

The 13th Annual
National Workers' Compensation Summit 2012

Monday 20th & Tuesday 21st February 2012, Hilton On The Park, Melbourne

Taking a proactive approach to workers' compensation

DAY ONE: MONDAY 20th FEBRUARY 2012

8.00 Registration and refreshments

8.30 Speed networking session

8.45 Opening remarks from the Chair

9.00 Harmonisation of WHS legislation - Essentials

- An update on harmonisation status - Acts, regulations, codes of practice
- The new laws - Staggered starting dates - Why you need to be on top of them irrespective of where your business is based
- The accountability of individuals - Workers, managers, officers (including due diligence obligations)
- Common misconceptions about the fundamental duty of what “reasonably practicable” requires
- Issues in worker representation and the broader “vertical” and new “horizontal” consultation duties
- Transitional issues and getting it all in place in your business

Graham Dent, Principal, **Dent Consulting & Legal**

9.30 An assessment of various jurisdictional schemes of workers compensation in Australia

This presentation will trace the winding back of workers' compensation entitlements in Australia from the latter part of the 1980s through to the present. It will:

- Focus on weekly payments, common law and average premium rates
- Trace the major changes in all six Australian states
- Outline the main factors involved in the wind-back process
- Highlight lessons that can be learnt

Dr Kevin Purse, Senior Research Fellow, **University of South Australia**

10.00 Nuts & bolts of the claims review process – A collaboration between insurers & employers

- Importance of setting effective service standards in partnership with your insurer so that the claims management process and expectations are set
- Traditionally claims reviews vs adapted claims review approach - Case management reviews and financial claims reviews
- Benefits for both employers & insurers to have more rigor around understanding the severity and impact of an injury to all involved parties
- What meaningful reports are available to employers
- Who should attend claims reviews? What level of management should attend? What value is in it for attendees?
- What has this adapted claims review experience shown us?

Kelly Richards, Group Case Manager, **Employers Mutual** & Allan Kidson, Workers Compensation Claims Manager, **Essential Energy**

10.30 Morning tea

10.45 **Panel discussion** – Assessing the pros and cons of self insurance

Panelists

Bill Nevin, Manager, Xtracare Workers' Compensation Unit, **Xstrata**
John Walsh, Managing Partner, **Donaldson Walsh Lawyers**

11.15 **Self insurance and its role in workers' compensation schemes**

- The relationship between self insurance and workers' compensation schemes – Why self insurance is not a threat and helps stabilise scheme risk
- Self insurance as a self-actuated driver of improved WHS and RTW performance – A case study
- From the bench – One judge's view of self insurance
- From the database – A comparison of self insurance with scheme performance
- Addressing the difficulties around the applications for and approval of self insurance licences
- At the crossroads - The statutory and regulatory future of self insurance in Australia and statutory alternatives – Retro-paid and self-managed schemes, specialist insurers and the NZ model

Robin Shaw, Manager, **Self Insurers of South Australia Inc**, Chair, **National Council of Self Insurers Inc**

11.45 **Avoiding the "lottery" approach to claims investigation**

- Why are WorkCover claims investigations often seen as a lottery by insurers and lawyers?
- How has this situation come about?
- Is there an alternative approach that can deliver better and more effective outcomes?

Vince Scopelliti, Managing Director, **LKA Group**

12.15 **Networking lunch**

1.15 **Workers' Compensation – Manoeuvring through the legal maze**

- Work injury claims - Legal aspects and effective communication
- Reviewing the criteria used to determine the nature and extent of disability claims
- Assessing the compensability of various common occupational injuries, diseases, and claims
- Dealing with both the employer and the employee's actions, rights and responsibilities and strengthening their relationship with one another via effective communication
- Stress claims, control legal dealing with workers comp costs
- Addressing dispute resolution: Looking at the psychology of what works/what doesn't work, legal frameworks
- Innovative ways of tailoring workers' compensation systems to the needs of specific demographic and social environments
- The argument for self insurance

John Walsh, Managing Partner, **Donaldson Walsh Lawyers**

1.45 **Panel discussion** – Why psychological claims are on the rise and what can be done to reduce them?

