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continued overleaf

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Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 22 for contact details).

The information in this booklet is correct at the time of going to print.

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1. What is Injury Benefit?

Injury Benefit is one of the benefits available under the Occupational Injuries Scheme.

It is a weekly payment made to you if you are unfit for work due to an accident at work or because you have contracted a disease due to the type of work you do.

An occupational disease is a disease that you contract in the course of your work, for example, from contact with physical or chemical agents. Diseases from an occupation are generally contracted over time but may occasionally develop from a once-off accident at work. Log on to **www.welfare.ie** for a list of prescribed occupational diseases.

Note

An accident while on an unbroken journey to or from work is also regarded as an accident at work.

In general, if you pay PRSI at Classes **A**, **D**, **J** and **M**, you are covered for Injury Benefit.

PRSI Class **B** (paid by Civil Servants recruited before 6 April 1995) does not give cover for Injury Benefit but does give cover for other benefits under the Occupational Injuries Scheme.

Note

Self-employed people are not covered under the scheme.

2. How do I qualify?

You will qualify if:

- you are unfit for work due to illness because of an accident at work or if you contract a prescribed occupational disease
and
- your illness lasts for at least 4 days (excluding Sundays).

Accidents or diseases while working abroad

If you are working for an employer in another EU country, you are generally covered by the social security laws of that country. In such cases, you should make a claim for occupational accidents or diseases to the social security authorities there. However, if you have been sent by an Irish employer to work in another EU country and if you continue to pay Irish PRSI contributions, you are covered for Injury Benefit under Irish legislation. See page 10 for more information.

Under special rules, employment abroad in a developing country is normally covered for Injury Benefit if you arranged the work either through:

- the Agency for Personal Services Overseas (APSO),
- an Irish-based non-governmental organisation,
- a governmental or non-governmental agency in another member state of the EU, or
- the government of a developing country.

3. How much can I get?

Injury Benefit is made up of a personal rate for yourself and may include increases for your qualified adult and qualified child(ren).

Who is a qualified adult?

If you are married, or if you are living with someone as husband and wife and you are supporting them, you may get an increase for them as a qualified adult.

If your spouse's or partner's gross weekly income or earnings is **€100 or less**, you will receive a full increase for them.

You will **not** get an increase for your spouse or partner if they:

- have a gross weekly earnings or income of **more than €300** before deductions such as PRSI or tax, **€310** from January 2009.

or

- are getting a social welfare payment in their own right (except Disablement Benefit*, Child Benefit or Supplementary Welfare Allowance),

* You cannot get an increase for them if they are getting Incapacity Supplement with their Disablement Benefit,

or

- are disqualified from getting a Jobseeker's Allowance because of a trade dispute,

or

- are taking part in a full-time FÁS non-craft training course.

If you are single, widowed or separated, and your children are living with you, you can claim an increase for a person aged 16 or over who is caring for them, if you are supporting that person.

Note

Your spouse's or partner's income or earnings includes earnings from employment, self-employment, occupational pensions and other sources, such as property, savings, capital and investments.

How we assess your spouse's or partner's property, savings, capital and investments

When working out their means from investments and savings we add together the following items and use a special formula to work out their means:

- the cash value of investments and property (except the home),
- money in a savings account, or any other kind of bank account,

and

- cash-in-hand.

The following formula is used:

Capital:	Weekly means assessed:
First €20,000	Nil
€20,000 - €30,000	€1 per €1,000
€30,000 - €40,000	€2 per €1,000
Over €40,000	€4 per €1,000

When property is held jointly (for example by a couple), half the value of the asset is taken as belonging to each person.

Who is a qualified child?

A qualified child is a child under 18 years of age who normally lives with you and is being supported by you. Sometimes a child who is not living with you can also be your qualified child if you are supporting them.

