

SUBMISSION: / Submission re Q-Comp.

INQUIRY INTO OPERATION OF QUEENSLAND'S WORKERS COMPENSATION SYSTEM: To: "Reduce red tape."

To Finance & Administration
Committee
Parliament House
George Street
BRISBANE - QLD 4000

19/3/2013



Dear Committee,

THIS SUBMISSION refers to Q'Comp's proposal that
"minor" work injuries be "dispersed" to be dealt with
by employers. And employers are insured who the
employer pays. Lack of independence is clear.

LACK OF OVERSIGHT by Q-COMP.

One of the problems appears to be that there will be
no oversight by Q'Comp in case of self-insured employers.

Q-COMP says "red tape will be cut."

However red tape being cut will leave cost to injured
workers who will be left hanging, without PROTECTION.

LACK OF RECORDING

Q-COMP suggests the employer "Handling" the case
"SIMPLY" needs to record the work injury.

HOWEVER it will not be "SIMPLE" for injured workers
to struggle with employers who do not want to
record work injury. And then struggle with the
employers insurance office. Isn't that unfair?

WHY would employer not record work injury?

- BECAUSE less recorded work injuries means the
employer pays less insurance premiums.
- BECAUSE employers do not want lack of duty of care
or negligence by employer, to be known.

When employers negligence & lack of duty of care becomes known - this can affect employers image and cause loss of business.

EMPLOYERS NEGLECT TO RECORD WORK INJURYⁱⁿ

ARTICLES have been published, relevant to case following:

THIS HAPPENED before G'Comp Time.

EMPLOYER, documents show, neglected to record reported work injury and adverse work effects.

IT TOOK some years of struggle and anguish by the injured person before employer finally admitted work injury was reported or its effects.

FURTHER the employer's excuse for not recording work injury was that he (employer) "decided there was no injury." Is that fair?

G'COMP's proposal could leave the way open for more employers to decide not to record reports of work injury & appears.

THE CASE mentioned documents show the employer also withheld from Workers Compensation Office (W.C.O) part of work performed by injured worker. This work put injured worker in contact with dangerous hot chemical fumes.

THE EMPLOYER kept covered up that ^{he} had UNKILLED UNIFORMED, ^{NOT FULLY} PROTECTED worker in contact with hot dangerous chemicals.

Two workers suffered dermatitis and ^{one} thallium poisoning. One contracted Parkinson's disease, chemicals can cause, research shows. Another suffered rhinitis dermatitis and 'latent' Chronic Obstructive Pulmonary Disease (COPD) - emphasis mine.

Due to records being wrong and not corrected by system there was NO COMPENSATION. Is that fair?

CASE NO 2

In another case the employer neglected to record report about PAIN lifting at work. There was no obvious visible injury.

HOWEVER, later a scan revealed a massive hernia? Stomach and possible bowel escaping into chest cavity - pressing on lungs and heart. NO COMPENSATION? Employer did not record adverse work effects. Is that fair?

MINOR OR MAJOR WORK INJURIES?

Injuries appearing to be MINOR may in fact be MAJOR latent cumulative work injuries, like mesothelioma, asbestosis, heart, lung, spine injuries for example.

A work injury recorded as MINOR only, may wrongly separated from its MAJOR component.

LAST STRAW IS NOT THE CAUSE

For example, with heart attack it is not the last straw that caused heart attack. It is caused by all the other straws over time from lifting and carrying at work.

(Refer to "MEDICAL TRIBUNALS - A LAWYER'S NIGHTMARE" Paul Gerber, "THE MEDICAL JOURNAL OF AUSTRALIA") circa 1960's.

DISPUTES

Q-Comp suggests that any dispute by employer or employee can go before the insurer.

HOWEVER, it appears that when the insurer is NOT W.C.O - but the employers own chosen insurer, employer pays, that there will be NO OVERSIGHT by Q-Comp.

THERE will be less protection for some injured workers than for other injured workers. IS THAT FAIR?

ALL work injuries, ought to be under W.C.O and Law oversight by Q-Comp. are W.C.O? Why?

- Because not all employers record work injury etc.
- And because of the complex nature of some seemingly minor injuries - which may in fact be MAJOR cumulative work injuries.

PROTECTION by Q-Comp's oversight of W.C.O is required for all work injuries. So-called minor work injuries should not be "DISPERSED" for employers to deal with, thus leaving some injured workers in a horrendous position, struggling alone with employer and his insurer.

COMPASSIONATE, however, concerned persons would want Q-Comp protection for ALL injured workers. What will Gov do?

MURIEL V. DELKER - 3. Permission to publish granted - M. V. Delker