



Speech by

## Peta-Kaye Croft

MEMBER FOR BROADWATER

Hansard Wednesday, 10 May 2006

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### WORKPLACE HEALTH AND SAFETY AND OTHER ACTS AMENDMENT BILL

**Ms CROFT** (Broadwater—ALP) (9.14 pm): I rise to speak in support of the Workplace Health and Safety and Other Acts Amendment Bill. The bill introduces an important amendment to the Industrial Relations Act 1999 and the Workers' Compensation and Rehabilitation Act 2003 to ensure continued employment security for workers who have sustained a work related injury or disease. Currently, the Industrial Relations Act 1999 makes it unlawful to dismiss an injured worker in circumstances where that worker is unable to return to work for a period of up to 12 months. Some 78 per cent of workers who are off work due to injury return within 40 days and, in most cases, to their pre-injury position.

That provision in that legislation provides an important protection for the more seriously injured workers as it allows them the necessary time to heal and then return to work. In some instances these workers may require a graduated return to work in order to improve the likelihood of a successful and durable return to the workplace.

So why is the government bothering to propose to move that provision from the Industrial Relations Act 1999 to the Workers' Compensation and Rehabilitation Act 2003? This bill appropriately moves these provisions into legislation that contains other protections that are offered to workers who are off work with a work related injury. The federal government's WorkChoices legislation makes it lawful to dismiss a worker due to illness or injury if the absence is longer than three months in any 12-month period. Approximately 70 per cent of Queensland's workforce is potentially covered by the WorkChoices legislation. This government wants to ensure that all Queensland workers are treated equally.

The Beattie Labor government is not prepared to sit back and allow the federal government to put more seriously injured workers on the scrap heap. Not only will that impact on the injured worker but also it will impact on their workmates, their family and potentially the competitiveness of the workplace. It does not make sense in either human or economic terms. A person does not need to be a rocket scientist to see that if a large number of more seriously injured workers start losing their pre-injury jobs under the federal WorkChoices legislation, workers compensation premiums are going to increase as the duration of claims increases.

This amendment reinforces the government's view that in the longer term workers compensation costs and premiums will be kept down only if employers actively rehabilitate injured workers back into their workplaces. The Beattie Labor government has worked cooperatively with the WorkCover Queensland board to develop the best performing workers compensation scheme in Australia. Indeed, we are the envy of the other states. Queensland's average premium rate for 2006-07 at \$1.20 per \$100 of wages paid is the lowest premium rate in Australia by a country mile. Those Queensland employers who trade interstate are provided with a competitive advantage that this government will not give up easily. I commend the bill to the House.