

WORKERS COMPENSATION AND REHABILITATION STRATEGY

ACTU Congress September 1989

1. FUTURE STRATEGY

1.1 To work with Unions and State Branches to seek to achieve the greatest uniformity possible between the various Acts governing workers compensation. In particular to seek to ensure:

(i) the passage of legislation, which accords with ACTU policy, providing for improved workers compensation benefits and arrangements for seafarers;

(ii) equitable treatment by the Social Security system of people who are also recipients of workers compensation benefits;

(iii) the establishing of rehabilitation agreements, where appropriate with the assistance of State Branches, between employers and unions which provide for rehabilitation policies and procedures;

(iv) adequate provisions, including make up pay, are made in awards for employees who are on partial return to work and other rehabilitation programs.

1.2 Given the tendency towards cross-subsidisation of employers through workers compensation premiums as an element of industry policy, the ACTU, unions and State Branches should seek to ensure that savings from reduced premiums are channelled into improved occupational health and safety and/or rehabilitation programs. It may be necessary, in order to achieve this, to establish formal mechanisms such as a bonus and penalties scheme with revenue going to provide an industry fund which is dedicated to prevention and rehabilitation.

1.3 The potential to use skills analysis and revised job definitions being developed through award restructuring to assist in identifying suitable employment for injured workers and/or the need to modify jobs should be explored by Unions.

1.4 Given that not all injured workers can be returned to the employ of their pre-injury employer a priority should be to develop alternatives where the employer cannot legitimately find suitable employment for an injured worker. Such alternatives might include:

(i) collaboration between employers with the involvement of the Administering Agency and relevant unions to redeploy injured workers;

(ii) encouragement and financial support by the Federal and State Governments and single insurers of local employment initiatives targeted at injured workers;

(iii) the linking of injured workers into appropriate

labour market programs.

(iv) specific language and vocational training for injured non English speaking background workers.