

## Queensland Labor's Workers' Compensation Policy

May 2014

On 4 May 2014 Queensland Opposition Leader the Hon Anastacia Palaszczuk MP announced Labor's workers' compensation policy. If elected, Labor has pledged to restore Queensland's previous workers' compensation scheme and reinstate the rights of injured workers covered by the scheme to sue negligent employers if they are injured at work.

The Opposition Leader's media release announcing the policy is available [here](#).

### Liberal National Party changes to Workers' Compensation

On 17 October 2013 the Queensland Government made significant changes to the *Queensland Workers' Compensation and Rehabilitation Act 2003*. The legislation:

- replaced the concept of whole person impairment with the requirement that workers must now have a five per cent Degree of Permanent Impairment (DPI) arising from the injury in order to make a common law claim.
- amended the definition of 'injury' for psychiatric or psychological injuries under section 32 of the Act to require that employment be 'the major significant contributing factor to the injury'; and
- enabled employers to seek disclosures from prospective workers about prior conditions and injuries, and obtain their workers' compensation claims history.

The Government also replaced Q-Comp—an independent workers' compensation regulator—with its own 'Workers Compensation Regulator' within the Office of Fair and Safe Work Queensland.

### Labor's Worker's Compensation Policy

Queensland Labor has committed to restoring Queensland's workers' compensation scheme. The Opposition has pledged to:

- remove the 5 per cent Degree of Permanent Impairment threshold, and reinstate the common law rights that existed before the LNP's legislative changes;
- remove the requirement for workers to disclose their workers' compensation history to potential employers;



- introduce legislation for fire fighters who contract a scheduled respiratory disease so that they do not bear the burden of proving that it was contracted during their duties; and
- ensure rehabilitation and return to work are a priority for workers and employers.

If elected, Queensland Labor has committed to working with industrial organisations and the legal community to seek a swift and calm transfer to its proposed new system, with consideration of the rights of injured workers and the timing of workers' compensation payments.

#### **Further information**

Shadow Treasurer the Hon Curtis Pitt MP's speech against the LNP Government's changes to workers' compensation is available [here](#).

The Hawker Britton Occasional Paper on forthcoming elections is available [here](#).