

Plans to change rights of terminally ill workers

The rights of terminally ill workers in Queensland would be wound back, according to outraged unions who have slammed the move as “unconscionable”.



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The rights of terminally ill workers would be wound back according to outraged unions who’ve urged the state government to abandon plans that would delay a sick Queenslanders from accessing a lump-sum compensation payment.

Just three years after removing the timeframe that restricted when workers, who receive a terminal diagnosis because of their job, could access the benefit, the government has proposed reinstating it to three years.

And it wants this new timeframe to retrospectively date back to January 2015 – meaning dying Queenslanders’ claims which haven’t been determined yet could be rendered useless.

The “unconscionable” and “regressive” move has been lambasted by unions, with the Queensland Council of Unions submitting that denying workers access to a lump-sum payment at the time of their diagnosis would leave them relying on the compensation system “unnecessarily for years”.

“This would have a serious impact on the worker’s financial and psychological well-being,” it wrote.

Industrial Relations Minister Grace Grace.

In 2019, Industrial Relations Minister Grace Grace introduced laws to strengthen Queensland’s workers compensation scheme, which included removing the two-year time frame in the Act which she described as a great step.

At the time, the Minister acknowledged that some workers who were diagnosed with a terminal illness from their job, such as dust lung diseases or silicosis, had a life expectancy greater than two years “which means they have been excluded from accessing this payment”.

The new changes to the *Workers Compensation and Rehabilitation Act 2003*, which were introduced to parliament in March, would mean that a dying Queenslander with a life expectancy greater than three years wouldn't be able to access the lump-sum payment until three years had passed.

The new timeframe would also retrospectively apply to injuries sustained on or after January 31, 2015, which unions and stakeholders have warned would impact workers who have ongoing claims.

The QCU submitted that it was “gravely concerned” about this.

“Changing eligibility mid-claim is not only unfair but in our view is unconscionable,” it wrote.

AMWU state secretary Rohan Webb.

Ms Grace on Friday said the government was committed to ensuring the workers' compensation system was fair, and that she was waiting for the parliamentary committee's report due later this month.

Australian Manufacturing Workers' Union state secretary Rohan Webb submitted that the amendments sought to “substantially wind back benefits for terminally ill workers”.

“Winding back the rights of terminally ill Queensland workers by reintroducing a three-year strict time limit is a retrograde step that will significantly disadvantage workers suffering from diseases such as silicosis, mesothelioma, asbestosis, ‘black lung’ and lung cancer,” he wrote.

“Reimposing an arbitrary time point at which that benefit is accessible will prove detrimental to the physical and psychological well-being of our members.”

Asbestos Disease Support Society's chair Phil Blair claimed that without a transitional arrangement for people who had ongoing claims, the government was “effectively breaching its duty to ensure ‘injured workers are treated fairly by insurers’”.