

Question on Notice
No. 1042
Asked on 12 September 2023

MR S KNUTH ASKED MINISTER FOR EDUCATION, MINISTER FOR INDUSTRIAL RELATIONS AND MINISTER FOR RACING (HON G GRACE)

QUESTION:

With reference to casual workers suffering a severe injury at work and the formulae used to calculate an average of their last 12 months of work, meaning casual workers are penalised for any time off within this average—

Will the Minister commit to reviewing the WorkCover scheme to ensure that casual workers who suffer a severe injury at work are adequately covered?

ANSWER:

Review of the workers' compensation scheme

Section 584A of the *Workers' Compensation and Rehabilitation Act 2003* (the Act) requires a review of the operation of the Queensland workers' compensation scheme to be completed at least once every five years.

The 2023 *Operational Review of Queensland's Workers' Compensation Scheme* was recently completed, and the review report was tabled in Parliament on 5 October 2023. As part of the review, the independent reviewers examined the Act's current entitlements.

Workers' compensation entitlements for casual workers

Casual workers are covered by the Queensland workers' compensation scheme with the same entitlements and safeguards as full or part-time employees.

A worker's entitlement to weekly compensation under the Act is based on their level of incapacity to work and a comparison between the worker's industrial instrument, normal weekly earnings and Queensland Ordinary Times Earnings.

Where normal weekly earnings is used to calculate weekly compensation and the insurer considers the calculation of normal weekly earnings would be unfair, it may calculate such earnings in a way it considers to be fair (section 101 of the *Workers' Compensation and Rehabilitation Regulation 2014*).

Finally, an insurer's calculation of a worker's weekly compensation is also able to be independently reviewed by the Workers' Compensation Regulator.