- Addressing the key contributing factors of psychological claims
- The importance of improving organisational performance by building emotional resilience in the workplace
- Dealing with emotional reliance and preventing them from turning into workers' compensation claims

Panelists

Dr Peter Cotton, Director of Psychology Services, **Medibank Health Solutions**
 Katrina Kelso, Client Services Manager, **IMR**
 Stephen Carey, Chief Commissioner, **Workers Rehabilitation and Compensation Tribunal**
 Kieran Milne, Managing Director, **G4S Compliance & Investigations Pty Ltd**
 Derrick McManus, Inspirational Speaker, Educator, Sergeant, **SA Police**

2.15 International keynote - Building a safe and healthy work culture through participatory ergonomics

- Identify the critical factors necessary to launch a proactive, collaborative ergonomics process in the workplace that addresses workplace hazards and risks
- Recognising the value of participatory ergonomics, macro ergonomics and quality to drive cultural change in how organisations manage health and safety
- Identifying key strategies that foster excellence and innovation in work injury prevention and management
- Showing how Worksite International, Inc. ergonomics process model through a significant three year case study of the county of Monterey, empowers employers and employees to take ownership for their own safety and health while dramatically preventing injury claims and costs resulting in significant return on investment

Alison Heller-Ono, President & CEO, **Worksite International Inc – Monterey, CA - USA**

2.45 Reinventing case management – A first-hand perspective

- Through his own devastating 5 year episode of depression and dealing with multiple intermediaries whilst receiving income protection insurance, Graeme shares some strong views in achieving better social and financial outcomes for the employee, employer and the insurer
- His research shows that most vulnerable employees believe organisations don't have sound practices in place to stop little problems turning into big ones
- What relevant parties need to change to avoid paying heavily in these tumultuous times

Graeme Cowan, Author, International Speaker, Consultant, Director, **RUOK? Day**

3.15 Afternoon tea

STREAM A SELF INSURANCE	STREAM B CLAIMS MANAGEMENT	STREAM C PSYCHOLOGICAL INJURY MANAGEMENT
<p>3.30 <u>Self insurance vs. employer based injury management</u></p> <ul style="list-style-type: none"> • Deciphering whether self insurance really is the best approach • Finding a consistent philosophical approach • A practical guide to employer based injury management <p>Bill Nevin, Manager, Xtracare Workers' Compensation Unit, Xstrata</p>	<p>LKA GROUP</p> <p>3.30 <u>Group training organisations: Apprentices & the host employer</u></p> <ul style="list-style-type: none"> • Injury management & early intervention strategies - Reducing the severity of claims in recent years for HIA Apprentices • Risk minimisation – The other side of the early intervention equation • Positive attitude: A team approach in the return to work 	<p>3.30 CASE STUDY <u>How the Department of Veterans' Affairs deals with the complexities of mental health rehabilitation</u></p> <ul style="list-style-type: none"> • The rehabilitation philosophy and processes within DVA • Relationships with Defence • Some case studies on how DVA seeks quality measurable outcomes • The services and support

<p>4.00</p> <p><u>Self insurance initiatives</u></p> <ul style="list-style-type: none"> Addressing the difficulties around the applications and approval for self insurance licences Future directions - Barriers and concerns Outsourcing of claims management - The Implications for quality and performance <p>Denise Fishlock, Manager, Workers Compensation, Asciano Ltd</p> <p>4.30</p> <p><u>Assessing whether self-insurance is the right option for you?</u></p> <ul style="list-style-type: none"> Assessing the impact of self-insurance within your organisation: Organisational capacity and capability Identifying key elements including benefits to the bottom line, transition costs and change management Measuring the implications for OHS programme - Changes to accountability, design and management Gauging risk and risk tolerance: Pricing, experience and catastrophe 	<p>process - Finding suitable host employers for the injured worker by focusing on what they can do, rather than what they can't</p> <p>Rick Little, National OH&S Manager, HIA Apprentices, Housing Industry Association</p> <p>4.00</p> <p><u>Keynote - Restructuring claims processes – How to decrease the number of touchpoints</u></p> <ul style="list-style-type: none"> Why too many people in the claims process slows down the claims cycle. Streamlining processes to facilitate prompt decisions and turnarounds Evaluating the function and importance of each touchpoint and identifying points of redundancy Maximising touchpoints that are relevant to success to reduce cycle times and increase efficiency Improving performance by developing a systematic management Strengthening customer relationship by maximising the potential of every touchpoint <p>Dean Stone, President, Safety Rehabilitation and Compensation Licensees Association Inc & Manager, Workers Compensation and Governance, NAB, Advisory Board Member, Self Funding Employer Association (Self Funding employers of the USA)</p> <p>4.30</p> <p><u>Managing claims processes to meet wider business objectives</u></p> <ul style="list-style-type: none"> Observing the importance of improving and optimising processes to meet rising claims cost and customer expectation Turning data into business intelligence Understanding business requirements to refine, apply and optimise processes 	<p>available for assisting injured or ill DVA clients participating in rehabilitation</p> <p>Mike Armitage, Director Communication & External Liaison Rehabilitation & Entitlements Policy Group, Department of veterans' affairs</p> <p>4.00</p> <p><u>Improving the outcomes of work-related psychological injury</u></p> <ul style="list-style-type: none"> Unravelling the reasons for the differences in outcomes, and briefly reviewing a decade of prevention, early intervention and treatment interventions - and consider what has been learned Assessing different types of psychological injury and how they can be triaged to different intervention streams <p>Dr Peter Cotton, Director of Psychology Services, Medibank Health Solutions</p> <p>4.30</p> <p><u>Reducing stress claims via specialised performance management</u></p> <ul style="list-style-type: none"> Identifying key sources of stress within the working environment to create employee satisfaction Closing the communication gap between workers to encourage a productive working environment Re-evaluating performance management programmes to ensure early detection of stress within the workplace <p>Stephen Carey, Chief Commissioner, Workers Rehabilitation and Compensation Tribunal</p>
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	<ul style="list-style-type: none"> Assessing innovative ways to make the claims function cost-effective, competitive and customer-friendly 	
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5.15 Networking drinks