A child who is aged 18 and over and being maintained by you is also considered a qualified child:

- for the 3 month period after they leave second level education,

or

- for the 3 month period after they finish the Leaving Certificate,

or

- up to the end of the academic year in which they reach 18, as long as they are attending a full-time course of study by day at a school, college or university.

If you are getting Injury Benefit or a combination of certain other short-term payments for more than 156 days, you may be paid a Qualified Child Increase for a child in full-time education up to the age of 22 or up to the end of the academic year in which they reach 22.

You will **not** get the Qualified Child Increase if the child gets:

- a social welfare payment in their own right (except Disablement Benefit). If the child gets Incapacity Supplement with the Disablement Benefit you will not be paid an increase for them,

or

- Infectious Diseases Maintenance Allowance (IDMA) from the Health Service Executive.

What rate of Qualified Child Increase can I get?

You will get the **full** Qualified Child Increase if you:

- qualify for an increase either full or reduced, for your spouse or partner,

or

- are a lone parent and **not** getting:
 - One-Parent Family Payment,
 - Deserted Wife's Benefit, or
 - Widow's or Widower's (Contributory) Pension.

You will get **half** the Qualified Child Increase if:

- your spouse has earnings between €300 (€310 from January 2009) and €400 per week,

or

- your spouse or partner is getting a social welfare payment in their own right. In this case, your spouse or partner will get half the Qualified Child Increase with their payment and you will get half the Qualified Child Increase with your Injury Benefit.

You will **not** get a Qualified Child Increase if your spouse or partner has income or earnings of more than €400 a week.

4. How do I get my payment?

You can get Injury Benefit paid weekly by cheque or direct to your current or deposit savings account in a financial institution.

5. How long does payment last?

Injury Benefit is normally paid from the 4th day of your illness or incapacity, and you may get it for up to 26 weeks.

If you are still unable to work after 26 weeks, you may qualify for Illness Benefit if you satisfy certain PRSI contribution conditions. Log on to **www.welfare.ie** for more information.

You may also qualify for Disablement Benefit if you suffer a loss of physical or mental ability because of the accident or disease. See page 13.

If you do not qualify for Illness Benefit and you are awarded Disablement Benefit, you may qualify for Incapacity Supplement.

6. When and how do I apply?

You should apply for Injury Benefit **within 21** days of becoming ill, otherwise you may lose benefit.

To apply for Injury Benefit, you should:

- go to a doctor and get a first social welfare medical certificate which includes an application form, and
- complete the medical certificate and application form fully.

You can hand your certificate into your local Social Welfare Office or post it to:

Injury Benefit Section

Department of Social and Family Affairs
P. O. Box 1650
Dublin 1

You should forward a medical certificate each week as long as you are unfit for work.

Important: All work accidents and diseases do not result immediately in illness or incapacity. In such a case, to secure your future right to benefit, you should apply for a declaration (using Form DB/OB1) that your accident or disease occurred at work. You can get the application from Injury Benefit Section at the address on page 22.

7. Can I get Injury Benefit while living in another country?

EC Regulations apply if you work or have worked or you move between the following countries.

Countries covered by EC Regulations:

- Austria
- Belgium
- Bulgaria
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malta
- Norway
- Poland
- Portugal
- Republic of Cyprus (Cyprus South)
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland
- the Netherlands
- the United Kingdom

Going to a country covered by EC Regulations

If you are receiving Injury Benefit from this Department and you intend to move to another country covered by EC Regulations you should tell us as soon as possible. If you delay you may lose benefit or your payment may be delayed.

Note

Contact your local office of the Health Service Executive if you have any questions about health services while abroad.

8. Can I claim Injury Benefit while getting another social welfare payment?

If you are applying for Injury Benefit and getting **full** rate:

- Widow's or Widower's (Contributory) Pension,
- Deserted Wife's Benefit , or
- One-Parent Family Payment,

you may get **half the personal rate** of Injury Benefit. You cannot get an increase for (a) qualified child(ren). If you are getting a **reduced** rate of any of the above payments, you may get more than half the personal rate of Injury Benefit.

