



## Can a party have a representative at arbitration?

Yes. Parties can be represented by any person they wish. However, we need to give permission if a Worker, WorkSafe Agent or Self-insurer wants a lawyer to represent them at a hearing.

A representative can help guide a party through the arbitration process, as well as communicate with us and the other party.

Parties or their representatives should give us the representative's name and contact details as soon as possible.

A Worker can have a representative from their union, Union Assist, WorkCover Assist or any other person.

An Employer can have any representative they wish at a hearing as an observer.

## How does a party ask permission to have a lawyer represent them at a hearing?

A Worker, WorkSafe Agent or Self-insurer or their lawyer can ask us in writing at any time before the hearing for permission. Only a party can ask for our permission at the hearing.

When making the request, we should be told why the party wants the lawyer to represent them.

A request can be made by the Worker in the *Referral for Arbitration Form* and the WorkSafe Agent or Self-Insurer can request permission in the *Reply to the Referral for Arbitration Form*.

## How do we decide if a lawyer can represent a party at a hearing?

We first ask the other party for their views. We then consider the following factors before making our decision:

- The fairness of allowing a lawyer to attend
- If being represented will help the party deal with the dispute efficiently
- The complexity of the dispute
- Any other relevant circumstances

We will confirm our decision in writing and explain why we made it.

## If we don't allow a lawyer to represent a party at the hearing, can they still help them outside the hearing?

Yes, a lawyer can still assist them with all other aspects of the arbitration, including:

- Giving advice
- Putting arguments in writing
- Communicating with us and the other party

## Can a Worker represent themselves at arbitration?

Yes. They may represent themselves at arbitration if they wish.

When deciding whether or not to represent themselves, they should be aware that if they don't have a representative they usually need to:

- Fill in multiple forms
- Present their case at a hearing



- Talk to the WorkSafe Agent or Self-insurer (or their representative) about their case
- Discuss offers to resolve the dispute directly with the WorkSafe Agent or Self-insurer
- Gather evidence
- Make requests for information or for witnesses to give evidence
- Give evidence at a hearing themselves
- Question witnesses at a hearing

We can provide Workers with information about the arbitration process but may not provide them with advice.

For more information, see our *Self-represented Workers at Arbitration Fact Sheet* on our website [www.wic.vic.gov.au/resources](http://www.wic.vic.gov.au/resources).

## Can a party bring a support person to a hearing?

Yes. A support person can attend to give emotional support and reassurance but they can't speak for the party. If a party plans to bring a support person, they should let us know before the hearing.

## Can a support person interpret for a party?

No, a support person cannot interpret for a party. If the party needs an interpreter, they should let us know as soon as possible and we will arrange a professional interpreter for the hearing at no cost.

## How many representatives and support people can a party bring to a hearing?

We don't have a fixed number, but we may limit the number of attendees to keep the hearing informal and running smoothly.

For more information, see our *Representation at Arbitration Policy and Procedure* on our website [www.wic.vic.gov.au/resources](http://www.wic.vic.gov.au/resources)

For more information and access to our policies, procedures and other fact sheets, please visit our website at [www.wic.vic.gov.au/resources](http://www.wic.vic.gov.au/resources).

## Need help?

For more information or assistance, please:

- call **03 9940 1111** or **1800 635 960**
- email [info@wic.vic.gov.au](mailto:info@wic.vic.gov.au)
- visit [wic.vic.gov.au](http://wic.vic.gov.au)

## Do you need an interpreter?



If you have trouble understanding any of the information outlined please contact 131 450 and ask for the interpreter to contact the Workplace Injury Commission on 1800 635 960 or 9940 1111 to explain further.

إذا كنت تواجه مشكلة في فهم أي من المعلومات الموضحة، فيرجى الاتصال بالرقم 131 450 واطلب من المترجم الاتصال بلجنة الإصابات في مكان العمل لمزيد من المعلومات اتصل على الرقم 1800 635 960 أو 9940 1111

如果您对上述信息有疑问，请拨打 131 450，通过口译员联系工伤赔偿委员会，电话 1800 635 960 或 9940 1111，进行进一步咨询。

Ako ne razumijete ove informacije, nazovite 131 450 i zamolite tumača da vam nazovu Workplace Injury Commission (Komisiju za ozljede na radu) na 1800 635 960 ili 9940 1111 za objašnjenja.

Εάν δυσκολεύεστε να κατανοήσετε οποιαδήποτε από τις πληροφορίες που περιγράφονται, επικοινωνήστε με τον αριθμό 131 450 και ζητήστε από τον διερμηνέα να επικοινωνήσει με την Επιτροπή Τραυματισμών στο Χώρο Εργασίας (Workplace Injury Commission) στον αριθμό 1800 635 960 ή 9940 1111 για περαιτέρω διευκρινήσεις.

Se hai difficoltà a comprendere queste informazioni chiama il 131 450 e chiedi all'interprete di contattare la Workplace Injury Commission al 1800 635 960 o al 9940 1111 per una spiegazione più approfondita.

Ако имате тешкотии да разберете која било од наведените информации, ве молиме јавете се на 131 450 и побарајте преведувач да контактира со Workplace Injury Commission (Комисија за повреда на работното место) на 1800 635 960 или 9940 1111 заради натамошни објаснувања.

'Jeśli masz problemy ze zrozumieniem którejkolwiek z podanych informacji, zadzwoń pod numer 131 450 i poproś o tłumacza, aby skontaktował się z Workplace Injury Commission pod numerem 1800 635 960 lub 9940 1111 pod dalsze wyjaśnienia'.

Ako ne razumete ove informacije, nazovite 131 450 i zamolite prevodioca da vam nazovu Workplace Injury Commission (Komisiju za povrede na radu) na 1800 635 960 ili 9940 1111 da biste dobili objašnjenja.

"Si usted tiene dificultades para entender cualquier información expuesta, póngase en contacto con el 131 450 y pida que el intérprete contacte a la Workplace Injury Commission (Comision de Accidentes de Trabajo) llamando al 1800 635 960, a fin de obtener una explicación más detallada "