



Speech By
Hon. Grace Grace

MEMBER FOR MCCONNELL

Record of Proceedings, 17 October 2019

**WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (5.55 pm), in reply: Firstly, I thank members on all sides of the House for their contributions on what is a significant piece of legislation. I welcome the confirmation from the member for Kawana that the LNP will not be opposing the bill.

The second five-year review of the operation of the workers compensation scheme undertaken by Professor David Peetz from Griffith University found that, while the scheme is performing well and did not require major reform, it identified opportunities to improve the process and experience for injured workers and to protect vulnerable workers. This bill before the House does exactly that. It picks up on the legislative amendments recommended in that review and we are here debating those today.

I have gone through the amendments in detail. Given the time, to try to get this through before the House moves to the adjournment, I will turn to matters raised during the debate. The member for Kawana always tries to make a valiant effort to rewrite history and relive past glories in his contributions. He conveniently forgets the LNP's sorry legacy of removing the rights of injured workers to seek common law damages and the fact that in doing so they completely ignored the recommendation of their own parliamentary committee.

He says that they did not recommend this. I will quote directly from the Finance and Administration Committee's report. The majority on that committee were from the LNP. It stated—

After considering all of the arguments for and against imposing an impairment threshold, the Committee considers that an impairment threshold should not be imposed. The Committee believes that the extent of the 2010 amendments—

the Labor amendments—

in addressing the increase in common law claims is yet to be fully realised as common law claims can be lodged up to three years from date of injury. As such, the Committee believes that there should be no changes to the current system.

What does the member for Kawana do? He rewrites history and says, 'We did this with full consultation.' He even went against the recommendations of his own committee.

What that meant was that hundreds of workers missed out on common law damages. With that five per cent threshold in there it would mean that workers who have coal workers pneumoconiosis would not be able to claim common law damages. It was Labor that restored the rights of injured workers in removing the arbitrary five per cent threshold introduced by the LNP.

We have made a number of changes for the benefit of workers. We do not improve safety and workers compensation statistics in this state on the back of injured workers alone. That is exactly what the member for Kawana did. They bore all the costs. It is like saying that we do not have a health and safety problem because claims are going down but making it impossible for workers to claim workers compensation. What a joke. Any worker can see through that, except the member for Kawana.

We have provided \$75 million in benefits to employers through savings in premiums. We have kept the premium rate at \$1.20 per wages paid and the funding ratio at over 170 per cent. I say to anyone who complains about the current board that they are providing all these benefits to workers and employers. To my mind that is a fairly fantastic board doing their job.

When it comes to the Law Society's issue around apologies, can I say that we have looked at that. I note that the proposed provisions are consistent with the provisions that currently exist under the Civil Liability Act and specify that making an apology or expression of regret does not constitute an express or implied admission of fault or liability by the person. The member for Caloundra said in his contribution that the department will provide guidance in relation to this. Members who spoke on this are right. Often workers simply want a thank you and want to be told, 'We are sorry.'

In relation to the cost for unpaid interns, we predict that that will be minimal. These are unpaid interns. Probably employers in the first instance will pay no premiums at all. If there is a claims history, they may get a claims history back on their premiums following on from that.

This bill continues to build on our significant record of achieving for vulnerable workers, particularly when they are injured. David Peetz did a fantastic job in relation to the review. I commend the bill to the House.