6.30 The National Workers' Compensation Summit Gala Dinner – Bottega Restaurant

10.00 End of Day One

DAY TWO: TUESDAY 21st FEBRUARY 2012

8.00 Refreshments

8.30 Speed networking session

8.45 Opening remarks from the Chair: Craig Bosworth, GM of Strategy, **healthdirect Australia**

9.00 The role of a medical practitioner in workers' compensation process

- Motivating medical personnel to engage in system improvement
- Effectively engaging with healthcare professionals to improve the claims process and health outcomes for injured workers
- Medical practitioners and insurers working together in encouraging workers to return to work sooner
- Managing evident and non evidentiary claims eg. Unseen injury that takes place at work
- Educating Nominated Treating Doctors (NTDs) and medical practitioners in making informed decisions based on employee's work description to assess alternative work options and to understand the rehab process, where effective communication between workers, medical practitioners and insurers is crucial

Dr Gary Speck, **The Australian Medical Association Victoria Ltd**

9.30 International keynote - The linkages between occupational safety and health and workers' compensation in the US: Perspective from OSHA

- Health and safety and workers' compensation go together. WC should not only finance medical care and lost wages for injured workers, but also be an incentive for prevention
- Workers' compensation data is useful in targeting inspections
- Collaboration between OSHA and WC is limited. No minimum federal standards assure full coverage, adequate benefits, or provision of medical care
- Significant occupational injuries costs are not covered by workers' compensation; taxpayer funded benefit programs and injured workers subsidize unsafe workplaces

- OSHA now identifies the insurers of employers penalized for not abating egregious hazards. Insurers should help employers understand and follow rules and good practices

Dr David Michaels, Assistant Secretary of Labor, **Occupational Safety and Health Administration – OSHA, Department of Labor, Washington DC, USA**

10.00 Pre-employment medical assessments: A good investment or a rubber stamp?

- Where's the value in a pre-employment medical?
- Is a pre-employment medical just a rubber stamp? How can you tell?
- What questions can a pre-employment answer? What can't be answered?
- Are functional capacity tests relevant in the pre-employment setting?
- The inclusion of a drug and alcohol test as part of a pre-employment medical to ensure levels or tolerances and what is deemed as acceptable by the employer

Dr David Milecki, Medical Director, **InjuryNET Australia**

10.30 Morning tea

10.45 Managing a Mature Workforce: The Investment and Returns for Business

- "In the next decade workers aged 15 - 44 years will account for only 15% of labour market growth", Ref: Australian Industry Group
- Does your organisation have a blind spot in the management of your workforce?
- Find out how and why other organisations are preparing for their future workforce and what they are doing to recruit, retain and manage mature workers

Wayne Bishop, Director, **Activetics**

11.15 The ageing workforce and its impact on workers' compensation

- Examining the key drivers of workers' compensation claims costs according to age
- How organisations can treat an ageing population and an increasing national retirement age as an opportunity by implementing the work ability concept – Real time early intervention
- How self managing workers' compensation can lead to bottom line savings through decreased premium costs, reinvested into managing a mature workforce ensuring workers' compensation costs remain low and staff welfare remains high

Paul Marsh, Principal, **P2 Group**

11.45 Panel discussion – Are work health & safety and workers' compensation part of a single cycle?

- How should work health & safety and workers' compensation interact at the enterprise level?
- Can safer work environments improve RTW rates for injured workers?
- Addressing psychological injury in the workplace – Is 'compensability' the hidden problem?
- Can leadership really assist in reducing workplace injury?

