

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

Organisation: Name suppressed
Date received: 17/05/2012

Partially Confidential

To whom it may concern

1. The system is inherently unfair to small and medium sized companies
2. The system is open to abuse by employees
3. The financial burden on small and medium sized companies is extreme and very risky considering it is so open to abuse by dishonest employees
4. We currently have the following situation:
5. Our premium has risen from \$80,000 per year to \$190,000 a year – much more than our company can afford
6. The staff member was being performance managed
7. The staff member over a period of time had received numerous poor performance reviews
8. There were as an example 3 'needs improvement' and 3 'unacceptable' performance reviews
9. After the third unacceptable review the staff member was given a formal warning
10. At that point they went to a medical practitioner got a letter stating that she was anxious and depressed
11. Based on the medical advice alone her claim was approved
12. The claim has been going since January 2011
13. She has never had to substantiate her claim against the company until a month or so ago ie March 2012
14. Claims that we absolutely and completely deny
15. We were told by the insurance company that Government view workers compensation as another form of the dole

In summary, there needs to be an obligation on behalf of the employee to substantiate their claim against the company – simply getting a letter from a medical practitioner should not be sufficient unless it can be shown that the company has done something wrong.