

Undertaking a labour market assessment

Gathering claim information

- ✓ Employees

- ✓ Employers

- ✓ Requesting information from medical and allied health practitioners

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Introduction

You may need to investigate the state of the labour market when determining an employee's ability to earn. For further guidance refer to the [Ability to earn assessment](#) page.

Investigating the labour market may be necessary in circumstances where an employee:

- is self-employed
- failed to seek suitable employment, but with both fitness and competency to engage in paid employment
- volunteers, but with both fitness and competency to engage in paid employment
- is studying, but with fitness and competency to engage in paid employment.

Information obtained from a labour market assessment can be used to inform an employee of employment opportunities available to them.

It is preferred that the employee's job seeking efforts are supported by a job seeking program. This assures that the employee is provided with opportunity and specialised support to gain employment. These services are available via a Workplace Rehabilitation Provider.

See: [Information gathering under the SRC Act](#) for online legislative training on information gathering.

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Fitness and competency

To ensure employment options are suitable and sustainable, the psychological and physical capability of the employee needs to be considered. This information can be sourced different ways:

- Medical evidence and/or information provided by the employer, e.g. fitness for duty or section 36 assessments. This information should detail functional capacity, both physical and psychological.
- You can request additional information from the employee's treating practitioner or arrange for a medical examination (section 57) with an appropriately qualified specialist (such as an occupational physician or rehabilitation specialist). For further guidance refer to the [Obtaining a medical report or clinical notes](#) or [Independent medical examinations](#) pages.

Arranging a labour market assessment

A labour market expert can identify opportunities for employment, including actual available positions in the employee's locality, and estimates of earning potential in those identified employment opportunities.

A labour market expert may be:

- an occupational therapist with appropriate labour market expertise
- a vocational assessor with labour market expertise
- a rehabilitation counsellor (working with employment agencies or rehabilitation providers).

Before arranging a labour market assessment, you will need to have details of the employee's current capacity for employment (see above under Fitness and Competency) and details of their skills, experience and training. This will help to identify the type of employment for which the employee is suited. If this information is not already available, you may first need to arrange a vocational assessment. For further guidance refer to the [Arranging a vocational assessment](#) page.

A labour market assessment is performed by a Comcare approved WRP that offers this service. Not all WRPs offer this service. The vocational specialist at the WRP will review the employee's profile against various employment data to generate specific recommendations for the employee.

The Injury Management Team are able to assist with understanding the assessment process and the detail that should be included in a referral.

Payment of a Labour Market Assessment

Payment of a labour market assessment is made under section 70 of the SRC Act.

Refer to the [Processing an invoice](#) page for information about paying an invoice.

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Investigating the labour market

If it is not possible to engage a labour market expert, you can investigate the labour market using information obtained from advertised vacancies in online job sites.

If you need assistance to do this, speak with your Assistant Director and Injury Manager.

Employees who have moved

Where an employee has moved to a new locality with less employment prospects, you or the labour market expert, may look at employment opportunities at the employee's previous locality. Whether an employee's move was considered reasonable or not is for you to determine based on the individual circumstances of the claim.

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A labour market assessor should not require any personal/identifying information about the employee. You should not release any identifying details about the employee to the labour market expert, including their name, date of birth, their specific address, who they worked for when injured etc.

The labour market expert only needs to know general information, such as the relevant location where the employee lives, the types of occupation the employee has undertaken in the past, their skills, experience and training, and any restrictions on capacity for employment. The labour market expert can then provide you with details of available employment options in the relevant location and information on the potential earnings associated with those employment options.

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