Panelists:

Graham Dent, Principal, **Dent Consulting & Legal**
Robin Shaw, Manager, **Self Insurers of South Australia Inc**, Chair, **National Council of Self Insurers Inc**
Rosemary McKenzie-Ferguson, Founder, Work Injured Resource Connection, “**Bags of Love**” emergency food project, **Advantage SA Community Leader 2011**
Derrick McManus, Inspirational Speaker, Educator, Sergeant, **SA Police**
Tony Stante, Alliance Project Manager, **Ballina Bypass Alliance**
Jarrod Moran, Senior OHS/Workers Compensation Officer, **ACTU**

12.30 Networking lunch

1.30 Challenging safety issues of synthetic drugs in the workplace

- Why synthetic-cannabis products should be avoided -Whilst they do not contain the main psychoactive compound of regular cannabis (THC), they can be much stronger, creating impairments, including slowed reflexes, hallucinations, anxiety and depression
- Synthetic drugs in the workplace specifically the mining industries
- Encouraging employers in taking steps to address the possible use of synthetic drugs, given the potential workplace safety risks arising from synthetic drugs, particularly in high-risk industries such as mining
- Reviewing current drug and alcohol requirements regardless of regulatory requirements and make any necessary changes in consultation with workers and OHS representatives
- Raising awareness of the risks associated with legal drug use with their workforce in order to challenge the perception employees may have that because it is legal, it is not harmful or dangerous

Dan Trindade, Partner, **Clayton Utz**

2.00 Disability employment

- What are the benefits of increasing the employment opportunities for people with disability?
- What assistance is available to employers to employ people with disability (including workplace modifications, wage subsidies, specialist employment services)?
- What else could be done to enable more people with disability to work?

Ken Baker, Chief Executive, **National Disability Services**

2.30 CASE STUDY-Rhys Baxter - Seeing through the eyes of an injured worker

- The moment of a life-changing spinal injury - How the split second decisions of our actions can leave such a huge impact on not only our own lives, but the lives of everyone you know, friends, family, colleagues, and even people you don't know personally in your community
- The loss of independence and how the struggle to build that independence back up, gives someone a huge appreciation for what they have lost
- Learning to live again after injury - What is learnt the hard way and what is crucial to getting back on track and back to work

Peter Perry, CEO & Rhys Baxter, Ambassador, **Spinal Cord Injuries Australia**

3.00 Afternoon tea

STREAM A WHS& WELFARE	STREAM B PHYSICAL INJURY MANAGEMENT	STREAM C REHABILITATION & RETURN TO WORK
<p>3.15</p> <p>CASE STUDY</p> <p><u>The Ballina Bypass Alliance team- Delivering on safety excellence in a challenging environment</u></p> <p>Building a strong safety culture through award winning systems:</p> <ul style="list-style-type: none"> • Applying consistent leadership practices at all levels on the team • Delivering effective training and mentoring through a coordinated targeted program • Maintaining a “one team” focus through a robust safety communication plan • Striving for continuous improvement supported by a high performance culture • Gaining and utilising the best knowledge available through constant collaboration with all stakeholders • Encouraging a “can do” attitude promoting the application of safety innovation coming especially from the coal face <p>The team’s industry leading efforts culminated in the award of the 2011 Safe Work Australia national award for “Best Workplace Health and Safety System”</p> <p>Tony Stante, Alliance Project Manager, Ballina Bypass Alliance</p>	<p>3.15</p> <p><u>Chronic pain management: Managing epidemic</u></p> <ul style="list-style-type: none"> • This presentation is about a particular and novel kind of therapeutic education where patients are taught neuroscience in order to facilitate critical conceptual changes in chronic pain and disability management. For example, that pain no longer equates to damage but is more related to perceptions of damage which include an array of identifiable threats <p>3.45</p> <p>CASE STUDY</p> <p><u>Return to work: Focussing on the big picture</u></p> <ul style="list-style-type: none"> • Early intervention - The first positive step on the road to recovery • Positive relationships and how they assist with successful return to work • How psychological and social issues impact on the physical injury • Employee health initiatives at Eldercare <p>Christine Pelvin, Injury and Claims Consultant, Eldercare</p> <p>4.15</p> <p>CASE STUDY</p> <p><u>What it takes to make a difference in injury management</u></p>	<p>3.15</p> <p><u>Return-to-work or stay-at-work</u></p> <ul style="list-style-type: none"> • Addressing the disconnect from work • Observing the effects of immediate intervention- Collaborative efforts to reducing the risk of lost time injury severity rate and fast-track RTW outcomes • Addressing potential hurdles that impact the RTW process <p>Nikki Brouwers, President, Australian Rehab Provider Association NSW</p> <p>3.45</p> <p>CASE STUDY</p> <p><u>Six weeks!</u></p> <ul style="list-style-type: none"> • The history of Work Injured Resource Connection Inc • What the wider industry need to learn just from listening and taking on board the lessons of injured workers • What industry training does NOT offer providers to be able to understand just what injured workers face as well as what can be put in place to help industry providers understand on an empathic level for a better outcome for all concerned • “Bags of Love” emergency food project: The psychological impact of not having enough quality food to eat as opposed to the hope and the positive outlook after gaining a “Bags of Love” emergency food hamper <p>Rosemary McKenzie-Ferguson Founder, Work Injured Resource Connection, “Bags of Love” emergency food project, Advantage SA Community Leader 2011</p>

