



labour

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Labour  
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.