

**FIRST REVIEW OF THE WORKERS COMPENSATION
SCHEME**

Name: Name suppressed
Date received: 21 September 2016

Partially
Confidential

NSW Parliamentary Inquiry into Workers Compensation.

I have been employed by the Department of Community Services (CS) since 1996 and was injured on duty in 2006 in the course of my employment on the Crisis Response Team.

At the time of my injury I was executing the provisions of a Childrens Court Warrant when I was assaulted by the offender however given subsequent changes to the legislation and as an employee of Community Services I am not afforded the same level of support in terms of Workers Compensation to that of a Police Officer.

As a result of this injury I have had 5 operations and further surgery is pending. Liability has been accepted by the insurer however my employer, treating Doctors and an Independent Medical Review have determined I am unable to return to field duties. Alternatively, I have been deemed fit to resume pre-injury role in an office based capacity, however, the Department refuses to move me out of my current role that involves 50% field work, while simultaneously trying to retire me on medical grounds when there is ongoing opportunity available to do office based casework. I have been denied all such opportunity by Community Services Human Resources HR Services via advertised positions and merit selection, Internal Secondment and Compassionate Transfer while the Department is ignoring their obligation under Workers Compensation Guidelines.

I have followed appropriate channels to address these matters to no avail. My concerns were escalated to a Ministerial Level and a determination was made by the Director General and the Minister that I may return to a pre injury role..

As outlined in the attached statement the Department is now acting in direct contrast to prior written Ministerial guarantees that I may return to pre-injury role and that I would be treated fairly.

Alternatively, Community Services HR Department has given direction to my line Managers to terminate my employment on medical grounds and denying various suitable duty options that are available. The human resources department has also initiated an Independent Medical Assessment in order to be provided with an opinion that they seek. The Department is ignoring the medical assessment provided by my treating Doctor/s who manage my workers compensation matter.

Furthermore, I have evidence that in the event that the Department is unable to retire me on medical grounds they have devised alternate measures to terminate my employment via any other means while simultaneously ignoring their obligation under Workers Compensation guidelines.

I have also been informed by my line manager that the direction she has been provided by HR Corporates Services within the Department is illegal in terms of the workers compensation guidelines and OH&S procedure.

I have provided a formal statement to the Insurer however my complaint of corporate bullying by the Department of Community Services and disregard for Workers Compensation procedure have not been addressed.

I hereby request to submit a formal statement to the Inquiry outlining the manner in which my case has been managed by a State Government Department in direct contrast to the provisions outlined in the most recent changes introduced in relation to Workers Compensation.

21st September 2016.