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OUR REF:

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Finance and
Administration Committee

All enquiries regarding this correspondence should be directed to:
Mr James Gilbert, Occupational Health and Safety Officer on 3840 1458

2 November 2012

Mr Michael Crandon MP
Chair Finance and Administration Committee
Parliament House
George St
Brisbane QLD 4000



QUEENSLAND
NURSES'
UNION

In association with the
Australian Nursing Federation
Queensland Branch

A.B.N. 84 382 908 052

www.qnu.org.au

Sent via post

Dear Mr Crandon

**Re: Public Hearing 31 October 2012 – Operation of Queensland Workers'
Compensation Scheme inquiry**

Supplementary Submission

We thank you for the opportunity for both myself and Queensland Nurses' Union ("QNU") Occupational Health and Safety Officer Mr James Gilbert to address the Finance and Administration Committee ("the committee").

At the time, participants were advised they could provide further submissions to the committee for issues they wished to expand upon.

Please find the **attached** correspondence sent to the QNU by a member who sustained very serious injuries whilst travelling to work. We trust the committee will find the information illuminating. The QNU has obtained permission from the member to disseminate her correspondence widely, which we intend to do.

Our member's experience graphically illustrates the importance of journey claims to not only our membership but other workers in Queensland. We have of course de-identified the member's name but can advise the member is widely respected within her workplace and her accident greatly affected employees at the hospital she works at.

Yours sincerely

Beth Mohle
Secretary

For more information please contact the QNU office indicated:

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James Gilbert

From: James Gilbert
Sent: Friday, 2 November 2012 11:02 AM
To: James Gilbert
Subject: RE: Workcover Journey claims

On 31/10/2012, at 3:31 PM, [REDACTED] wrote:

Hi [REDACTED],

Sorry for the delay in getting back to you, doing nothing seems to take up so much time...

Regarding the current State Governments plans for WorkCover, I can only say that if WorkCover hadn't covered me for my accident, which happened on the way to work, life would have been a complete disaster. I'll give you the shortened version on the accident, so you'll understand how pivotal WorkCover has been to my recovery.

My accident happened on the 27th June at about 8.45am. I was T-boned on my way to work, although I have no recollection of the event. I gather I lost consciousness very quickly. I was in ICU for nearly 5 weeks, most of that time i was ventilated, and for the first week I was in an induced coma. I broke every rib on my right side, many of them in 3 or 4 places, the broken ribs punctured my right lung, which collapsed and filled with blood, so I had a tension haemo-pneumothorax, if that's the right terminology, with several flail segments. I also shattered my right shoulder blade, lacerated my right kidney, and had glass embedded in my right elbow. I was put on a ventilator once the lung re-inflated, in order to splint my ribs back into place. I can remember very little of my stay in ICU, except from the last week, probably because of the sedation, but also because of post traumatic amnesia. After ICU I was moved to the surgical ward for a week, and then Rehab for 10 days, so my total hospital admission was about 7 weeks.

As you can imagine, waking up in ICU, with no recollection of how I got there, was a traumatic experience, I was struggling to deal with the emotional and mental repercussions, while also having to cope with pain, disability, vulnerability and fatigue. I was in absolutely no fit state, physically or mentally, make any kind of decision, and financial security was the last thing on my mind. I am so grateful to my NUM for immediately contacting WorkCover to get my salary paid, I couldn't even have signed a form myself, and i certainly couldn't have contacted an insurance company. I have a mortgage which needs to be paid every fortnight, and while I have reasonable savings, these would have been eaten up very quickly.

My partner is self-employed. He was also traumatised by the accident, and under incredible stress. He was spending all his time at the hospital, unsure of my recovery, while coping with signing the consent for my tracheostomy, the operation to remove the glass from my elbow, and the potential removal of my right kidney. He was absolutely bewildered and in no fit state to work. So without WorkCover there would have been no money coming in at all, but as always, the bills kept on coming. So, neither of us was in any state to talk to insurance companies, if I was relying on private income protection.

I came home on the 14th August, and will probably go back to work in January. During this time, WorkCover have been incredibly supportive, they continue to pay 85% of my salary, and pay for all my treatment. I don't feel obliged to rush back to work for financial reasons, but, with 20 plus working years left to me, I am fully motivated to return to work when I'm able, and they continue to be committed to helping me achieve this. However, as a nurse, responsible for providing care to others, it's also important that I'm physically, mentally and emotionally capable of doing my job, otherwise I fear I will be more of a hindrance than a help, both to my patients and my colleagues.

I'm thankful that with WorkCover's continued support, I can return to work when I'm properly recovered, rather than having to rush back because we need the money, only to relapse at a later date and have to take yet more time off work.

I'm not an especially political person, but I do believe that living in a democracy entitles people to certain rights, and one of these is safety. A government has an obligation to keep its population safe, and an employer is obliged by law to keep its workers safe. If a person is injured at work, the employer is responsible both for returning them to health and also to productive work. The Queensland Government are effectively saying that 'work' doesn't start until we are in the workplace, and so they are not going to be responsible for injuries to workers travelling to and from their place of work. But I wouldn't have been at that intersection at that time on a Wednesday morning if I wasn't going to work. If I had the day off, or was sick, or was working a later shift, I wouldn't have been there at that time, and that accident wouldn't have happened. I'm not holding the my employer responsible for the collision, but they are responsible for me being on that road at that time of the morning. We all assume road traffic accidents are something that happen to other people. We can reduce the risk of it happening to us by not drinking alcohol, by keeping to the speed limit, paying attention and driving carefully. But sometimes, it's simply a case of being in the wrong place at the wrong time.

Regards, [REDACTED]

Ps sorry it became a bit long winded, not the short version at all!

Sent from my iPad