

Submission
No 323

INQUIRY INTO NSW WORKERS COMPENSATION SCHEME

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Partially Confidential

workerscompinquiry - Fwd: letter regarding proposed changes to workers compensation for injured workers by the NSW Government

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The Hon Robert Borsak MLC
C/O Parliament House
Macquarie Street,

SYDNEY NSW 2000

Dear Hon R Borsak

I am writing to you in relation to the proposed changes to the Workers Compensation in NSW that the NSW Government is planning to change.

I am a permanent injured worker under workcover and I would like you to come and live in the life of someone with a permanent injury. You don't see how the permanent injury has changed their lives or my life. You don't see the stress that we are going through or the stress that is placed on their families because of their injury and the loss of financial income. You don't see the many tears that are shed because of what's happened and how we have to cope financially, physically and with constant pain each day. Each day your injury is just reminder of what happened that day and you can not change it in any way or go back to the healthy life you had before this accident happened. We have to cope with our futures and the uncertainty that comes with a life of someone with a permanent injury. We wish that this accident never happened to us and that we could erase the day of the accident so it never happened. I am one of those people but I have to except that I can't change what has happened and that I have to now live a changed life and need to live within those changes. Part of my story is below:

• Three years ago at my place of work I sustained an injury to my knee due to no fault of my own. My life has now changed forever. My injury has been stated as permanent by three independent doctors one of them being a

workcover doctor. I also now have problems with the muscles in my hip area because of the way I now walk and I will require more surgery in the future. I am not able to squat, bend knee properly, not able to walk very far, not able to stand or sit for very long, not able to lift anything heavy as my knee and hip cannot cope with lifting and only able to climb 3-4 stairs. My family life has been affected due to these things as I need to plan things in advance if we decided to go somewhere as I need to know if I am to cope regarding the things I cannot do anymore, most of the time I am unable to go because of my restrictions which means I miss precious time with my family. I am not able to drive and we live in a regional country town and live 15 minutes outside of this town which means I cannot get into town unless someone is here and this has resulted in my life becoming isolated.

- I was the main wage earner in my family. My husband has a casual job and there are quite a number of weeks where he does not have work, his work can be from day to day and has to wait for a phone call each morning to see if he has any work that week, some days it is only one or two days per week. We also have a child who is reliant on us.

I have done everything that my work has required me to do as follows:

- As I cannot return to my previous position which I hoped to work at till I retired. My place of work required me to retrain last year in administration duties which I did at TAFE. I was lead to believe by them that I would get an administration job with them when I had finished the course. Once I had finished they told there was no admin work with them and that I had to look for work somewhere else.

- The place where I worked has a compassionate transfer system. I applied for a compassionate transfer into administration work and was told I could not have a compassionate transfer as I was under workcover. I needed the compassionate transfer to transfer to another position.

- I kept asking them for administration work and they kept refusing to give me any as they stated that there is no administration work for me and that they could not give me any work under my restrictions.

As you can see I have done everything that my work place required of me and I have not worked now for nearly a year. In that year I have been job seeking every week and I still have not been able to find work.

I have been told by the insurance company that any job I go for I must advise them of my permanent restrictions. I have been looking for work for nearly a year and living in a large country town work is hard to get and when I do apply for a job and I have to advise them of my restrictions which can go against me getting that position. This place stress on me and my family as you constantly wonder if I will get a job and you also have to cope with the disappointment each time you are rejected for a job due to your injury.

With the changes that are being considered:

- Reducing weekly payments and medical benefits:
- Reducing lump sum compensation for permanent injuries and in some cases ending the availability of lump sum compensation altogether.
- Ending workers compensation protection currently afforded to workers injured on the way to and from work
- Reducing financial help to families of workers who have died as a result of their work.

With these proposed changes how are we going to live, we are already cutting back on food, clothes and many other things. We only put our heater on now when we need it at night. If you cut the payments this will mean we will not be able to use any heating and have to cut back more on food. If there are cuts in the medical benefits how will I be able to pay for the further surgery that I will need in the future. I still have to have physio and exercise physio how will I pay for it as I need this to keep my injury from getting worse.

Reducing weekly payments, medical benefits, reducing and cutting out lump sum compensation for permanent injury's, reducing financial help for families of workers who have died as a result of their work is so unjust and an insult to them. This will cause much stress and worry for these people who never asked for this to happen.

I would like you to think about how you would cope with a permanent injury caused at work or on your way to work or losing a loved one and how you, your family or people you know would cope with living on a workcover pension

and knowing that your payments an medical help may be reduced and that any chance of having some type of lump sum compensation paid to you to help you life could be taken away from you. Remind yourself of the stress that you will be adding to people's already difficult lives if these changes go through. I hope you can life with a clear conscience if these changes do go through and knowing that you could cause a person to go over the edge because all their hope and help is being taken from them.

Instead of coming after and taking away things from injured workers who have enough to cope with why don't you look into the real courses of why the NSW workers compensation scheme has fallen into deficit since 2008. Like poor administration by Workcover and insurance agents that manage claims, poor investment returns for the workcover fund during the GFC and also changes to the way workcover actuaries calculate the future cost of claims. Also if you need to regain money cut the wages of the big administrators in workcover and give the money to those who need it most the injured worker.

I hope that you will consider us the injured worker before you make any changes to workcover and how it will affect and impact our lives and the lives of our families. Please remember us and what we go through each day and how hard it is for us. Please do not take anything more away from us as we already have lost enough through our injuries.

Looking forward to a reply.

Yours sincerely