



# Am I eligible for WorkCover if I was injured while working from home?

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With more Australians working from home, questions around WorkCover eligibility for remote injuries are becoming more common. This blog explains when you may be entitled to a WorkCover claim for injuries sustained while working from home, including physical and psychological injuries, and what steps to take.

## Definition of working from home

Working from home or remote working is when an employee works outside the location of their workplace.

The location at which you work may vary depending on the employer. While some require you to only work at a specific address, others may be happy for you to work at various remote locations.

However, regardless of whether you were working in or out of the office, if you suffered an injury that arose as a result of or during the course of your employment, you may be entitled to [lodge a WorkCover claim](#).

## What injuries may occur while working from home?

There are a number of injuries that can occur while working from home.

### Mental health injuries

Working at home means you are often somewhat isolated day after day, without any physical interaction with others. You have no one to have a quick coffee break with, chat to or grab a bite with.

This can become quite lonely, and the lines between your personal life and work can be blurred. This may lead to a decline in your mental health.

Mental health injuries can also occur if you are being bullied and harassed online by coworkers. Working from home means you don't easily have access to others around you to report the behaviour to, which can also lead to a decline in your mental health.

## Slips, trips and falls

Slips and falls don't have to be related to cords around your workspace. At home, you may trip and fall because of clutter or wet floors.

## Headaches and eye strain

Having adequate lighting in your work area ensures that you have minimal eye strain and glare. Inadequate or inappropriate lighting can cause headaches and fatigue.

## Joint pain

If your work requires repetitive movement or sedentary work, this may, over time, cause joint pain.

To minimise this, employees are encouraged to stand, stretch and take short breaks when necessary to ensure that they are not working at a stretch for a long period of time.

While working from home, you may be less likely to move around or have a stretch as there are fewer distractions and no one (like a supervisor or manager) to suggest you take a break.

## Back and neck pain due to bad posture

Having an ergonomic work setup is very important in decreasing your chance of neck, arm/hand and back injuries.

When working in an office, you are usually provided with an appropriate set-up to ensure that you do not incur strains.

Some people may not have this luxury when working from home and might end up working at their dining table or using a stool instead of an office chair, which may be detrimental to their posture.

## Duty of care - employer to an employee

Employers have a duty of care to their employees, whether they are working at the office, remotely off-site or working from home.

This means ensuring that you have the appropriate tools (including furniture, monitors, keyboards, etc) or providing you with the appropriate equipment needed to do your work from home. Employers also need to ensure that you have checklists and regulations that allow you to set up your workspace in an ergonomic and safe manner.

Employers should also have an open line of communication with their employees who work remotely, checking in on their needs and ensuring that they are working in a safe work environment. This can also include home office inspections.

## What if the employer does not respond to safety issues raised?

If you have made a complaint to your employer regarding signs of a potential injury while working from home (psychological or physical), or something which may cause a physical injury if not taken care of, it is your employer's responsibility to put the appropriate strategies in place to rectify the problem.

If, after notifying your employer, the issue is not addressed, and as a result, you sustain an injury, you may be entitled to a WorkCover claim.

In such circumstances, it is important to keep all records of correspondence to show that you have taken the appropriate steps to rectify the issue and notify your employer.

## What to do if you've sustained an injury while working from home?

### Contact your employer and report your injury

You can initially contact your employer by phone, but it is recommended you follow that up in writing, for example, by email. Your employer may provide you with further steps regarding what needs to be done as you are working from home, and they are not able to see the physical injury or the cause of the injury.

### Seek medical attention

Because you are working remotely, there may not be anyone around, therefore, it is important that you seek medical attention.

As there may not have been anyone else present when the injury occurred, getting treated ensures that there is a record of your injury should it be needed for reference in the future.

## Obtain a Certificate of Capacity from your treater

When reporting your injury to the doctor, it is important that the treater is aware that your injury is a workplace injury as it occurred during the hours of work.

You will then need to obtain a Certificate of Capacity from your treater. The first certificate of capacity will be for 14 days, and any subsequent certificates will be for a period of 28 days.

It is important that you obtain a Certificate of Capacity if you are going to submit a WorkCover claim.

You can learn more about this in our earlier blog, [“What is a WorkCover Certificate of Capacity and when do I need one?”](#)

## Take photos and/or videos of the injury and circumstances surrounding the injury

It's important to document not only the injury but also how the injury took place.

If your employer has strict rules regarding working from home which despite abiding by them, you were injured; having footage of this will be beneficial to your WorkCover claim.

## Start tracking your medical and like expenses

Should your WorkCover claim be accepted, you will be able to claim your medical and like expenses. To do this, you will need receipts and invoices as proof of purchase and or treatments undertaken for your injury.

## What are my entitlements if I have an accepted claim due to an injury working from home?

If you have an accepted WorkCover claim as a result of an injury sustained while working from home, you are entitled to the following:

- medical and like expenses;
- [weekly payments for loss of wages](#);
- a [lump sum payment for permanent impairment](#);

- home help and travel expenses related to attending medical appointments.

If your permanent and stable injury was caused as a result of your employer's negligence, you may be entitled to a WorkCover common law claim. For further information on a potential common law claim, read our previous blog, "[WorkCover common law claims and applications for a serious injury certificate](#)".

## Can I be responsible for an injury if I choose to work from home?

If you choose to work from home, you have a responsibility to ensure your home is a safe environment to work in. This means that you must take reasonable care to eliminate any potential risks in your home or notify your employer of such risks.

Some individuals may be worried about having this discussion with their employer, as it may be more of an inconvenience for their employer, which could result in them returning to work in the office.

However, failure to report a potential hazard may be a disadvantage, especially if it is found that you were aware of such hazards that needed to be brought to your employer's attention.

## Am I entitled to WorkCover if I was injured during my lunch break?

Authorised recess refers to an employee's absence from their work duties with the expectation that they will return to work at the authorised time.

Therefore, if you were on an authorised recess and sustained an injury, you may be entitled to a WorkCover claim even if you sustained the injury outside your home. For example, if you were to have lunch at a restaurant.

Can I still claim for WorkCover if I was injured in another location?

If you are required to work at a specific address and you sustain injuries while working anywhere else, such as at a coffee shop or a friend's house, you may not be entitled to a WorkCover claim, as it is against work policy to work anywhere other than your specified work-from-home location.

However, if your employer does not have any policy regarding working from a particular address, and you sustain an injury **while working** from a coffee shop or a friend's house, you **may** be eligible for a WorkCover claim, so long as the injury was sustained during work hours or during an authorised recess.

## Get help from a WorkCover lawyer

If you've been injured while working from home and you're unsure if the circumstances of your injury will be covered by WorkCover, you should seek advice from an experienced workers' compensation lawyer.

To find out whether you can claim WorkCover for an injury that you have sustained while remote working, contact Guardian Injury Law for a free consultation.

## Contacting Guardian Injury Law

[1300 700 761](tel:1300700761)

[enquiries@guardianinjurylaw.com.au](mailto:enquiries@guardianinjurylaw.com.au)

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