

## A NOTE TO THE USER OF THIS GUIDE

Dear Reader,

A "Guide to COIDA 2002" has been prepared to assist you in your understanding of benefits that are provided by the Compensation for Occupational Injuries and Diseases Act, 1993, as amended ("COIDA") and as augmented by The Rand Mutual Assurance Company Limited's (RMA) extra-statutory programme.

This year's Guide incorporates the changes to COIDA. The changes relate to calculation of benefits for employees injured in accidents **on/after 1 March 2002** as well as occupational diseases which were **diagnosed on/after 1 March 2002**.

This Guide does not replace the previous circulars and Guides issued to members of the RMA, or the 2001 Guide, which Guide is still applicable to accidents prior to 1 March 2002 and occupational diseases diagnosed prior to 1 March 2002.

Unfortunately, it is not always possible to include the answers to all the questions you might have relating to COIDA in a guide of this nature. Our website address is [www.randmutual.co.za](http://www.randmutual.co.za) and it contains, amongst other valuable information, details on all the additional benefits and personal accident products which RMA can provide in addition to COIDA .

Should you have any queries or concerns relating to the above, we ask that you contact us either by e-mail: at [enquiries@randmutual.co.za](mailto:enquiries@randmutual.co.za), or telephone our Help Desk on 086 0102532.

I sincerely trust that this Guide will help you to understand more fully all aspects of workers' compensation to the ultimate benefit of your employees.

**KC MOURANT  
CHIEF EXECUTIVE  
MARCH 2002**

## A GUIDE TO COIDA

### INTRODUCTION

This Guide summarizes the manner in which benefits are calculated and must not be seen to replace COIDA and/or any other Insurance Policies or detailed procedures of RMA

Subject, however, to the terms, provisions and exceptions of the RMA "Coid Policy", the policy benefits are based on 75% of full monthly earnings of all employees up to each individual's maximum and is not restricted by the maximum COIDA earnings figure of R11,713.00 per month.

### A. ACCIDENTS AND DISEASES

#### A.1 Definitions

COIDA covers both accidents and occupational diseases.

*Accident* is defined as an accident arising out of and in the course of an employee's employment and resulting in a personal injury illness or the death of the employee.

*Occupational disease* is a disease contracted by the employee arising out of and in the course of his or her employment, providing such disease is not compensable in terms of the Occupational Diseases in Mines and Works Act, Act No 78 of 1973, as amended.

The date of commencement of the occupational disease is deemed to be the date on which a medical practitioner diagnosed the disease for the first time.

**The provisions of COIDA regarding an accident apply similarly to an occupational disease, unless particular provisions are clearly not appropriate.**

#### A.2 Employer to report accident or occupational disease timeously

COIDA requires the employer to report an employee's accident within **seven days** of the employer becoming aware of it, and in the case of an occupational disease, within **fourteen days**.

*Report* means the submission to RMA of the fully completed **RMD 1 (ACCIDENTS) or RMD 2 (DISEASES) form, as the case may be.**

*Failure by the employer to report an accident or occupational disease* within the aforementioned periods constitutes an offence, and in addition renders the employer liable to a fine imposed by the Director-General equal in value to the total value of the claim.

#### A.3 All alleged accidents and occupational diseases to be reported

For the purposes of the foregoing, an "accident" includes any injury reported by the employee to the employer, if the employee alleges that the injury arose out of and in the course of his or her employment,, *irrespective of the fact that in the opinion of the employer the alleged accident did not so arise out of and in the course thereof.*

Similarly, the employer is obliged to report an occupational disease, *irrespective of whether it may believe that the employee did not contract the disease in its employ or in the employ of a previous employer.*

### B. EARNINGS

#### B.1 Earnings for Assessment (Premium) Purposes.

The earnings of the employee to be taken into account for premium purposes are set out in Regulation 1, framed under section 83(4) of COIDA. Regulation 1 is as follows:

"1 The earnings of an employee shall be the remuneration that he receives from his employer or that accrues to him and includes:

- (a) The value of any food or quarters or both supplied by the employer;
- (b) Any overtime payments or other special remuneration in cash or in kind of a regular nature or for work ordinarily performed;
- (c) Any other remuneration in cash or in kind to an employee by virtue of his contract of service, including commission, cost of living allowance, and incentive or other bonuses, but does not include:

- (i) Payment for intermittent overtime;
- (ii) Payment for non-recurrent occasional services;
- (iii) Amounts paid by an employer to an employee to cover any special expenses;
- (iv) *Ex gratia* payments whether by the employer or any other person;
- (v) Travelling and subsistence allowances”.