<p>3.45</p> <p><u>The Victorian Experience - Safety, service, sustainability</u></p> <ul style="list-style-type: none"> • An overview of Victoria's safety statistics • How and why WorkSafe measure service and sustainability • WorkSafe 2012 and beyond - What next for health and safety prevention and support and service to injured worker <p>Ian Forsyth - Deputy Chief Executive, Executive Director Health and Safety, WorkSafe Victoria WorkSafe Victoria</p> <p>4.15</p> <p><u>Harnessing a cutting edge health and safety culture</u></p> <ul style="list-style-type: none"> • How the new Health Foundation will play an integral role in improving health and wellbeing of staff, enabling them to lead a long productive and balanced life 	<ul style="list-style-type: none"> • It's all about communication-communicate early and communicate regularly • I hear you-Taking the time to listen • More than words-Taking the time to notice the other signals • It's like being an orchestra conductor-Managing all the players • Being brave-Sometimes you have to try something different <p>Joanne Rielly, Case and Injury Manager Courts Administration Authority</p>	<p>4.15</p> <p><u>CASE STUDY</u></p> <p><u>From injured to inspirational – Shot 14 times with a high-powered rifle ... and still laughing</u></p> <p>A gripping insight into:</p> <ul style="list-style-type: none"> • How psychological contingency planning saves lives, aids recovery, accelerates rehabilitation and reduces claims • There's a massive difference between injury, disablement and disability • Living example of the “can do” attitude, innovative problem solving and how you create it • Five drivers for building confidence, courage and capacity in your workforce • Six simple steps to increasing the resilience of your workers <p>Derrick McManus, Inspirational Speaker, Educator, Sergeant, SA Police</p>
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4.45 End of Day Two

DAY THREE: WEDNESDAY 22nd FEBRUARY 2012

Post Conference Workshops

- 8.30 Registration and refreshments**
- 9.00 Workshop A commences**
- 11.30 Morning refreshments**
- 12.30 Close of workshop and lunch**

WORKSHOP A

Moving from reacting to workers' compensation claims to real time early intervention when managing musculoskeletal and psychological injuries

- Addressing the mental and physical barriers during the return to work process
- Prevention is better than cure: Strategies to thwart psychological and stress related claims
- Pinpointing the early warning signs of stress within the working environment
- The challenge of making managers into leaders - The importance of decentralising the responsibility
- Identifying the real and perceived barriers to recovery, addressing and eliminating them
- Removing or reducing the psychological impact of injury
- Creating a culture that ensures the employee is engaged as part of your organization, despite suffering an injury
- Harnessing injured employees expectations and motivations to overcome injury
- Using the Work Ability model to measure health and wellbeing and manage an ageing workforce

Facilitators: Suzie Hansen, Occupational Therapist/Mental Health Clinician & Paul Marsh, Principal – P2 Group

- 1.30 Registration and refreshments**
- 2.00 Workshop B commences**
- 4.00 Afternoon refreshments**
- 5.30 Close of workshop**

WORKSHOP B

“Prevention of long term cases by implementing a strategic risk management approach and maintaining open communications with all parties involved in the RTW process”

- Understanding work related stress or physical injury and its impact on injured worker
- Manager more than just a person who directs the business and people – manager’s role in prevention of long term disability and successful RTW process. How to empower managers to successfully manage RTW and prevent long term claims
- Awareness of injured worker’s psychosocial functioning and influencing techniques
- Develop a productive relationship with clinical providers and open communication channels with all parties
- Understanding risk management approach and developing effective case management plans

Facilitator – Dr Natasha Kiso, Health & Injury Management Consultancy