

ASIEQ President's Report May General Meeting

Bill Nevin

20th May 2020

Inaugural Licence Manager's and Stakeholders Lunch

- ▶ Held on the 4th March at the Brisbane Club
- ▶ Announced ASIEQ Mission Vision and Values at the Event
- ▶ Speakers -
 - ▶ Regulator - Craig Allen
 - ▶ Bruce Watson - WorkCover
 - ▶ Australian Lawyers Alliance - Greg Spinda
 - ▶ Queensland Council of Unions - Jacqueline King
 - ▶ Attendees - Sponsors, ARPA, QLS, OIR & WorkCover
- ▶ Positive feedback received from all participants, good communication and networking opportunity, need to build on goodwill that was generated, strong support for a 2021
- ▶ Momentum slowed a little with the Covid-19 Virus



Postponed March 2021 Conference

- ▶ Decision had to be made because of Corvid-19 Virus
- ▶ Financial Risks considered :-
 - ▶ Competition from this years events pushed back to 2021
 - ▶ Opportunity to promote the conference significantly restricted
 - ▶ Employer's financial ability to support attendance
- ▶ Currently no costs incurred in booking or promotions
- ▶ Decision taken to postpone the event
- ▶ Decision to be reviewed by new Executive October/ November

Corvid-19 Virus – Discussions with OIR

- ▶ The Executive sent a letter mid April to Craig Allen - Regulator to advise that:-
 - ▶ self-insurers are committed to:-
 - ▶ ensuring no disruption of funding for treatment and rehabilitation
 - ▶ maintaining a high level of claims management services
 - ▶ these are extraordinarily difficult times impacting with various operational challenges to our members
 - ▶ members are experiencing reduction in medical & rehab services available
 - ▶ finding suitable duties, host employment and job seeking opportunities has been significantly disrupted.
- ▶ The letter recommended that all licence renewal audit process be suspended for 6 months and that automatic extension of licenses be granted because of the virus.

Corvid-19 Virus Discussions with OIR (Cont'd)

- ▶ No response to the letter received to date
- ▶ The letter was acknowledge at Exec meeting with OIR
- ▶ Issues facing Self-insured employers acknowledge
- ▶ OIR thought that global extensions difficult to implement
- ▶ OIR preference that individual Self-Insurers discuss issue directly with insurer services
- ▶ It is understood that members have had adjustment to auditing programs because of the virus
- ▶ The Executive recommends keeping Insured Services advised of individual circumstances and ensure they are forewarned of any pending issues.

New ASIEQ Website is Live



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Website Update

- ▶ Digital Nomad engaged to develop the new site and take over hosting
- ▶ The website went live this week, thanks to Danielle (Under Budget)
- ▶ Photos from the February forum used throughout the new site.
- ▶ Easier access to online discussion forums only one password required
- ▶ Still updating some data on the screens
- ▶ Danielle to demonstrate use later in the meeting

Self-Insurer Audit Framework and Performance Standards

- ▶ Executive meeting with OIR in April tried to bring this long stand matter to conclusion
- ▶ No written response had been received to ASIEQ views submitted in early December
- ▶ Proposed a plan to release the current version of the draft for early circulation and response by members
- ▶ The current draft included no Appendix 5 relating to amendments to Section 109, 133 and 133A
- ▶ Responses from Members predominantly related to these issues.
- ▶ Concerns were raised that OIR had not appropriately responded to queries raised by ASIEQ Members

Correspondence Re: Self-Insurer Audit Framework and Performance Standards

- ▶ Letter provided to OIR within the tight time frames
- ▶ Noted issues Re:109,133 and 133A critical to our members
- ▶ Raised issues that many of the responses were inquisitive by nature and these have not been addressed.
- ▶ Recommended a phone Conference to:-
 - ▶ 1. Review ASIEQ submission
 - ▶ 2. Review the status and consultation process for implementing Sections 109, 133.and 133A
- ▶ No response received to date - Have been advised that Guidelines will be released shortly

Two Fact Sheets and a Form **Just** Released Re Reporting of Injuries and Early Intervention Programs



Who must pay compensation?

Workers' Compensation laws in Queensland set out who must pay the compensation when a worker is injured at work.

Compensation includes:

- Weekly benefits that are designed to compensate the worker for lost wages or income due to time off work as a result of the work-related injury; and
- Medical and other treatment costs to treat the worker returns to meaningful work.
- Rehabilitation costs to help the worker return to meaningful work.