## B.2 Earnings for Compensation (Benefits) Purposes

Section 63 (1) of COIDA defines the earnings of the employee to be taken into account for compensation purposes. Section 63(1) is as follows:

“In order to determine compensation, the Director-General shall calculate the earnings of an employee in such manner as in his opinion is best to determine the monthly rate at which the employee was being remunerated by his employer at the time of the accident including:

- (a) The value of any food or quarters or both supplied by the employer to the date of the accident;
- (b) Any overtime payment or other special remuneration in cash or in kind of a regular nature or for work ordinarily performed.

But excluding :

- (i) Payment for intermittent overtime;
- (ii) Payment for non-recurrent occasional services;
- (iii) Amounts paid by an employer to an employee to cover any special expenses;
- (iv) *Ex gratia* payments whether by employer or any other person.”

### Comment

- (i) Although sub-paragraph (c) of Regulation 1 is not repeated under Section 63(1), Section 63(1) is wide enough in its ambit to include the earnings described in sub-paragraph (c) of Regulation 1.

Furthermore although Regulation 1 expressly excludes travelling and subsistence allowances from earnings (See 1(c)(v)) and Section 63(1) does not, to the extent that travelling and subsistence allowances are reimbursive they are excluded from the ambit of Section 63(1).

For practical purposes, therefore, the two definitions of earnings - for compensation purposes (compensable earnings) and for assessment (premium ) purposes – are the same.

### (ii) Cash earnings

All earnings of a **constant** character are taken into account e.g. basic or standard rate, service increment, bonus and overtime payments, annual leave bonus and other emoluments of a non-reimbursive nature.

### (iii) In kind benefit

Under the WCA the value of any food and/or quarters supplied to the employee by the employer was the only *in kind* benefit expressly mentioned as being part of the employee’s earnings for *compensation* purposes. (Although other in kind benefits were to be taken into account for *premium purposes*).

In practice, however, other in kind benefits, e.g. subsidised housing and housing allowances, were included in compensable earnings both by the then Workmen’s Compensation Commissioner and by RMA. COIDA gives effect to this practice and expressly requires **all** legitimate in kind benefits to be included in compensable earnings (and in earnings for premium purposes).

Insofar as the value of food and quarters is concerned, WCA excluded this value from compensable earnings in the calculation of the periodical payment for temporary total disablement where the employee continued to receive food and quarters during disablement. COIDA does not repeat this exclusion with the result that the value of food and quarters – and by extension the value of free, assisted or subsidised housing and the value of a housing allowance – must be included in compensable earnings in the calculation of periodical payments. The COIDA definition of earnings applies therefore to *all* aspects of compensation, i.e. temporary total (and partial) disablement, permanent disablement and death.

The industry valuation of food and quarters is subject to annual review. An appropriate Circular to Members will be addressed to members after each review.

(iv) **Declarations**

All declarations **MUST** be based on full earnings as set out under the heading B.1

C. **ACCIDENT PAY**

C.1 **Temporary Total Disablement – Rates of Periodical Payments**

Payable while an employee is totally booked off work while he or she is recovering from his or her injuries.

The periodical payment paid in terms of COIDA is 75% of an employee's monthly earnings up to R11,713 00 of such earnings, i.e. a maximum of R8,784.75 per month. For monthly earnings greater than R11,713.00 RMA will maintain the periodical payment at 75%.

