

JUSTICE FOR

INJURED WORKERS

The true measure of any society can be found in how it treats its most vulnerable members.



The NSW Government's savage changes to workers compensation, made in 2012, have had a profound impact on NSW workers and their families.

Under these changes:

- Tens of thousands of injured workers have lost medical cover.
- Just 4% of workers in the scheme are eligible to receive weekly payments after five years.

- Medical procedures need to be pre-approved by an insurance clerk (rather than by the treating medical professional), causing **delays and refusal of necessary treatment.**

- Payments are reduced or cut off based on the income an injured worker **could** earn as determined by the insurer – even if no work is available. Injured workers call this the **fantasyland cut off.**

THE JOURNEY IS PART OF THE JOB

Nobody travels to work just for fun. But under the 2012 changes, workers who are injured on their way to and from work no longer have the right to compensation.

Despite journey claims only representing a small cost to the system, they were all but excluded from the scheme in 2012, falling from 10,371 claims in 2011/12 to 751 in 2012/13 (33% of which were disputed).



WORKERS DRIVEN TO DESPAIR

Being unable to work can also have a deep impact on your mental health.

Unions NSW surveys of injured workers in 2014 and 2015 showed that the longer people are in the workers compensation system, the more likely they are to have suicidal thoughts.

Of the 100 injured workers who told their story to the Unions NSW Return to Work Inquiry, 44 reported suffering depression

and seven mentioned suicidal thoughts.

NSW Government-owned insurer iCare keeps no data on the incidence of suicide among current or former workers compensation recipients in NSW. However, National Coronial Information System data obtained by Unions NSW, shows a massive spike in suicide rates in NSW in 2012, with the rate for 2013 and 2014 being well above the average suicide rates for 2005-2011.

NO IMPROVEMENT IN RETURN TO WORK RATES

There have been no significant changes to workers compensation to encourage return to work - other than punitive measures to reduce income support targeted at injured workers not insurers.

Unsurprisingly, research by Macquarie University found no improvement to return to work rates since the changes were made. The Unions NSW Return to Work Inquiry showed an almost complete failure of employers to return injured workers to on-going work unless they were 100% fit.

JUST WHO'S BEING COMPENSATED?

While injured workers are suffering, insurers are making tidy profits. In fact, the business model operated by insurers in NSW has a 19% profit margin.

Since 2012, there has been a whopping 17.5% reduction in premiums for employers. This meant an extra \$447 million in the pockets of employers in the 3 years from July 2012.

The burden of workplace injuries now falls overwhelmingly on workers (74%) and the community (21%). Employers only pay 5% of the cost.

What's more, there are layers of consultants feeding off the system under the guise of helping injured workers. This bureaucracy provides little or no benefit to injured workers.

WHO PAYS?



WHAT CAN BE DONE?

Unions NSW has prioritised the following five changes to the workers compensation system:

- 1. Abolish the five-year limit on benefits.** This arbitrary time limit will see thousands of workers who are still injured, and unable to find work with a comparable wage, cut off all income support with flow-on effects for medical expenses
- 2. Add reality to the definition of suitable employment.** Insurers should not be able to apply hypothetical job descriptions, ignore personal circumstances or the reality of the labour market in deciding if someone should have their income support reduced.
- 3. Boost return to work rates.** Insurers should enforce employer compliance, not decide what medical care is necessary. An injured worker should only be allowed to be terminated when their treating doctor certifies their best chance of returning to work is with another employer.
- 4. Prohibit prospective employers** from asking if a worker has a workers compensation history.
- 5. Reinstate journey claim cover.**

Unions NSW will not stand idly by while thousands of injured workers and their families suffer due to the workers compensation cuts implemented by this Liberal/National Government.

Sign up to be part of our workers compensation campaign team to help us win justice for injured workers.

Visit nswforall.org.au