

INQUIRY INTO PERSONAL INJURY COMPENSATION LEGISLATION

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Subject:

Summary



Bob Pinkowski worked for Pasminco for 29 years. In November 2001 he was instructed to clean a large bath used to process molten metal.

A metal grate had once prevented workers from falling in to the bath, but the grate had rusted away and never been replaced. Instead, workers were supposed to clean the bath from the floor above using a 20-foot pole.

Bob fell into knee-deep molten metal.

But Bob didn't know about the 20-foot pole and had never been trained in the cleaning process. While cleaning the bath, Bob fell into knee-deep molten metal.

Bob was rescued from the bath and spent nearly three months in hospital. While doctors and a quick-thinking workmate saved his legs and his life, the limbs were severely burnt. His chest and thighs were also badly scarred by the extensive skin grafts required to treat his legs. The burn scars on his lower legs are so stiff that he now has difficulty in walking.

Bob is entitled to workers' compensation but, like many injured workers, he finds dealing with the government frustrating and demeaning. Even though Pasminco has admitted negligence, NSW law makes it impossible for Bob to sue them for his full losses.

Bob was injured three days after Bob Carr introduced disastrous changes to workers' compensation laws, which radically reduced the rights of injured workers.



“ Sure, the government should stop people rorting the system, but the law shouldn't protect a negligent company. ”

Bob Pinkowski

Bob's compensation for pain and suffering was assessed under the new regime. He received \$43,625. Before the changes he would have received \$224,014. That's a difference of more than \$180,000.

**The Government said that
no worker would be worse off ...
Bob is \$180,000 worse off.**

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