In summary periodical payments are therefore calculated as follows :

<u>Submitted Full Earnings</u>	
<u>Monthly Earnings</u>	<u>Calculation</u>
Up to R11,713.00	75% of monthly earnings ÷ 30,3333 x days off
Over R11,713.00	75% of monthly earnings ÷ 30,3333 x days off

(Please refer to the graph on page 21)

Earnings for the purpose of calculating periodical payments include the value placed on free food and quarters, subsidised housing or housing allowance.  
(See paragraph B.)

C.2 **Old cases or recurrences**

Where an employee, who went back to work after his or her injury had healed, later suffers a recurrence of his or her condition, RMA will authorise periodical payments while he or she is off on account of his or her recurrence based not on his or her earnings and rates at the *time of his or her accident* but on his or her earnings at the time of his or her recurrence *and at current rates of compensation*. In this way RMA takes account of rising earnings. This rule is subject to the proviso, however, that the recurrence must start more that 24 (twenty four) months after the date of the accident.

Of course if earnings at the time of the recurrence happen to be lower than earnings at the time of the accident, then accident pay will continue to be based on higher earnings. In order to apply this rule, RMA will enquire from its members about the current earnings of individual employees who have suffered recurrences of old injuries.

C.3 **Income Tax**

The amendments to tax legislation were introduced and culminated in the Taxation Laws Amendments Act, 1998, which came into effect on 1 March 1998. Under the amended Act not only do *all* workers' compensation benefits under COIDA remain tax free, but *all* workers' compensation benefits under the now repealed Workmen's Compensation Act, 1941 ("WCA") are tax free.

C.4 **Temporary Partial Disablement – convalescent days**

When an employee goes onto light work during his or her convalescence at a rate of pay lower than he or she was receiving when she or he was injured, RMA will pay a certain proportion of his or her lost earnings as periodical payments.

Depending on the earnings of the employee concerned the proportion of the loss in earnings to be made up will be 75% of earnings at the date of accident up to R11,713.00 per month, remaining at 75% on earnings in excess of R11,713.00.

The following formula is applied for such payment:

<u>Monthly Periodical Payment (See Paragraph C.1 above)</u>	<u>Average X Monthly Loss</u>	<u>Days on X Light work</u>
<b>Monthly earnings at date of accident</b>	<b>1</b>	<b>30,3333</b>

## C.5 Points to remember in regard to temporary total and temporary partial disablement

The first three days are excluded from payment only if the total period of disablement lasts for three days or less.

The member is liable in the first instance to pay the periodical payment to the employee for the first three months (or shorter period if the temporary total or temporary partial disablement is for a shorter period) on the basis that RMA thereafter reimburses the member.

## D. COMPENSATION FOR PERMANENT DISABLEMENT

Payable to an employee who has lost part of his or her body or the use of a part of his or her body.

There are two forms of compensation for permanent disablement. If the permanent disablement is rated at 30% or less the compensation takes the form of a lump sum. If the permanent disablement is rated at more than 30%, the compensation is in the form of a life-long pension.

### D.1 Compensation for permanent disablement rated at 30% or less – a lump sum

The maximum lump sum in terms of COIDA for 30% permanent disablement is R98,430.00 i.e. 15 times the monthly earnings of the employee up to R6,562.00 of such earnings ( $15 \times R6,562.00 = R98,430.00$ ).

For earnings from R6,562.00 to R16,405.00 RMA will maintain the benefit at R98,430.00. This is equivalent to a benefit of 6 months earnings at R16,405.00 per month. RMA will maintain the benefit of 6 months earnings for monthly earnings in excess of R16,405.00.

The minimum earnings for lump sum compensation is R1,259.00 per month, with the result that the minimum lump sum payable for 30% permanent disablement is R18,885.00 i.e.  $15 \times R1,259.00$ .

The lump sum for a permanent disablement rating of less than 30% is pro rata to the lump sum for 30%.

### D.2 Compensation for permanent disablement rated at over 30% - the standard pension

As pointed out above, the form of compensation for permanent disablement ratings of more than 30% is a monthly pension for life. The starting point of the calculation is the pension for 100% permanent disablement-lesser degrees of permanent disablement (but over 30%) attract pensions on a proportionate basis.

