



# CRANE INDUSTRY ASSOCIATION OF QUEENSLAND

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Finance and Administration Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Committee,

## **Re: Inquiry into the Operation of Queensland's Workers' Compensation Scheme**

The Crane Industry Association of Queensland (CIAQ) is the principal Crane Industry Association in Queensland, with members servicing all sectors of the construction industry and mobile crane hire. Founded in 1973, CIAQ actively represents members' interests and provides a wide range of member services on state and regional basis.

CIAQ is recognised by Government and the public sector as the official industry association on all matters affecting the State crane industry. Our goal remains the achievement of safety, efficiency, productivity and profitability for all Members.

As Queensland's peak association for the crane industry, CIAQ is the trusted source of information, advice and expertise for all stakeholders - members, the broader industry, government, staff and the community and sets the strategic direction of our industry and influences public policy

CIAQ welcomes the opportunity to provide input into the Queensland Legislative Assembly's Finance and Administration Committee Inquiry on the operation of the Queensland workers' compensation scheme and CIAQ is committed to assisting Government to devise fair and equitable compensation arrangements for the protection of employers and workers.

CIAQ has close ties with the Queensland Trucking Association (QTA) given that the two industries share many common issues and as the QTA provides the secretariat services for the crane association. CIAQ has had prior opportunity to examine the QTA's submissions to the Committee's Inquiry and accordingly supports those submissions.

However, CIAQ takes this opportunity to reiterate recommendations and specifically highlight several areas of concern in the hope that reform is forthcoming in the interests of fairness and equity for employers in our industry.

- **Exclusion of Journey Claims for Workers' Compensation;**

CIAQ submits that journey claims 'to and from work' are invariably outside the employer's control. Though these claims are only approximately 6% of all claims they are substantially more expensive as an average claim cost. The current scheme is easily exploited and duplicates the existing CTP insurance schemes. Recent reforms in other Jurisdictions have moved to curtail the inclusion of Journey claims. These exclusions have not proven to be to the detriment of legitimate employee/claimants.



- **Increased Emphasis on Return to Work**

CIAQ submits at a the current scheme lacks real incentive for employees to return to work given that employees may access statutory compensation and common law damages with little disadvantage. The current system does not significantly encourage employees to return to work and is too easy for employees to avoid a return to the workplace. Depending on the circumstances and seriousness of the injury, functional capacity tests should be mandatory through the life of the claim and return to work assessments and continued compensation be determined on the basis of those tests.

- **Introduction of Injury Threshold to Access Common Law Damages**

CIAQ is concerned that Common Law claims account for a disproportionate overall cost to the scheme. The sheer volume of common law claims compels Workcover to settle these claims as cost effectively and as early as possible without any real scrutiny as to the legitimacy or merits of the claim.

- **Proof of Injury Requirements**

Members are frustrated and concerned about the incidence of workers compensation claims relating to pre-existing injuries or injuries that occur outside of the workplace. The general view held by employers is there is a lack of investigation by the medical profession as to whether WorkCover claims are in fact work-related or whether there was a pre-existing injury, or injury caused by lifestyle.

Members are concerned that 'Doctor Shopping' is prevalent and the views of the employer in the face of Doctors Certificate is not considered.

CIAQ also supports the definition of 'worker' under the Workers' Compensation and Rehabilitation Act be consistent with Industrial law and or Taxation legislation

Please contact us if you have any queries in relation to our submission.

Yours Sincerely

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