Queensland's workers' compensation laws state that **insurers must pay compensation** to or on behalf of a worker if:

- The worker has made an application for compensation; and
- The employer has complied with its injury reporting obligations (see Fact Sheet - Reporting of injuries under the Workers' Compensation and Rehabilitation Act 2003 - a guide for employers available on the WorkSafe website for more information).

An employer can only pay compensation (or an amount in place of compensation) to or on behalf of a worker if:

- The worker has made an application for compensation, an employer may decide to pay compensation if the insurer makes these payments.
- Reporting of injuries available on the WorkSafe website for more information.

Early Intervention Programs and Employee Assistance Programs

If these two requirements are met, the application has been accepted by the insurer, and the insurer rejects the worker's application for compensation, an employer may decide to allow the worker to continue to access employer-funded support.

Early intervention or employee assistance programs are designed to provide workers with access to medical and allied health treatment and support with the aim of reducing the likelihood, severity and impact of injuries. These services may include medical, allied health services (such as physiotherapy), counselling or other psychological services. These programs can include access to preventative treatments or other services to improve general health and well-being if workers, or services to support a worker in the early stages of a work-related injury. These services may include medical, allied health services (such as physiotherapy), counselling or other psychological services. Positive early intervention or employee assistance programs have proven benefits for both workers and employers and can complement the operation of the workers' compensation scheme to prevent a work-related injury and in providing early treatment while a claim for compensation is being decided.

Under the law, an employer is not able to use these programs to replace or circumnavigate the workers' compensation scheme.



Reporting of injuries under the Workers' Compensation and Rehabilitation Act 2003 - a guide for employers

All employers are required to report injuries sustained by workers for which workers' compensation may be payable by their workers' compensation insurer.

You must report injuries:

- regardless of whether the worker makes a claim for workers' compensation; and
- even if you do not agree the injury is compensable.

Reporting the injury is not the same as making a claim for workers' compensation.

Your insurer will notify you if they receive an application for compensation from a worker for a related injury. Your insurer will decide if the workers' compensation claim is to be paid or rejected in accordance with the law.

Injuries must be reported?

You must report injuries to your insurer where:

- The worker sustains an **injury** (personal injury, disease, aggravation of a personal injury, or medical condition, loss of hearing or death); and
- You are **aware** of the injury; and
- The injury **may be compensable**. An injury may be compensable when you and/or a reasonably believes:

- The injury has **arisen out of, or in the course of employment**; and
- The injury will require medical treatment resulting in the issue of a **medical certificate** or will require the worker to have **time off work** (beyond the day of the injury) or time away from their **normal duties** to recover from the injury.

You should report the injury:

- In relation to the injury (e.g. whether the injury occurred at work or on or off work) and also report these concerns to your insurer.
- When making any payments made by you to or on behalf of the worker, or compensation for the injury. This includes payments:

- made off as a result of the injury; and
- not provided to the worker either by a medical or allied health provider, or funded through an early intervention program.

Form 133/133A - Employer reporting - injury that may be compensable (Reportable Injuries)

This is an approved form under sections 133 and 133A of the Workers' Compensation and Rehabilitation Act 2003.

EMPLOYER'S DECLARATION

All employers are required to report injuries sustained by workers for which workers' compensation may be payable.

Employers must report injuries where:

- A worker sustains an **injury** (personal injury, disease, aggravation of a personal injury, or medical condition, loss of hearing or death); and
- The injury **may be compensable**. An injury may be compensable when you and/or a reasonably believes:

- The injury has **arisen out of, or in the course of employment**; and
- The injury will require medical treatment resulting in the issue of a **medical certificate** or will require the worker to have **time off work** (beyond the day of the injury) or time away from their **normal duties** to recover from the injury.

The injury must be reported **immediately** and must be reported **within eight business days** of becoming aware of the injury, unless there is a reasonable excuse.

If a claim for workers' compensation is made, your insurer will advise the employer and decide if the claim for compensation is accepted or rejected.

If an injury, they should also advise the worker of his/her right to lodge an application for compensation. If a worker makes a claim for compensation, you must advise the employer and decide if the claim for compensation is accepted or rejected.

See the **Fact Sheet - Reporting of injuries under the Workers' Compensation and Rehabilitation Act 2003 - a guide for employers** on the WorkSafe website for more information.

of the event causing injury

by name

Name

Unspecified

causing injury

over a period

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Please read carefully and respond to OIR as early as possible



Thank You

Any Questions ?