



labour

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REPUBLIC OF SOUTH AFRICA



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Basic Guide to Claiming Compensation for Occupational Injuries

Compensation for occupational injuries is based on the degree of disablement. Workers may be entitled to increased compensation if their disablement is caused by the carelessness of their employer or a co-worker.

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Application

The Compensation for Occupational Injuries and Diseases Act applies to:

- all employers; and
- casual and full-time workers who, as a result of a workplace accident or work-related disease:
 - are injured, disabled, or killed; or
 - become ill.

This excludes -

- workers who are totally or partially disabled for less than 3 days;
- domestic workers;
- anyone receiving military training;
- members of -
 - the South African National Defence Force, or
 - the South African Police Service;
- any worker guilty of wilful misconduct, unless they are seriously disabled or killed;
- anyone employed outside the RSA for 12 or more continuous months; and
- workers working mainly outside the RSA and only temporarily employed in the RSA.

See

- Compensation for Occupational Injuries and Diseases Act

Workers who are affected by occupational injuries and diseases are entitled to compensation

Claims for Compensation

Claims for compensation must be submitted to the Commissioner, employer or mutual association within 12 months of the date of an accident or death.

Increased Compensation Due to Negligence

Workers may apply for increased compensation if they have an accident due to the carelessness of -

- the employer; or
- a worker who acts for the employer; or
- anyone in charge of machinery.

Related Links

- [How To Claim from the Compensation Fund if you are a Worker](#)
All workers must report all accidents or disease to their employers immediately, and submit forms from their doctor.
- [How to Report an Occupational Accident with the Compensation Fund if you are an employer](#)
Employers must send the necessary forms with the doctors report to the Compensation Fund when accidents occur.
- [Form W.CL.2 - Employers Report of an Accident](#)
This form must be completed by employers when reporting an accident at the workplace.
- [Form W.CL.3 - Notice of Accident and Claim for Compensation](#)
A notice of an accident and claim for compensation which must be completed by a worker or on their behalf.