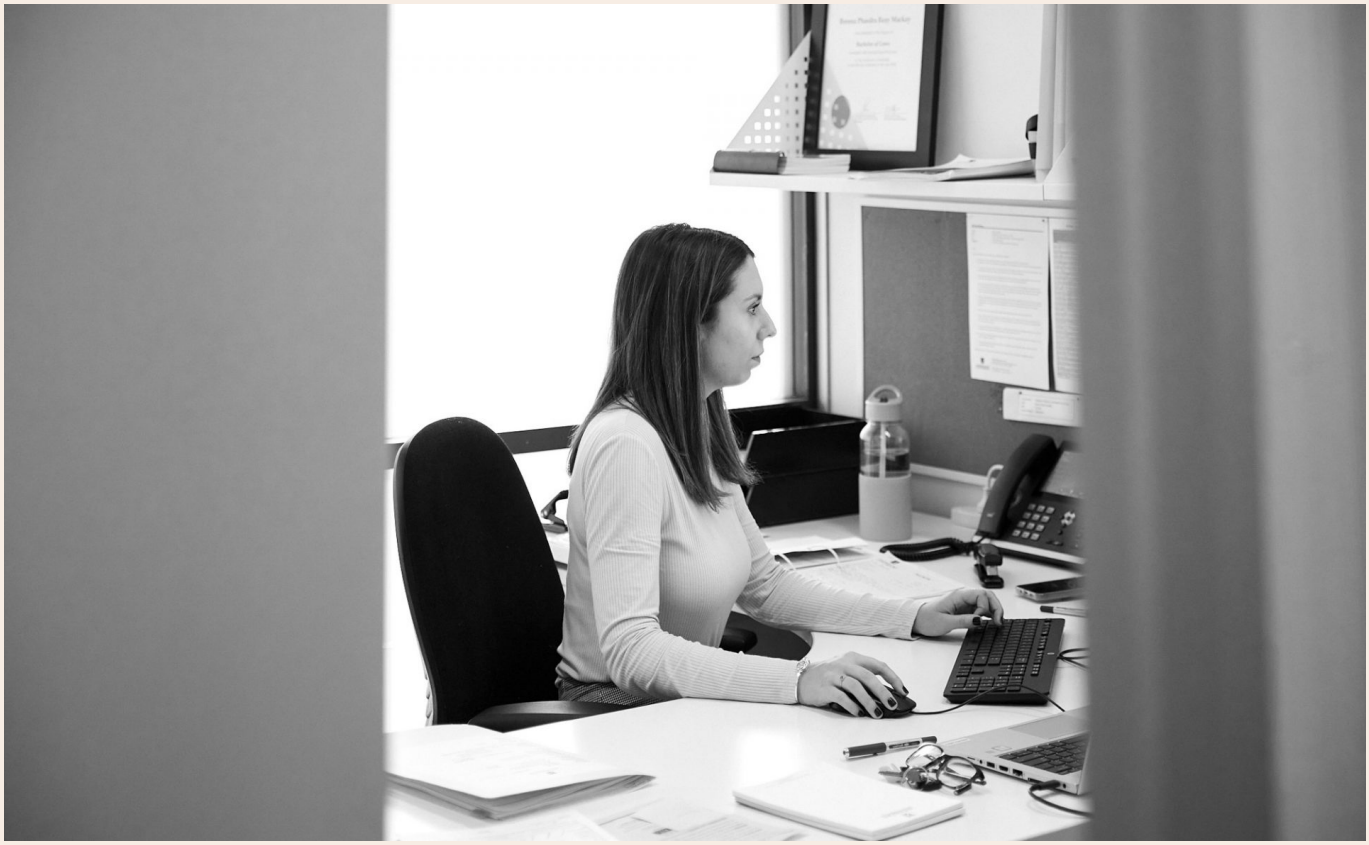


Lawyers ask for careful consideration of amendments to workers compensation bill

We recently advised that the South Australian government had introduced a Bill that would make significant changes to the way injured workers with more than one injury would have their permanent impairment calculated. We were very concerned that if passed, this Bill would significantly reduce many **injured workers entitlements to compensation.**

After a lot of pressure from various groups, the government has now withdrawn this Bill and introduced a new Bill before Parliament. In doing so, the State Government agreed to:-

- Allow the current interpretation to remain whereby workers can have their percentage assessments for permanent impairment combined if the injuries are connected in some way.
- Withdraw the amendments to the Impairment Assessment Guidelines that were passed last year.
- Allow for redemptions to be offered to seriously injured workers.
- Raise the percentage impairment of a significantly injured worker for physical injuries from

30% WPI to 35% WPI.

We have a number of concerns about the Bill. In particular, the date that the changes will apply from has not been stated. We are concerned that many workers who may currently meet the threshold to qualify as a seriously injured worker, will not have time to have their final assessment before the threshold changes. As the bill is currently drafted, this would mean that they would have to meet the higher 35% WPI threshold.

We are also concerned that the Bill does not make it clear that workers with more than one injury can have their percentage assessments for permanent impairment combined if the injuries are connected in some way. This was what the State Government promised would be in this new Bill and we believe it needs to be made very clear.

We also believe that the Impairment Assessment Guidelines that were made last year need to be revoked immediately, so that this important part of the agreement by the State Government is not overlooked.

There are a number of other problems with the Bill and very little time has been allowed before Members of Parliament will be asked to vote on the proposed changes to this complex area of the law.

Watch this space for further updates about the potential impact of these changes.

You can read the latest media release from Australian Lawyers Alliance (ALA) about these changes here.

If you have any questions about the proposed changes to the Return to Work Act and how it might affect your claim you can contact the **Andersons Workers Compensation team.**

> A proposal to make a fundamental change to the SA Return to Work Act, which will affect thousands of workers and their entitlements, is being snuck into Parliament without necessary consultation, says the Australian Lawyers Alliance (ALA).

The information in this article is general in nature and was accurate at the time of publication. Laws and circumstances can change. For advice specific to your situation, please seek professional legal advice.