE) means the sum of:

- the average of the workers **ordinary earnings** during the **relevant period** (excluding any week during which the worker did not actually work and was not on paid leave) expressed as a weekly sum, and
- any overtime and shift allowance payment that is permitted under this section (but only for the purposes of the calculation of weekly payments payable in the first 52 weeks for which weekly payments are payable).

Ordinary earnings means:

- If the worker's base rate of pay is calculated on the basis of ordinary hours worked, the sum of:
 - the worker's earnings calculated at that rate for ordinary hours in that week, during which the worker worked or was on paid leave
 - amounts paid or payable as piece rates or commissions in respect of that week
 - the monetary value of non-pecuniary benefits provided in respect of that week, or
- in any other case, the sum of the following amounts:
 - the actual earnings paid or payable to the worker in respect of that week,
 - amounts paid or payable as piece rates or commissions in respect of that week,
 - the monetary value of non-pecuniary benefits provided in respect of that week

Relevant period means:

- in the case of a worker who has been continuously employed by the same employer for the period of 52 weeks immediately before the injury, that period of 52 weeks, or
- in the case of a worker who has been continuously employed by the same employer for less than 52 weeks immediately before the injury, the period of continuous employment by that employer

Notes:

- if during, the 52 weeks immediately prior to the injury, the worker voluntarily alters the hours of work, or the duties performed and as a result, the ordinary earnings are reduced, the relevant period does not include the period prior to that reduction taking effect;
- if during, the 52 weeks immediately prior to the injury, the worker is promoted or appointed to a different position (on a permanent basis) and as a result the ordinary earnings are increased, the relevant period commences on the day in which the promotion or appointment takes effect.

Base rate of pay means:

the rate of pay payable to a worker for his or her ordinary hours of work but does not include any of the following amounts:

- a. incentive based payments or bonuses
- b. loadings
- c. monetary allowances
- d. piece rates or commissions
- e. overtime or shift allowances
- f. any separately identifiable amount not referred to in a. to e. above.

Notes:

If at the time of injury, a workers base rate of pay is prescribed by a fair work instrument that applies to the worker, and the worker's actual rate of pay for ordinary hours is higher than that rate of pay, the worker's actual rate of pay is to be taken as the worker's base rate of pay.

Overtime and shift allowances means:

An overtime and shift allowance payment is permitted to be included in the calculation of pre-injury average weekly earnings if:

- a. the worker worked paid overtime or carried out work that attracted a shift allowance in the relevant period, and
- b. the worker would, but for the injury, have been likely at any time during that 52 week period, to have worked paid overtime or carried out work that attracted a shift allowance.

Notes:

- Overtime and shift allowances are only included in the pre-injury average weekly earning calculation for the first 52 weeks for which weekly payments are payable)
- The amount of an overtime or shift allowance payment that may be included is to be calculated as $A \div B$ where
A is the total amount paid or payable to the worker for paid overtime and shift allowances in respect of the relevant period, and
B is the number of weeks during the relevant period during which the worker worked or was on paid annual leave.

Non-pecuniary benefits means:

The following benefits provided in respect of a week to a worker by the employer for the performance of the work by the worker are Non-Pecuniary Benefits in respect of that week:

- a. residential accommodation
- b. use of a motor vehicle
- c. health insurance
- d. education fees.

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