

SAFETY, REHABILITATION AND COMPENSATION LEGISLATION AMENDMENT BILL 2014

856. Hon KATE DOUST to the Minister for Commerce:

My question is to the Minister for Commerce and I am sure somebody will answer it for him.

I refer to the commonwealth Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014 that was read into the Parliament of Australia on 19 March 2014.

- (1) Has WorkCover done or obtained any financial modelling on the likely claims impact of the proposed changes to incorporate “reasonable administrative action” as a defence to stress claims?
- (2) If yes to (1), will the minister table the modelling?
- (3) If no to (1), why is the change proposed?

Hon KEN BASTON replied:

I thank the honourable member for some notice of this question. I answer on behalf of the Minister for Commerce.

- (1) The question appears to confuse the Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014 with WorkCover WA’s “Review of the Workers’ Compensation and Injury Management Act 1981: Final Report”. I assume the honourable member is referring to recommendation 18 of WorkCover WA’s final report, which recommends that the definition of “injury” exclude psychological injuries—diseases—arising from “reasonable administrative action” taken by an employer in respect of a worker’s employment. If the question is in relation to WorkCover WA’s final report, the answer is no.
- (2) Not applicable.
- (3) The reasons for recommendation 18 are discussed in WorkCover WA’s final report. If the government approves the drafting of a bill, it is intended that the workers’ compensation scheme actuary will assess the bill for any potential cost impacts prior to final approval by the government and introduction to Parliament.