




Speech By
Peter Russo

MEMBER FOR SUNNYBANK

Record of Proceedings, 17 September 2015

**WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL; WORKERS' COMPENSATION AND
REHABILITATION (PROTECTING FIREFIGHTERS) AMENDMENT BILL**

 **Mr RUSSO** (Sunnybank—ALP) (12.40 pm): I rise to support the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2015. In particular, I will address an issue in relation to what work is being done to ensure workers engage in the rehabilitation and return-to-work process when the common law threshold has been removed.

The 2013 bill, introduced by the LNP, was a fundamental attack on the rights of Queensland workers. It introduced unjust thresholds for workers to access common law rights. Those amendments meant that individuals whose impairment was assessed at below five per cent would not have access to common law damages. The number sounded small to the then attorney-general, but the reality was that over half of all the people injured in unsafe workplaces would not have the right to claim damages. The Palaszczuk government on the other hand is committed to ensuring that all Queensland workers who are injured at work get the support and protection they need to be able to get back to work as soon as it is safe for them to do so.

Our government also recognises the importance of consulting with representatives of the various stakeholders including employers, workers, the legal profession and insurers, as it is through this consultation process that we will achieve a just and fair outcome to enable a swift and calm transfer to the new system. In this regard a stakeholder reference group was consulted in May 2015. The stakeholder reference group provides a broad representation of community interest and also has played a critical role in shaping the policy development process. Our aim is to achieve a fair, sustainable and efficient system that promotes durable return-to-work programs. The importance of this is highlighted in the statistics gathered to date. These statistics show that if an injured worker is out of work for a long period their likelihood of ever returning to work is significantly reduced. For example, if a person is off work for even 20 days, the chances of them ever getting back to work drops to 70 per cent. If this duration extends to 70 days, the chances of them ever getting back to work drops to as little as 35 per cent.

There is also evidence that the best results are achieved when employers and workers embrace employment practices that encourage workers to recover at work or, if they are absent from the workplace, to return to safe work duties as soon as they can. Importantly, statistics show that workers who are supported by their employer following an injury are seven times more likely to return to work. The act supports this outcome through outlining the injured worker's obligations to participate in rehabilitation and return-to-work initiatives and through the removal of the threshold. This provides further incentive for employers to engage with their injured workers to provide rehabilitation and return-to-work opportunities.

In recognising the importance of rehabilitation and return to work, the stakeholder reference group has also endorsed several initiatives to support workers with an early and safe return to work. These initiatives include Getting Back. This is a new Queensland government media campaign to improve return-to-work outcomes. The campaign promotes awareness of the benefits of an early return to work and the importance of good communication to achieve this. To assist employers manage rehabilitation, the guidelines for the rehabilitation standards are currently being reviewed and updated with input from relevant stakeholders. Additionally, a review is also underway of the current Queensland workers compensation medical certificate. The review is looking at opportunities to focus more on what the worker can do rather than what they cannot. A capacity certificate focused on what workers can do will contribute to an increased awareness of the importance that workers play in the rehabilitation process.

This bill ensures that Queensland has a fair and just workers compensation scheme. This bill protects our Queensland workers and their families. I commend the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2015 to the House.