



**COVERED CASES**

**Case Snippet**

**KNOOP v WORKCOVER CORPORATION**  
**(TITAN BULK HANDLING PTY LTD)**

[2000] SAWCT 103

Following the recent decision of Whittle Deputy President Gilchrist has confirmed that whilst attending a social function a worker is not carrying out the duties of employment. Here the worker, temporarily resident in Darwin, was provided with a mobile phone and was required to be on call 24 hours per day. His normal hours of work were 7.30 am to 5.30 pm although he could receive calls as early as 5.30 am or as late as 8.00 pm.

After dining with friends the worker left the restaurant at 11.45 pm. Upon leaving he fell and suffered injuries. The worker lodged a Claim for Compensation !

Deputy President Gilchrist held that by attending the restaurant the worker was not carrying out the duties of his employment nor was he embarking upon an activity incidental to his employment or which he was required, authorised or expected to undertake as part of the duties of his employment. His Honour stated that while the worker was temporarily resident in Darwin, and carried a mobile phone, the *possibility* that he might receive a call that could require him to work or respond as required did not create a sufficient connection with employment to conclude that the circumstances of the worker's disability were compensable. The compensating authority's rejection was confirmed.