If you are getting Disablement Benefit in respect of a previous accident or prescribed disease, Injury Benefit can be paid in respect of a later accident or prescribed disease.

If you are getting Blind Pension, you may also get Injury Benefit if you are ill and incapable of work and you satisfy the PRSI conditions.

Special Arrangements for Carer's Allowance

Since 27 September 2007, if you are getting Injury Benefit and you satisfy the conditions for **Carer's Allowance** , you may get half the personal rate of **Carer's Allowance** along with your Injury Benefit payment.

It may also be possible for you to receive an Increase for a Qualified Adult for someone on your Injury Benefit claim while they receive a half rate **Carer's Allowance** for caring for you or someone else.

If you are applying for Injury Benefit and you are in receipt of **Carer's Allowance**, you may be able to retain half your Carer's payment while receiving Injury Benefit.

Log on to **www.welfare.ie** for more information.

9. What other benefits can I get under the Occupational Injuries Scheme?

Medical Care

Under the Medical Care Scheme, you may get a refund of certain medical expenses incurred because of your occupational accident or disease where these expenses are not paid by the Health Service Executive or this Department's Treatment Benefit Scheme. Log on to **www.welfare.ie** for more information or contact:

Occupational Injuries (Medical Care) Section

Social Welfare Services
Áras Mhic Dhiarmada
Store Street
Dublin 1

Tel: (01) 7043022

See also under 'Health Services' on page 15.

Disablement Benefit

You may get this after Injury Benefit if you lose any physical or mental abilities because of an occupational accident or disease. A doctor from the Department will first need to examine you to assess the degree of illness or disability so that we can decide the amount of Disablement Benefit you are due. If it is awarded, it can be backdated to the date Injury Benefit ended. Log on to **www.welfare.ie** for more information.

Death Benefits (Survivor's Benefits)

If you die because of an accident at work or occupational disease, or if you get a Disablement Pension assessed at 50% or more at the time of your death, your dependants may get Death Benefit. This benefit includes:

- Widow's or Widower's Pension,
- Orphan's Pension,
- Dependent Parent's Pension, and
- a funeral grant of €850

Log on to **www.welfare.ie** for more information or contact:

Disablement Benefit Section

Social Welfare Services
Government Buildings
Ballinalee Road
Longford

Telephone: Longford (043) 33 45211

10. What extra benefits can I get while claiming Injury Benefit?

Smokeless Fuel Allowance

If you are getting Injury Benefit for at least 3 months and your household satisfies a means test, you may qualify for a Smokeless Fuel Allowance.

This allowance is paid from September to April to help households meet the extra costs of using smokeless fuels in certain areas where the sale of bituminous fuel is banned. Log on to **www.welfare.ie** for more information. If you get Injury Benefit, we will automatically send you an application form for this allowance.

Note

Smokeless Fuel Allowance is only paid to one member of a household.

Rent or Mortgage Interest Supplement

If you are getting Injury Benefit and you have difficulty paying your rent or mortgage, you may qualify for a supplement under the Supplementary Welfare Allowance Scheme. In the case of mortgage supplements, you get assistance only with the interest portion of your repayment.

Apply to the Community Welfare Officer at your local office of the Health Service Executive. The Health Service Executive takes your situation into account and they decide whether or not you can get a supplement. Log on to **www.welfare.ie** for more information.

Back to School Clothing and Footwear Allowance

You may also qualify for a Back to School Clothing and Footwear Allowance for school-going children under the Supplementary Welfare Allowance Scheme. This allowance operates from 1st June to 30th September each year and helps towards the cost of children's uniforms and footwear.

Your total income must be at or below a certain amount. You should apply to the Community Welfare Officer at your local office of the Health Service Executive. Log on to **www.welfare.ie** for more information.

Health Services

You may be eligible for a medical card from the Health Service Executive. Assistance is also available under the Drugs Payment Scheme towards the cost of prescribed medicines. You should contact the local office of the Health Service Executive for more information on health services or visit their website **www.hse.ie**.

