

**Opening Statement to the
Senate Environment, Communications and the Arts
References Committee Inquiry into
the treatment of injured and ill workers at Australia Post**

**Communications, Electrical and Plumbing Union
Nation President and Divisional Secretary
Ed Husic**

**** check against delivery ****

On behalf of the members of the Communications, Electrical and Plumbing Union, we would like to thank the Committee for taking the time to investigate an incredibly important issue for ordinary workers at Australia Post.

My name is Ed Husic, National President of the CEPU – and Divisional Secretary of the union’s Communications Division.

Joining me are State Secretaries from NSW and Victoria, Jim Metcher and Joan Doyle. Jim and Joan can relate to you case studies the situations confronting our members and the legal hurdles they must overcome to obtain support and redress.

Also present is Slater and Gordon’s National Practice Group Leader on workers compensation, Rachael James.

I would like to make special mention of two important people that are also joining us today: Trevor Crawford and Paul Lucignani.

They both work for Australia Post.

And they are here to let you know what it is like to go through the experience of being injured at Australia Post.

By now you would have read Australia Post's submission to the Inquiry.

They would have also rolled out their in-depth presentation.

Australia Post's approach to injury management stands behind an impressive edifice.

It's comprised of a raft of OHS policies, buttressed by corporate governance approaches, reinforced by earnest claims about best practice, professed commitment to Australian Standards, and deferring to reams of international and local research.

But we just ask this Inquiry to cut through all of that jargon and verbage – to expose the cornerstones to the edifice.

This structure is built on self-interest; pressure and compulsion binds its parts altogether.

Put simply: Australia Post wants to cut its Lost Time Injury stats.

- It gives its managers an incentive to cut these stats through financial reward.
- It gives a lucrative, secret contract to InjuryNet – a company that, with almost a nod and a wink says it possesses (QUOTE) an, “awareness of the financial impact of medical decisions on organisations and injured employees.”
- In return, InjuryNet gives Post a network of company doctors (Facility Nominated Doctors) that more than nine times out of ten sends injured workers back to work.

- This aids Post in sidestepping workers compensation costs by in many cases shifting workers onto sick leave – paid at a lower rate because there’s no need to factor in penalty rates and lost overtime
- To make sure that injured workers get funneled through the doors of InjuryNet doctors, Australia Post has pulled a lever that no other company in Australia can: abusing a legislative privilege that helps compel workers to visit the company doctors.
- And in the end, as a self-insurer, when the stats come down, so do the premiums and costs for Post.

Australia Post were told by the AIRC in 2006 that their approach to the management of injured workers was unlawful.

So they set up a parallel regime using an old provision in their enabling legislation.

That’s what upsets us the most - Australia Post has used its own law to put itself outside of the laws made by this Parliament.

Comcare can’t do anything about it. They’ve admitted as much.

The Australian Industrial Relations Commission couldn’t do much about this either.

But this Committee has the power to make a change.

It can ensure that Australia Post follows the law like everyone else – by recommending to the Government that it end Post’s abuse of s.89 of the Australian Postal Corporation Act.

You can't get rid of self-interest. But you can end the compulsion built into the system through Clause 10 of the Principal Determination. It's that simple.

Of course Post would have you believe there is no need for that – hence the barrage of references to research, policies and best practice –

the type of best practice that sees managers defy the logic that you can't get someone back to work with a broken collar bone

... or the best practice that sees a return to work decision defining alternate duties as getting an injured worker back to work simply to sit in a lunch room.

Post managers who don't move within the work environments that confront our members daily – for example, reversing cars knocking workers off motorbikes; box cutters slicing open their hands (requiring stitching); mail officers slipping down metal gangways – these managers will try to assure you that “we're only talking about a few people here”.

That the system overall “works very well”.

Their views would no doubt change with personal experience, if they experienced an accident and were told by an FND that they could go back to work with a twisted ankle that later turns out to be a fractured foot.

Behind the numbers are real people, Senators. And those real people hope you will make a real difference with this Inquiry.

We're happy to answer any questions, if it pleases the committee.