

**Submission
No 116**

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

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The Hon Robert Borsak MLC
Committee Chair
Joint Select Committee on the NSW Workers' Compensation Scheme
Parliament House
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Dear Mr Borsak

SUBMISSION TO THE INQUIRY INTO THE NSW WORKERS' COMPENSATION SCHEME

On Thursday, 7 October 2010 I was on my way to work as usual. I was on the roundabout at Fragar Road and Maxwell Street South Penrith when I was hit by a four wheel drive. My car spun out of control and I hit a tree head-on. I was taken by ambulance to Nepean Hospital with a fractured sternum and was in hospital for 5 days on a morphine drip. My car was written-off and I was without transport for several months. I was lucky to have survived and not to have sustained more serious injuries.

I was incapacitated and in a lot of pain and not able to attend work or perform normal, everyday tasks. I was off work for approximately two (2) months with this injury. I did not require any workplace adjustments on my return to work but did receive ongoing support and assistance from my employer's Injury Management Co-ordinator. As I am employed as an Administration Officer the majority of my daily work is computer-related so I was able to continue pretty much as normal with some small adjustments made by myself for pain relief and ease of access.

This accident and injury was covered by the NSW Workers' Compensation Scheme as it was my usual journey to work.

All my medical costs and out-of-pocket expenses were covered by the NSW Workers' Compensation Scheme. Being a widow, I am a single-income earner and I had my elderly mother, for whom I was a full-time carer, living with me at that time and I was working full-time. The injury prevented me from attending to everyday tasks such as housework and mowing lawns. I was able to employ someone to do this for me and reasonable costs were covered by the NSW Workers' Compensation Scheme. My mother also needed to be transported and accompanied for various things such as medical appointments and grocery shopping. As I did not have a vehicle, I used taxis for these types of things and was then able to claim these costs back as part of out-of-pocket expenses associated with my injury.

If I hadn't had access to the NSW Workers' Compensation Scheme I don't know how I would've been able to attend to personal and financial matters as I wouldn't have had the extra finances or assistance to cover them. My mother was elderly and required ongoing care and attendance at regular medical appointments (she has since passed away). It was very inconvenient to be without a motor vehicle and to not be able to drive as my injury took several months to heal.

I used sick leave and annual leave for the period that I was away from work, however, this was re-credited as it was covered by the NSW Workers' Compensation Scheme and, therefore, there was no impact on my leave entitlements. If that had not occurred my leave would have eventually run-out and it would have made a large reduction in my leave entitlements.

I believe that access to the NSW Workers' Compensation Scheme promoted better health outcomes for me as it took the stress out of worrying about my finances and how I was going to live day-to-day. I was very well assisted and supported by the Injury Management Co-ordinator at my place of employment as being a widow, with no immediate family living close by and caring for my elderly mother, I had no-one to go to for assistance and support. If I had not had this support and assistance, my return to work could very well have been more traumatic and stressful and may have been significantly delayed.

Access to Workers' Compensation should be the right of every employee and this includes journeys to and from their place of employment.

This whole situation was both inconvenient and very stressful for me and the fact that I had support and assistance aided in my recovery and return to work. I did not have to worry about paying out for things such as medications and being out-of-pocket for these unexpected expenses as reimbursement was prompt.

Prevention of workplace injury and illness and fairness to employees should be a top priority. I am concerned that the NSW State Government is intent on cutting costs at the expense of employees' entitlements. Therefore, I believe that the stressors associated with workplace injuries for employees will increase.

No employee should be forced back to work until they are fit for their normal duties, however, the aim should be for the employee to get better and return to work as soon as possible and appropriate protections and assistance should be provided including access to rehabilitation. A strong emphasis should be placed on OH& S and the employers' responsibilities in this respect. This includes psychological injuries which are on the rise because of the high incidents of bullying and harassment in the workplace and are often associated with most injuries.

I also understand the pressure that is put on small business, however, threats of sacking of employees or moving business offshore should not be used as a weapon and other ways of assistance should be investigated.

I believe that travel to and from my place of work is part of my employment and should be covered by the NSW Workers' Compensation Scheme. Sustaining any type of injury is stressful and inconvenient and if it is sustained during part of one's employment then there should be adequate support and assistance provided for that employee. Employees should not be disadvantaged either financially or employment-wise.

The health and well-being of employees should be paramount to the financial sustainability of the Scheme.

This enquiry needs to thoroughly look at the complexity of the Scheme and to ensure that appropriate outcomes are reached and that no employee is disadvantaged.

In conclusion, being covered by the NSW Workers' Compensation Scheme took a lot of the pressure away from a very stressful situation and such a traumatic experience became a bit more bearable. If I had not been covered by the NSW Workers' Compensation Scheme the outcome may not have been as successful. I did not need any additional time off work and I did not lodge a further Workers' Compensation claim. The injury did take quite a long time to heal and I still experience some pain from time-to-time.

I stress to the Committee that the health and well-being of employees should be the number one priority when examining the NSW Workers' Compensation Scheme and this should be taken into account when reviewing the Scheme. There should be detailed investigations made before making any final decisions.

Yours sincerely

Lorraine Fordham