



Speech by

**Liz Cunningham**

**MEMBER FOR GLADSTONE**

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## **WORKERS' COMPENSATION AND REHABILITATION AND OTHER ACTS AMENDMENT BILL**

**Mrs CUNNINGHAM** (Gladstone—Ind) (3.26 pm): I rise to support the Workers' Compensation and Rehabilitation and Other Acts Amendment Bill. I believe, as I have always believed, that workers compensation cover is so critically important for people not only in Queensland but also elsewhere. It is a service that is provided when families are very, very vulnerable. I congratulate the government on reducing the premium from \$1.20 to \$1.15 per \$100 of wages paid. I thank the minister for the briefing we received last sitting week, I think it was. The officers who were there—Rob Hough, Paul Goldsbrough and Aldo Raineri—were very thorough and were able to answer any questions that were put to them.

The changes to the amounts paid and the step down for the compensation paid are also welcome. The payment of wages for the first 26 weeks and then the step down to 75 per cent of wages for a period of up to five years after that will be welcomed. When people are off sick due to work related injuries, their commitments do not reduce in any way, shape or form.

**Mr Mickel:** But their pay does.

**Mrs CUNNINGHAM:** That is right. We find that some banks are supportive of injured workers; others are a lot more mercenary. The majority of injuries, barring those that lead to paraplegia or worse, would be overcome within that five-year time frame. So I congratulate the government for the change in the step-down provisions. I am sure, as I said, that it will be welcomed by families in their time of need.

I also welcome the reduction in the time that an insurer will have to determine a WorkCover claim. Currently it is 40 working days for a general claim and 60 days for a psychological claim. These time frames have been reduced to 20 working days. For a family that is wanting to know whether their claim will be approved, that amount of time—four weeks—is more than adequate, I believe, for WorkCover to get the information that it needs to make a decision.

The member for Waterford gave an historical account of changes to WorkCover. There are a couple of issues that I wish to clarify. In the 1995-96 period, changes to the definition of the 'worker' were made. It was explained to me—and it made sense to me because of a matter that I will refer to—that it was important for those in the workforce to be clear in their understanding of who was and who was not covered in terms of workers compensation.

Prior to the previous minister who administered workers compensation, Santo Santoro, I had a young guy in my electorate who was a deckie and who had sustained quite a serious injury to his hand while he was out on the boat. What he did not understand, and what I did not know until this particular incident, was that because he was paid by a percentage of catch he was not covered by workers compensation. When this change was put to me by Santo Santoro it appeared to me to be a clear line in the sand so that people could see who was covered and who was not. At the time it was not clear to me and I think that boat owners and the skippers did not realise either. It was not explained to the young deckies and this young man was particularly vulnerable. Since then it has been raised with me at various times that it also disadvantaged other people.

One of the other issues that I will comment on is the travelling claims in relation to work related injuries. At the time the then minister, Santo Santoro, was lobbying to cancel them altogether. I do not think that is any secret. The information that he put to me at the time was that the most repeated negative scenario was that on Monday morning, a worker—particularly a young male of football age—would mysteriously fall down the steps of his house on his way to work and would claim workers compensation. The fact that they were playing football on the weekend was just an ancillary issue. It was predominantly those sorts of issues that predicated his desire to have travel claims ousted altogether.

At the time I could not support that because from my perspective the majority of people make absolutely valid travel claims. We heard the member for Gaven talk about his travelling and his injuries. I had teaching nurses in my electorate at the time who would leave their home and travel to Biloela to teach. The changes would have effectively removed that cover from their home to Biloela. That appeared to me to be entirely unacceptable.

Unfortunately, at the time of the debate—and this is not a criticism of anyone in this chamber at the moment, but it is clearly a criticism of the then shadow minister—over 150 amendments were eventually tabled by the shadow minister. Those of us who needed to understand the changes that were being proposed by the opposition asked for the amendments early so as to be able to get an understanding of the implications. We received over 70 amendments when we started the debate on the bill, not before, and over 80—those numbers may have been reversed—actually during the debate. It was impossible to understand the implications of those proposed changes so most of them were not supported. Some were, but most were not.

I accept that there were changes made in the mid-1990s that have disadvantaged workers. That certainly was never my intention. Based on my understanding of the changes and the proposed implications, I believe that those of us who voted at that time tried to do the best we could for people in the workforce. Like many members in this chamber, I have had family members on workers compensation. It is not an enjoyable time. There is not only the financial stress, there is the emotional stress of the injury and it is certainly not a time for any additional load in terms of complications with WorkCover payments.

There is one other issue that I will raise. I wrote to the minister's office in relation to this matter on 3 October and I wish to put it on the record and seek his response. On 2 October, Louise Rasine visited the Gladstone WorkCover office. At that visit she advised the staff that WorkCover did not see the Gladstone office operating into the future. I found that a bit novel because Gladstone is a heavily industrialised city that is growing exponentially. Stage 2 of Rio Tinto Yarwun has been announced and there are other major industries on the horizon; therefore, the workforce will only continue to grow. I advised in the letter that I was totally and vehemently opposed to the closure of the Gladstone office now or in the future.

VERs have been offered in WorkCover for some time. In January this year one Gladstone officer took a VER. She was not replaced. In May a second person resigned and that position was not refilled either. Their case loads were moved to Rockhampton. Four major clients were transferred: Anglo Coal at Moura and Biloela, Education Queensland and the Queensland Ambulance Service. If these claims were reallocated to Gladstone and those two positions filled, I believe that the allegations by the management of WorkCover could not be substantiated. Because those four major clients were transferred to Rockhampton, the work statistics at the Gladstone office reduced quite significantly. It is my personal view that whoever made the decision not to fill those positions and to move those four major clients and perhaps others to Rockhampton set the Gladstone office up to fail.

Four young women work at the Gladstone office and they are brilliant. I say that as their representative in parliament but also my husband was off work over the Christmas period from December to May with a work related injury and I had dealings with them in that capacity as well, and they were brilliant. There were matters that used to be lodged in Gladstone that now have to be lodged in Brisbane. If a person calls the Gladstone number it is diverted to Brisbane unless they have the magical 49 number.

As I said, the Gladstone region has been recognised as a high-growth area for the state. While many of those working in the industries are well qualified, all workers deserve support from a person at WorkCover when the need arises as a result of work based injuries. What I mean by that is we still have a broad cross-section of workers. Some in our community would be able to handle the paperwork by phone support from Rockhampton with ease, but there is still a significant part of our community that finds paperwork and the paper trail challenging. For them, having somebody to talk to face to face and to be told what to do on the form without either ringing or having to travel to Rockhampton is critical.

It has been suggested that the redesign of WorkCover is to compete with other companies offering workers compensation cover—that is, that WorkCover is streamlining its offices to reduce its overheads and be able to compete with private companies. The major banks went through a process a few years ago where they closed agencies in small communities. The new players such as The Rock and the Bank of Queensland and other small niche-market banks challenged the majors' market share by offering personalised services, more branches and face-to-face assistance over the counter, not over the telephone. That has been a marketing tool that has won market share. If it is the policy of WorkCover to

close branches to aggregate into major centres it is making the same mistake, particularly if it is for commercial reasons as was the case with the banks. People want face-to-face help, particularly in relation to a district like Gladstone that is growing exponentially and is heavily industrialised.

If there is a proposal—as they were told by this lady, Louise Rasine—to close the office now or in the future, I would seek the minister's support to reverse what I would call an insane decision, because we need the office there. I know that the minister has an interest in the community, and I look forward to his support for the community of Gladstone on that matter. I support the bill.