

██████████ – Submission on the *Workers' Compensation and Injury Management Bill 2021*

My name is ██████████, and I am a worker who suffered a workplace injury and was then put through the workers' compensation system. I am writing this submission because of the negative experience I suffered through exposure to the workers' compensation scheme. Six years after my claim I have been left with significant injuries and inadequate compensation with no way to fix my problems.

I believe the ideas I have listed below will be of great benefit in reforming the scheme to work better for the injured workers who it is intended to protect.

I strongly believe that the workers' compensation scheme needs to change to work properly, protect injured workers and prevent situations like that which happened to me occurring again.

Submissions

1. The opinion of the treating medical practitioner should have a greater say when there is a conflict between the opinions of the specialist an insurer may send the worker to and the opinion of the treating doctor. Often the views of the insurer doctor are biased in favour of the insurer and are of limited value due to the short amount of time the insurer doctor spends with the injured worker. The treating doctor in many cases knows the injured worker very well, is best placed to assess the injury and can speak to the honesty of the worker in question.
2. Insurers often use "settle or starve" tactics to force injured workers to make a settlement which may not be in their best interest. In such situations cases need to be expedited through the CAS system to ensure a fair outcome for the injured worker.
3. Workers should have the right to exit the system when they wish. In my case I was forced to remain in the scheme when all I wanted to do was return to my work. Due to the current scheme and the employers 'duty of care' I was not able to return to my job and was forced to remain on compensation. This was not in my interest and impacted upon my mental and physical health.
4. Compensation amounts are too low. The amount of compensation available, particularly in serious injuries (which don't meet the 15% common law requirement) does not accurately reflect the loss to the injured worker.
5. Workplace rehabilitation providers do not operate effectively and, at least in my experience, act only to benefit themselves. The rehab provider regime needs to be reviewed so that better regulation of rehab providers can be implemented to ensure they work for the benefit of injured workers.