See also page 12 concerning Medical Care under the Occupational Injuries Scheme.

Other supplements

If your income is too low to meet certain special needs, you may be granted a payment for certain emergencies, these are 'once-off', to help if you have difficulty in making a specific payment. You should apply at your local health centre.

11. Who decides on my Injury Benefit application?

A Deciding Officer from the Department of Social and Family Affairs decides on every application for Injury Benefit. If you are not satisfied with their decision, you can have it reviewed. You can also appeal it to the Social Welfare Appeals Office, either straight away or after the review.

To request a review, please send any relevant written evidence to the **Injury Benefit Section** at the following address within 21 days.

Injury Benefit Section

Department of Social and Family Affairs
Áras Mhic Dhiarmada
Store Street
Dublin 1

A Deciding Officer will review your case. If you are not satisfied with their decision after the review, you may appeal it to the Social Welfare Appeals Office, which is independent of the Department of Social and Family Affairs.

If you wish to appeal, you should do so in writing within 21 days of the date you were told of the decision. You can send your appeal to the **Injury Benefit Section** or directly to the Social Welfare Appeals Office, at the address below.

Log on to **www.welfare.ie** for more information.

Social Welfare Appeals Office

D'Olier House
D'Olier Street
Dublin 2

Telephone: LoCall:1890 74 74 34 (from the Republic of Ireland only)

12. What can I claim if I do not qualify for either Injury Benefit or Illness Benefit?

If you do not qualify for either Injury Benefit or Illness Benefit, you may qualify for either Disability Allowance or Supplementary Welfare Allowance.

Disability Allowance

This is a means-tested allowance, which you may get if the illness is expected to last for at least 12 months. Log on to **www.welfare.ie** for more information or contact:

Disability Allowance Section

Social Welfare Services
Government Buildings
Ballinalee Road
Longford

Telephone: Longford (043) 33 45211
Dublin (01) 704 3000

Supplementary Welfare Allowance

If your means are too low to meet your needs, you may qualify for Supplementary Welfare allowance, payable by the Health Service Executive. You should apply to the Community Welfare Officer at your local health centre. Log on to **www.welfare.ie** for more information.

13. Will I have to be medically assessed while claiming Injury Benefit?

While claiming Injury Benefit, you may have to attend a medical exam by a Medical Assessor. This examination is conducted by a doctor employed by this Department. Their function is to give a second opinion on whether you are incapable of work, taking account of your current state of health. We will give you notice of an appointment for your medical exam. At the exam, you may bring along whatever medical evidence you wish the Medical Assessor to see.

The Deciding Officer will take the Medical Assessor's opinion into account when considering your continued entitlement to Occupational Injury Benefit.

If your payment is stopped on the basis of the medical exam, we will tell you immediately and tell you of your right to appeal the decision.

14. Can I be disqualified from claiming Injury Benefit?

Yes. Your Injury Benefit payment may be suspended for up to 9 weeks if you do not observe the conditions (see pages 19 and 20) while receiving Injury Benefit.

If you get Injury Benefit that you do not qualify for, you must repay it to us. The Minister for Social and Family Affairs may get the repayment by legal action or through deductions from any other social welfare payment you qualify for. Log on to **www.welfare.ie** for more information.

Note

If you make a false or misleading statement to get Injury Benefit for yourself or any other person, you may face a fine, a prison term or both.

15. Conditions while receiving Injury Benefit

While receiving Injury Benefit, you must not:

- fail, without good reason, to attend a medical examination by a Medical Assessor of this Department,
- fail to obey your doctor's instructions,
- behave in a way that is likely to delay your recovery,
- fail to see any Officials from this Department and answer reasonable enquiries concerning your claim.

You may do the following types of work, but you must get **written permission** from the Department **before** starting:

- work which is part-time (up to 20 hours a week) and is part of a rehabilitation or occupational therapy programme,
- an approved training course with a view to taking up some other occupation.

