

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

Name: Name suppressed
Date received: 10/05/2012

Partially Confidential

10th May 2012

Joint Select Committee on the NSW Workers Compensation Scheme
Parliament House
Macquarie St
Sydney NSW 2000

Dear Sir/Madam;

I will simply provide details of observations and experiences in dealing with the NSW Workers Compensation (Insurer Allianz) experience and make some pertinent statements.

Brief introduction.

My employer owned and operated a business in Queensland for many years and I worked for him for 12 of those years. He purchased this NSW business in 2008 which I work in. So I have experienced dealing with the Worker's Compensation in both states.

Comments regarding the NSW Worker's Compensation.

- Far more expensive than Qld.
- Superannuation paid should not be included in calculating the premium when superannuation is not paid when a claim is made.
- Owners or Director's in the business should not be included in worker's compensation. Similar to Queensland. They will work and be productive, even when injured. They can take out more competitive insurance if they want it.
- It appears, for us personally, we pay a base fee of approx. \$18000.00 per annum for absolutely nothing. When we have a claim, the insurer, recoups that cost over the next three years in increased premiums. We would be financially better off covering the costs ourselves for everything except major injury or death.
- All medical and associated costs are charged at exorbitantly high rates, purely because the payment is made by an insurance company. The reasoning is the extra paperwork involved.
- Sometimes, it appears, the Doctor and his patient are in no hurry for our staff member to return to work and the Medical Certificate reflects this accordingly.
- Not all injuries are work related. The injury just becomes evident at work.

I had a staff member (not long before we purchased the business) with bad knees from years of playing football and golf. He "slipped" on wet level bitumen walking to a customer's car and then had all the expenses covered by worker's compensation. I could injure my shoulder over the week-end, pick something up on a Monday morning, aggravate the injury and claim worker's compensation.

These sorts of injuries need to be looked into very carefully. They are different to the injury where an industrial bin lid falls and catches a hand, or, a piece of metal or dirt gets past the safety glasses and enters the eye, or, severe cuts and abrasions that clearly happen at work.

- Inexperienced staffs at the Insurance Company handle the claims with no sense of urgency. Legislation is given as reasons they cannot do certain things.
- Getting the injured staff member back fully productive in the work force as quickly as possible has no urgency.
- It can takes weeks and months between Doctor's visits, rehabilitation providers, workplace assessment for establishing suitable/meaningful duties and/or returning to work.
- We had one Doctor tell us that the alternate duties we had given our injured employee were not meaningful. It was the only work we had for him, met the business need and had him employed and not sitting at home or out with friends. How would he know? He was purely putting forward a case for our employee to be not at work and getting paid.
- I am not convinced the MTAA would do a better job than Allianz. I am not convinced Bureaucrats would do a better job than Allianz.
- The legislation and the operating procedures need to effectively meet the needs of the employer and the injured worker. They need to be regularly modified as the industry and needs change. Continual improvement. The medical and rehabilitation costs need to be set on a competitive bench mark. There needs to be set benchmarks for service provided and returning the injured worker back to meaningful work.
- There needs to be an effective determination of what constituted a "fair dinkum" workplace injury. Our workers do have 10 sick days per year. They can also accumulate their sick days as well. There needs to be some expectation on the employee to use safe workplace practices so that they don't get injured. For example "use of safety glasses so that they don't get dirt in their eyes".
- Remuneration of Worker's Compensation staff needs to be given on effective outcomes where the Employer and Employee are both satisfied with the final outcome. Not solely on dollar amounts handled or number of staff supervised; that only encourages increased costs and not decreased costs.
- Our Politicians and Bureaucrats get travel allowances to travel the world. What is world's best practice for Worker's Compensation? I am sure it is not the NSW's Workers Compensation.

Yours truly,