The standard pension paid for 100% permanent disablement is 75% of monthly earnings up to R11,713.00 i.e. maximum pension of R8,784.75 per month. For monthly earnings greater than R11,713.00 RMA will maintain the standard at 75% for 100% permanent disablement.

(Please refer to the graph on page 21)

There are *minimum earnings for permanent disablement ratings in excess of 30%*. The minimum earnings figure for 100% permanent disablement is R1,259.00 per month, which means a minimum pension for 100% disablement of R944.25 per month ( $75\% \times R1,259.00$ ). Lesser degrees of disablement (but over 30%) will attract minimum pensions proportionate to the minimum for 100%. The minimum pension for (say) 50% permanent disablement will therefore be R472.12 per month.

### D.3 Family allowances for 100% permanent disablement cases (e.g. paraplegics)

RMA pays family allowances to employees who are rated 100% permanently disabled and who have a wife/wives and more than one child to support. In terms of this scheme the standard pension for 100% permanent disablement (determined in accordance with the rules set out in paragraph D.2 above) is supplemented as follows :

<u>Composition of family unit</u>	<u>%Addition to standard pension 100% P.D</u>
Man + wife + 1 child	Standard Pension
Man + wife +2 children	Standard Pension + 20%
Man + wife + 3 children	Standard Pension + 33,33%
	(100%of earnings)
<b>(Total not to exceed 100% of employee's accident earnings)</b>	

Note :

“Wife” includes common law wife or wife by indigenous law and custom.

Four important points about this scheme should be noted :

- (i) It applies only to employees with a rating of 100% disablement – not to an employee with a rating of say 80% permanent disablement.
- (ii) It is discretionary and in certain circumstances might not be awarded or might be varied or stopped altogether if family circumstances changed.
- (iii) In no case will the standard pension plus family allowance exceed the monthly earnings at the time of the accident.
- (iv) Only a wife/wives and/or children are taken into account and not other relatives.

#### D.4 **Constant attendance allowance**

RMA will follow COIDA in paying a constant attendance allowance to employees who are so disabled as a result of their accidents that they are unable to perform the essential actions of life without the constant help of another person. Employees rated at 100% permanent disablement nearly always get this allowance. It amounts to 10% of the monthly pension with a minimum of R75.00.

#### D.5 **Commutation of part of the permanent disablement pension**

RMA will follow COIDA in allowing recipients of disablement pensions to commute up to R400.00 per month of the pension, if it is in the pensioner's best interest to do so and if approved by the Compensation Commissioner. The lump sum produced by the commutation depends on the age of the pensioner and the amount of pension commuted. An application for a commutation should be supported by a detailed business plan . Help on business plans is readily available from the Small Business Development Corporation. RMA will gladly assist in advising an applicant on his or her motivation(s).

### E. **COMPENSATION FOR DEATH**

#### E.1 **Widows and Widowers**

In what follows under this Section (E) the term “widow”, unless inconsistent in the particular context, includes “widower”, and any other expression importing the female gender includes the masculine gender, and *vice versa*.

The most common form of compensation in the event of a fatality is a pension, which is payable to relatives of a deceased employee who were wholly financially dependent upon the employee. The amount of the pension depends on the deceased' s earnings, the number of dependant relatives and their relationship to the deceased employee.

As regards relatives who were only partly financially dependant on the deceased employee, COIDA provides for the payment of a lump sum (as opposed to a pension) the amount of which depends on the number of partly dependent relatives and their degree of dependency, subject to a maximum aggregate amount of R28,680.00 RMA, however, uses a maximum aggregate amount of R31,200.00 when calculating the benefit for partial dependants.

#### E.2 **Contribution to funeral costs**

RMA will follow COIDA in paying a contribution towards funeral costs. This amount is up to a maximum of R6,970.00 or the actual amount of funeral costs, whichever is the lesser and it will usually be advanced by the employer.

#### E.3 **Widow's lump sum**

RMA will follow COIDA in paying a small lump sum to the widow. The amount is a lump sum equal to twice the monthly pension that would have been payable to the deceased had he been 100% permanently disabled, up to a maximum payment of R17,569.50 ( $R17,569.50 = 2 \times R8,784.75$ ) which is the maximum statutory pension for 100% permanent disablement and subject to a minimum payment of R1,888.50. In customary unions, two or more widows will share the lump sum equally.

