




Speech By  
**Hon. Shannon Fentiman**

**MEMBER FOR WATERFORD**

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Record of Proceedings, 16 September 2015

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

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for Multicultural Affairs) (11.28 pm): I am very pleased to speak on the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill. As an employment lawyer who assisted many workers to fight for their rights to fair compensation after being injured at work, I believe this day cannot come soon enough. I know that my friend and colleague the member for Sunnybank shares this view and has been a strong advocate for removing the injury impairment threshold for injured workers, and I thank him for his advocacy on this very important issue.

It is core to Labor's belief that workers should be kept safe, have strong representation and be compensated when they are injured at work. It was core to the LNP's beliefs that workers and their representatives could not be trusted and should have their rights limited. It is little wonder that workers rejected this attack at the ballot box.

The former government's changes in 2013 to introduce injury impairment thresholds saw the legal rights of up to 60 per cent of the state's injured workers stripped away. It is worth remembering that the former LNP-dominated parliamentary committee, which undertook its own extensive review of the state's workers compensation scheme, recommended against the introduction of impairment thresholds.

**Madam DEPUTY SPEAKER** (Ms Grace): Order! Members, I know the hour is late. Let us settle down. Member for Kawana, if you would take your seat properly, please, and cease bantering across the chamber. The minister has the call.

**Ms FENTIMAN:** Thank you, Madam Deputy Speaker. The former attorney-general ignored this advice and pushed the changes through regardless, to the detriment of many injured workers.

**Mr Bleijie** interjected.

**Ms FENTIMAN:** No. I was an employment and industrial relations lawyer. Get it right, Jarrod. Prior to these changes, Queensland had one of the best workers compensation schemes in the country—a scheme that was both fair for workers and employers. It was a financially strong scheme with low premiums and fair access to compensation for injured workers. In 2014 that changed with the introduction of thresholds. That was a change that was not only unfair for injured workers but also completely unnecessary, given WorkCover's strong financial position and the advice of the former LNP government's own parliamentary committee.

There are so many instances of injuries assessed between zero to six per cent impairment that mean some workers may never work again or may be forced to change careers as a result of their injury or are only able to go back to work in a limited capacity. Tonight, I would like to just tell one story. John, a fitter and turner, was injured in February last year—months after thresholds were introduced. He was

working as a coal wagon maintainer at the time of his injury. John was injured while attempting to remove an automatic coupling weighing 200 kilos from a coal wagon. His dominant right hand became caught and was crushed against the corner of the wagon.

After the accident, John's employer performed an internal investigation and developed a clear work method instruction in performing this task and changed the way the task was going to be done in future to prevent this from happening again. This response to improved work safety practice from the employer is to be welcomed. But for John, because of the LNP's changes, the story is not so great. He suffered a severe crush injury to his right finger that required amputation. He was assessed at five per cent impairment for his injury and received zero per cent impairment for scarring.

John has now returned to work, but he is concerned about his job security and long-term employment prospects as he is now restricted in his ability to perform his work on account of the injury he sustained. He continues to have great difficulty in being able to grip levers of machinery and tools to do his job as well as difficulty undertaking tasks requiring fine motor skills. The site of his injury is also hypersensitive, which means that he has to undertake great care in handling or lifting materials. His hand fatigues easily and this makes him less productive. However, despite the fact that John was injured in an unsafe workplace, he was not eligible to seek damages.

Given that previously Queensland had a strong and stable workers compensation scheme, there can be no other reason for this change than ideology. I encourage all of those members opposite to rethink their past mistakes on this issue, to hear the voices of the Queensland workers who said that they went too far and restore these rights.