You may do the following types of work without getting written permission from the Department before starting:

- light work for which no payment is, or would normally be payable,

- work which is done as part of treatment while you are a patient in hospital or other similar place provided the earnings are not more than €50 per week,
- work done under a charitable scheme, provided that the earnings are not more than €50 per week.

16. Does payment continue after death?

Death of a person receiving Injury Benefit

If you die while getting Injury Benefit, payment will continue for 6 weeks to your spouse or partner if your payment:

- included an increase for your spouse or partner, or
- did not include an increase for your spouse or partner because they were getting a social welfare payment of their own.

We should be told of the death as soon as possible so that we can arrange to continue this payment. A Widow's or Widower's Pension or a One-Parent Family Payment will not be paid until the end of the 6 week period.

Death of a qualified adult or qualified child

If a qualified adult or qualified child dies, the increase due for that dependant will continue for 6 weeks.

Bereavement Grant may also be paid. Log on to **www.welfare.ie** for more information.

Bereavement Grant

We may also pay a Bereavement Grant. Log on to **www.welfare.ie** for more information.

If you are widowed you may also qualify for a Widow's or Widower's Pension. Log on to **www.welfare.ie** for more information.

Widowed Parent Grant

If you are widowed and have any qualified children you may also qualify for a Widowed Parent Grant. Log on to **www.welfare.ie** for more information.

17. Do I pay income tax on Injury Benefit?

You will get Injury Benefit directly without any deduction of tax. However Injury Benefit (excluding any qualified child(ren) increases), is considered as income for income tax purposes. The first six weeks of Injury Benefit in each tax year is not reckonable for income tax purposes.

If you are employed, your employer will take your Injury Benefit into account for PAYE purposes.

If you are unemployed or become unemployed, Revenue will take account of the amount of your Injury Benefit, where relevant, when they adjust your tax credits or review the tax affairs of your spouse or partner.

More information on the taxation of Injury Benefit is available at your local tax office or on the internet at **www.revenue.ie**.

18. Where can I get more information?

For further information on Injury Benefit, contact your local Social Welfare Office, or

Injury Benefit Section

Department of Social and Family Affairs
Áras Mhic Dhiarmada
Store Street
Dublin 2

Telephone: (01) 7043018 / 7043020

For information booklets, application forms and more information on social welfare services:

- Log on to **www.welfare.ie**,
- LoCall Leaflet Line at **1890 20 23 25** (from the Republic of Ireland only),
- LoCall Information Line **1890 66 22 44** (from the Republic of Ireland only),
- Telephone **+353 71 91 93313** (from Northern Ireland or overseas),
- Drop into your local Social Welfare Office.

Note

The rates charged for using 1890 (LoCall) numbers may vary among different service providers.

Other useful booklets:

Smokeless Fuel Allowance	SW 17a
Rates of Payment Booklet	SW 19
Widow's or Widower's Contributory Pension	SW 25
Widow's or Widower's Non-Contributory Pension	SW 26
Disability Allowance	SW 29
Disablement Benefit	SW 31
Death Benefits	SW 32
Prescribed Occupational Diseases	SW 33
Medical Care	SW 34
Free Travel	SW 40
Carer's Allowance	SW 41
Bereavement Grant	SW 47
Carer's Benefit	SW 49
Supplementary Welfare Allowance	SW 54
Appeals Office	SW 56
Back to School Clothing and Footwear Allowance	SW 75
Household Benefits	SW 107
Widowed Parent Grant	SW 114
Illness Benefit	SW 119

Citizens Information

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

www.citizensinformation.ie

Lo-Call 1890 777 121 (Mon-Fri 9am-9pm)

Local Centres (see Golden Pages)

Citizen Information is available from over 250 locations nationwide. The contact details and opening hours of your nearest Citizens Information Centre are listed in the Golden Pages.