

Submission
No 265

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

Name: Name suppressed
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Partially Confidential

Submission for Inquiry Into The NSW Workers Compensation Scheme

I am the wife of an injured state government employee.

After 15 years on the job, my husband was left with a severe injury due to negligence in the work place. He has a spinal injury and the treating doctors (all three, including his regular GP, the treating specialist physician and the neurosurgeon) agreed to conservative treatment in the hope of avoiding surgery. The injury was 18 months ago and now despite all efforts he is facing inevitable surgery, which naturally has an extended recuperation period.

The situation my husband and I are currently endure is one of significantly less financial support. This is despite the fact he is doing his utmost to return to work, and does so in spite of his ongoing pain and limitations; he pushes to fulfil as many work hours as possible under his working restrictions. He does battle on an almost daily basis facing the stigma attached to being an employee under the WorkCover scheme, and his employer has been less than supportive. We now no longer receive the remuneration he had when he was 'fully fit and working full time' as he was then receiving overtime payments and penalties. Now due to the existing benefits under the NSW WorkCover system, he is only entitled to payments that are nowhere near his pre-injury average earnings. To add insult to injury (quite literally) the insurance company involved, upon receiving verbal advise that surgery is imminent (not even awaiting formal advise) completely cut off approval of payment of all other ancillary treatments, despite his ongoing dealings with the pain caused by the injury on a day-to-day basis. His injury didn't disappear just because surgery was discussed, this action by the insurer is reprehensible, displaying lack of support, whilst his pain still exists and is very real. The existing scheme does need great upheaval and improvement, but the suggestions made by the government seem to contradict this.

If the suggested changes to WorkCover are implemented, we will be further financially penalised, as the recuperation period will extend beyond the cut-off time limit that is to be actioned. This will mean we will be left to foot the bill of ongoing medical expenses whilst he will no longer be receiving any income. This is the situation we are put in - all due to a workplace injury. Is not WorkCover a scheme that is supposed to protect and support just such victims?

My husband and I have worked hard throughout our working lives and his injury has already delayed our plan to start a family. Now, if the changes are implemented, we will be penalised even further. From as far as I can see, sourced by the Government's own research, workers compensation premiums have fallen 33% in the past seven years, saving NSW businesses \$1 billion a year. In addition to that the expenses and lack of funding within the system itself have been largely due to investment failures as a result of the global financial crisis.

How is it fair that the injured workers themselves be the ones to 'pick up the slack' in a clearly failing system? NSW businesses should be investing more money in ensuring their employees are working in a safe environment, and the '\$1 billion dollar savings' by businesses could have instead contributed to the recuperation of the injured workers and thus be a pivotal factor in getting them out of the WorkCover

system and back to work. Thus, these workers would return to being a positive, contributing facet of the businesses they work for, rather than one of the expenses.

To me, a manager of a small business myself, it seems clear that implementing these changes would only force these workers onto disability pensions or the like. This is still a 'government handout' albeit one from the federal government rather than state. Is that not simply 'robbing Peter to pay Paul'? It's no solution, merely a futile exercise that will cause undue stress on the already deflated and 'war-weary' injured employees, who for the most part, would much rather be back at work contributing to society (better for the psyche and better for the bank balance) and their families, and would result in no benefit other than shifting the cost from one sector of the tax payers money to another.

Yours sincerely,