




Speech By  
**Julianne Gilbert**

**MEMBER FOR MACKAY**

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**WORKERS' COMPENSATION AND REHABILITATION (COAL WORKERS' PNEUMOCONIOSIS) AND OTHER LEGISLATION AMENDMENT BILL**

 **Mrs GILBERT** (Mackay—ALP) (8.14 pm): I rise to contribute to the debate on the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill 2017. I would like to acknowledge Anne Baker, the Mayor of the Isaac Regional Council who is here tonight as the guest of my good friend the member for Mirani. Thank you for coming in, Anne. Anne's community is in the heart of the Bowen Basin.

When workers go to work they deserve to come home safely and as healthy as when they set out. When an employer damages the health of their workers, they need to be held accountable and workers need to have support and recourse. The Workers' Compensation and Rehabilitation Act 2003 established the Queensland workers compensation scheme, which provides benefits for workers who sustain an injury in their employment and dependants if a worker's injury results in the worker's death. It also encourages employers to improve health and safety performance.

The amendments to this bill also support electrical workers by amending the Electrical Safety Act to improve the rigour of the electrical licensing framework in the interests of protecting workers and public safety.

As we all know, CWP is a lung disease which is contracted through workplace exposure to coal dust over a period of time. CWP is considered a latent onset injury under the workers compensation scheme. There is an unknown number of coalminers—both current and those who have retired from the industry—living with CWP whose CWP has not yet manifested itself to the point where they have sought a diagnosis.

My electorate of Mackay is a mining service centre. It is also a centre where miners on drive-in drive-out rosters live. To the north is the well-established mining town of Collinsville and to the west the mining towns of the Bowen Basin. There are many families in my community and the surrounding communities who have been mining families for generations. You could say that they have mining in their blood, so we should not be standing here tonight talking about having mining in their lungs. During the mining boom—as it was called—many tradies who lived in Mackay went out to the mines. These were family men and women.

The parliamentary select committee has raised concerns regarding how the workers compensation scheme operates in relation to CWP. The committee's stakeholder reference group included representatives of employers, unions, the legal profession, insurers and departments relating to mining. The recommendations of the committee are important for the thousands of Queenslanders who have left the industry and will provide for interim medical examinations of former coal workers who are concerned that they have CWP and who have left the industry or retired prior to January 2017; ensure that workers with simple CWP who experience disease progression can apply to reopen their claim to access further benefits under the workers compensation scheme; provide extra rehabilitation support to assist workers back into suitable alternative employment; and streamline workers compensation arrangements so they properly align with the Coal Mine Workers' Health Scheme.

Many coalminers are trained and experienced in the industrial nature of the mining industry. They have tickets and training which allow them to work in other industrialised workplaces, but some of those other industrialised workplaces also have high dust levels which will add to their injury, so it is very important that these workers are fully supported so that their earning capacity does not diminish and they have a chance to reshape their lives after a diagnosis of CWP.

Central Queensland is very decentralised and has a number of small towns. It is also a beautiful part of the world in which to live, so when workers come to work in the Bowen Basin some of them choose to stay but our small towns do not always have the medical expertise needed to manage this complex disease. It is proposed by this bill to clarify that all necessary and reasonable travel costs incurred to attend medical examinations are not borne by the coal worker. The intention is that the insurer should pay for the reasonable travel expenses for former coal workers to attend medical examinations consistent with their existing obligations under the act to pay for reasonable travel expenses related to obtaining medical treatment, undertaking rehabilitation, attending the Medical Assessment Tribunal or undertaking an examination.

This bill also introduces new lump sum compensation for any worker with CWP, including where a worker does not have any permanent impairment. This bill also makes it clear that the Queensland Industrial Relations Commission does not have the power to grant a stay of decision subject to the outcome of an appeal under the Workers' Compensation and Rehabilitation Act. Any serious injury or death must be avoided. The Central Queensland community has lost two young men in electrical accidents on work sites—in 2012 Jason Garrels, who was only 20 years old, and in 2015 William Peppin, a 26-year-old. These young men should be with their families today. This bill will seek to protect workers by giving effect to the Coroner's recommendations regarding the electrical safety regulator having the power to immediately suspend any electrical worker's licence if they are responsible for electrical work that has caused death or grievous bodily harm or they have otherwise carried out electrical work that poses an imminent or serious risk of safety to any person. This bill is about worker safety and ongoing support after an injury. I commend the bill to the House.