#### E.4 **Widows and children – the standard pension for a widow and three children**

The standard pension is that payable to a widow and three dependent children under 18 years old. The standard pension paid in terms of COIDA is 75% of monthly earnings of the deceased employee up to R11,713.00 i.e. a maximum pension of R8,784.75 per month. For monthly earnings of the deceased employee greater than R11,713.00 RMA will pay 75% of monthly earnings to a widow and three children. (Please refer again to the graph on page 21)

COIDA *provides for a minimum standard pension* which is 75% of minimum earnings of R1,259.00 per month i.e. R944.25 per month.

#### E.5 **Allocation of the standard pension between widows and children.**

As pointed out above, the standard pension is payable in respect of a widow and three dependent children. If an employee leaves fewer dependants, then the following percentages of the standard pension are awarded – to the widow, 40% of the standard pension and to each dependent child, 20% of the standard pension.

The following is therefore the position :

The widow alone gets 40% of the standard pension;  
 The widow + 1 child get 60% of the standard pension;  
 The widow + 2 children get 80% of the standard pension;  
 The widow + 3 children get 100% of the standard pension.

Two or more widows share the widow's pension equally.  
 Widow is defined as follows :

- (i) A widow who at the time of the employee's death was married to the employee according to civil law;
- (ii) A widow who at the time of the employee's death was a party to a marriage to the employee according to indigenous law and custom if neither she nor her husband was a party to a subsisting civil marriage
- (iii) If there is no widow referred to in paragraphs (i) and (ii) above, a person with whom the employee was at the time of the employee's death living as a husband or wife.

Although RMA adjudicates each claim on its own merits, certain criteria, amongst other , are used, along the following lines to determine if a person falls within the ambit of para. (iii) above:

- Her financial dependency on the employee;
- The various contributions to the common household;
- No other person participating in the particular relationship, other than dependant children.

Where there is no widow, but there are dependent (e.g. orphan) children, the proportion of the standard pension awarded to each child can be increased above the usual 20% per child.

It sometimes happens, of course, that the deceased employee leaves a rather more complicated family situation than that outlined above. These situations are dealt with on the facts of each case as they arise and no guidance can be given in advance.

#### E.6 Family allowances in fatal cases

The Rand Mutual has a scheme for supplementing the standard pension where a widow is left with more than three dependant children. In terms of this scheme the standard pension (determined in accordance with the rules set out in paragraph E.4 and E.5 above) is supplemented as follows:

Composition of family unit	% Addition to standard pension for widow and three children
<b>Widow + 3 children</b>	<b>Standard pension</b>
<b>Widow + 4 children</b>	<b>Standard pension + 10%</b>
<b>Widow + 5 children</b>	<b>Standard pension + 17.5%</b>
<b>Widow + 6 children</b>	<b>Standard pension + 25%</b>
<b>Widow + 7 children</b>	<b>Standard pension + 30%</b>
	<b>(97,5% of earnings)</b>
	<b>Total not to exceed 100% of employee's accident earnings</b>

Three important points should be made about the family allowance scheme:

- (i) It is discretionary and in certain circumstances might not be awarded or might be varied or stopped altogether if the family circumstances changed.
- (ii) In no case will the standard pension plus family allowance exceed the deceased employee's monthly earnings at the time of the accident.
- (iii) Only widows and children are taken into account and not other relatives.

#### E.7 Duration of pension in fatal cases

- (a) **Widow's pension**  
 The widow's pension is paid for her lifetime, whether or not she remarries.
- (b) **Dependent children's pensions**

A child's pension ceases when he attains the age of 18 (except where such child is unable to earn an income owing to a physical or mental disability), or dies or marries before reaching age

18. Where, however, the child is completing secondary education or undergoing tertiary education, the RMA, following COIDA, will continue the child's pension beyond age 18. Whereas COIDA provides that the extended pension will be payable only for as long as it could reasonably have been expected that the deceased employee would have contributed to the maintenance of the child, the RMA will continue the pension regardless until completion of the child's secondary or tertiary education, provided the child has a track record of achievement.

