



## Noise Induced Hearing Loss claims – Employer and worker

Hearing loss may occur for a number of reasons including recreational exposure, age, hereditary or work related factors. Without obtaining a noise induced hearing loss (NIHL) assessment, the cause(s) of a worker's deterioration of hearing is unknown.

### Who can claim for hearing loss?

- If a worker believes their hearing loss is due to workplace noise exposure, they may be eligible to pursue a workers compensation claim for NIHL.
- If a worker is required to wear personal hearing protection to reduce the risk of hearing loss that exceeds the noise exposure standards, the employer is deemed to be a 'noisy employer'. Noisy employers are required to pay for an audiological test performed by an authorised audiologist (once every two years), any NIHL assessment required and a worker's reasonable expenses.
- The noise exposure standards align with the exposure standards under work health and safety law:
  - an LAeq,8h of 85dB(A) or
  - an LC,peak of 140dB(C).
- If an employer and worker cannot agree whether the employer is required to pay for testing, the worker may apply to WorkCover WA for a binding determination.
- If an employer is not required to pay for testing, a worker may pay for their own audiological test and (where appropriate) NIHL assessment. The worker will be reimbursed these costs and any reasonable expenses if the claim is successful.
- In order to make a successful claim, a worker must have both an Audiological Test Report showing hearing loss at or above the required threshold, and a NIHL Assessment Report showing NIHL at or above the required threshold.
- The required threshold for hearing loss to allow a worker to progress to a NIHL assessment in order to obtain compensation is 10% for an initial claim for compensation and 5% for a subsequent claim for compensation.

### A two-step process for claiming compensation

- An authorised audiologist will conduct testing and provide the worker and employer paying for the test with a copy.

- If the audiological test shows hearing loss greater than 10% (or 5% for a subsequent claim), the worker may proceed to a NIHL assessment. Hearing loss refers to 'global loss of hearing', which means loss of hearing from all causes and not just loss of hearing from the workplace.
- If the audiological test confirms a 10% or greater loss of hearing (or 5% for a subsequent claim), the worker must see a Ear Nose and Throat (ENT) specialist for a NIHL assessment to determine the percentage loss of hearing that is due to the nature of employment.
- Once a NIHL assessment is conducted, the ENT makes an assessment of the percentage loss of hearing that is due to noise exposure in the workplace and provides the worker and employer paying for the test with a copy. If the NIHL is:
  - less than 10% (or 5% for a subsequent claim), no compensation may be claimed
  - 10% or greater (or greater than 5% for a subsequent claim), the worker is eligible to make a NIHL claim.

### How is a claim lodged?

- A worker must complete a NIHL claim form and submit it to their last employer (as determined in the NIHL Assessment Report), along with copies of the Audiological Test Report, NIHL Assessment Report and other required forms.
- The employer has seven days to forward the claim documents to their insurer. The insurer will then assess the claim and either accept or decline it.
- NIHL claims are paid as a lump sum based on the NIHL assessment. The cost of the claim may be apportioned to other liable employers as noted in the worker's employment history.

### Need further assistance?



Call WorkCover WA's Advice and Assistance Service on  
**1300 794 744** (8:30am to 4:30pm, Monday to Friday)



Visit [workcover.wa.gov.au](http://workcover.wa.gov.au)