Additionally, whereas *statutorily* the pension in payment to a child, who by reason of physical or mental disability is unable to earn an income, shall cease from a date when in the opinion of the Commissioner the deceased employee, had he lived, would have ceased contributing to the maintenance of the child, RMA will continue the pension payment until the child's death, provided the child is not in receipt of other means of support sufficient to ensure an adequate lifestyle.

E.8 **Other relatives wholly dependent – pension**

The statutory pension payable to relatives (other than widows and children) who can prove *total* dependency on the deceased is a maximum of 40% of the standard pension calculated under paragraphs E.4 and E.5 above.

E.9 **Parents proved not to have been dependent at all**

Where there is positive proof that the parents of a single employee killed on duty were not dependent on him (which happens fairly frequently in the case of urbanised employees but hardly ever in the case of migrant employees) RMA pays an *ex gratia* amount of R12,000.00 as token of sympathy to the non-dependent parents even though under COIDA nothing would be payable.

E.10 **Commutation of part of the dependant's pension**

Dependants are permitted to commute up to R400.00 per month of their pensions into a lump sum if it is in their best interest to do so and if approved by the Compensation Commissioner. The lump sum produced depends on the pensioner's age and the amount of pension commuted. An application for a commutation should be supported by an income and expenditure affidavit, and either be fully motivated with reasons in writing, or be supported by a detailed business plan. Any commutation of a child's pension is prohibited by COIDA.

F. **CONTROL OF PAYMENT OF PENSIONS**

One of the prime purposes of any workers' compensation programme is to provide the (partial) replacement of income lost as a result of an accident on duty. This point is particularly important in cases of serious disablement or death. The policy of RMA is, therefore, to pay life-long pensions rather than to commute pensions into lump sums.

G. **CONTROL OF PAYMENT OF LUMP SUM AWARDS**

All lump sum compensation awards for permanent disablement are paid to the beneficiaries in full except in the case of employees from Mozambique where the rules set out in RMA Circular to Members No. 3/76 apply.

H **FINALITY OF CLAIMS SETTLEMENTS**

H.1 **Appeal Procedures**

An employee, who is dissatisfied with his or her assessed degree of permanent disablement where the original final medical examination was by a mine medical officer, may ask to be re-examined. The employee should communicate with RMA to arrange for the re-examination at a time and place suitable to the employee and RMA.

H.2 **Re-opened cases**

Where delictual (common law) damages are claimed in the courts, the lump sum award made after exhausting appeal procedures is final. It cannot be re-opened if circumstances unexpectedly change. This is not the case with workers' compensation awards. RMA will always, subject to the approval of the Compensation Commissioner, agree to re-open cases after a reasonable interval of time if the claimant produces some *prima facie* evidence, such as a medical certificate, that his or her condition has deteriorated as a result of the original injury.



I. **AGE**

The age of an injured employee or a dependant in a fatal case is important to RMA in pension cases. It is therefore imperative that correct ages and/or dates of birth are inserted on the accident report forms and that affidavits of dependency are supported by official birth certificates or other evidence of age, where available.

J. **SPECIAL RULES APPLICABLE – SECTION 51 OF COIDA**

Attention is drawn to Section 51 of COIDA which makes provision for payment of appropriate compensation for permanent disablement based on increased earnings (i.e. future probable earnings) in respect of an employee who at the time of the accident was an apprentice or in the process of being trained in any trade, occupational or profession, or who was under twenty-six years of age.

In respect of an employee who is an apprentice or who is in the process of being trained in any trade, occupation or profession, compensation is required to be based on the earnings to which a recently qualified person, or a person in the same occupation, trade or profession with five years more experience than the employee, would have been entitled at the time of the accident, whichever calculation is more favourable to the employee.

In the case of an employee who is under twenty-six years of age at the time of the accident, the compensation is required to be based on the earnings to which a person of twenty-six years of age would have been entitled if at the time of the accident he had been performing the same work as the employee, or the earnings of a person in the same occupation, trade or profession with five years more experience than the employee, whichever calculation is more favourable to the employee.

Members are required to supply RMA with the necessary information envisaged by section 51 by completing a questionnaire, supplies of which have been sent to members under separate cover.

In applying these rules monetary inflation is not taken into account as a factor as Section 51 was not intended to take cognisance of inflation.

K. **MEDICAL TREATMENT**

All reasonable hospitalisation, surgery, physiotherapy, occupational therapy, artificial limbs (prostheses), and other medical support including medication necessitated by the injury on duty will be supplied by RMA in accordance with the Medical Policy and Procedures Manual. Medical treatment supplied during the acute post-traumatic phase through to medical rehabilitation is generally supplied by the local mine hospital or nominated tertiary care hospital in terms of Section 78 of COIDA. In terms of Section 73 of COIDA RMA shall for a period of not more than two years from the date of an accident, or the commencement of an occupational disease, pay the reasonable cost incurred by or on behalf of an employee in respect of medical treatment necessitated by such accident or disease. A period of two years is considered a reasonable time for the condition to stabilise. Any treatment beyond the two-years period must be directed at reducing permanent disablement.

Where medical treatment becomes necessary after the acute phase as a result of the injury on duty or occupational disease, pre-authorisation by the Medical Case Auditors appointed by RMA is necessary. This is in order to monitor best patient outcome.

This treatment includes medical or surgical treatment, hospital treatment, nursing services, special investigations, artificial body parts or aids and devices necessitated by the disablement. Symptomatic treatment must only be provided for conditions where, if the worker does not take the treatment, the condition is substantially more disabling than when the treatment is taken.

The following guidelines should apply :

1. The treating doctor is required to motivate for any further treatment by the submission of a medical report.
2. Ongoing treatment will mainly be confined to analgesics and anti-inflammatories used to reduce pain.
3. Control must be exercised by RMA to ensure that treatment is appropriate, costs are reasonable and period of issue or repeat is acceptable.
4. Consultations by medical practitioners or specialists for the re-opening of a claim or the issue of a prescription will be subject to approval by RMA prior to settlement of any costs incurred.
5. Pre-approval is always required for the issue chronic medication.
6. In bona fide claims, doctors are entitled to submit an account for services rendered and this should be supported by a medical report.

In the case of employees for whom employers provide medical treatment, RMA does not become involved in the reimbursement of cost of such treatment for the first two years from the date of accident.

For all other insured employees RMA pays for the cost of medical treatment from day one but reserves the right to utilise case management through the Medical Case Auditors.

**L TRAVELLING EXPENSES AND PAYMENT FOR SHIFTS LOST**

RMA only becomes involved in the case of those employees in respect of whom the employer is not required to provide medical treatment. Such employees who have to travel in order to receive medical treatment are reimbursed their travelling expenses at public transport rates. Similarly, employees who lose the odd shift in order to receive medical treatment or have their disablement assessed are paid basic rates for such shifts.

**M. UNPAID COMPENSATION**

The procedures in respect of unpaid compensation are as follows :

**M.1 Compensation which cannot be paid to the employee**

If the member cannot pay the employee his or her compensation because he or she has left the member's services or is on leave, the compensation cheque should be immediately returned to RMA together with the employee's domiciliary particulars. RMA will then trace the employee through the recruiting organizations and will pay him or her his or her compensation directly.

**M.2 Refusals**

If an employee refuses his or her compensation, the compensation cheque should be returned immediately by the member to RMA together with a letter setting out the reasons for the employee's refusal. RMA will, in turn, write to the employee explaining his or her rights to him or her. If he or she should then decide to accept compensation the cheque or a new cheque for the amount of compensation will be forwarded to the member for payment by the member to the employee concerned. The employee, may, however, elect to be medically re-examined for the purpose of a re-evaluation of the degree of his or her permanent disablement. In such an event the compensation process will be held over pending the re-evaluation by RMA, whereafter the compensation cheque will be sent to the member for payment to the employee.