

Transfer of Workers Compensation coverage to Cleanaway Operations Pty Ltd Self Insurance Program

Frequently Asked Questions

Background:

Cleanaway currently holds a self-insurance license for workers compensation under the *Safety Rehabilitation and Compensation Act 1988* (the 'SRC Act'). Cleanaway has been self-insured since 2008. Several other large Australian companies, similarly, are self-insure under the SRC Act, including Linfox, Australia Post, Optus, Telstra, John Holland, Virgin Australia and Border Express.

What's changing?

As at completion date (that's the date your employment with Cleanaway starts), employees of SUEZ will be transitioning under Cleanaway's self-insurance license and will be covered for workers compensation under the *Safety Rehabilitation and Compensation Act 1988* (the 'SRC Act') via the Comcare Scheme. Safety will be covered under the *Work Health and Safety Act 2011* (WHS Act) with Comcare as the Regulator under the WHS Act. QBE Insurance (Australia) Limited (QBE) manage Workers Compensation claims on behalf of Cleanaway and has been doing so since 30 September 2019.

What is the Comcare Scheme?

The Comcare scheme is a national scheme and provides a nationally consistent approach to the management of workers' compensation and occupational health, safety and welfare of all participant employees. The Comcare scheme (the scheme) provides scheme participants with a consistent safety, rehabilitation and compensation system, no matter what Australian state or territory an employer operates in or where its employees are located.

The scheme includes a regulatory component that seeks enhanced prevention, return to work and compliance outcomes.

The rehabilitation and compensation components of the Comcare scheme are characterized by:

- a) a 'no fault' scheme, with limited access to common law.
- b) an integrated and cost-effective approach to injury prevention, occupational rehabilitation, and workers' compensation.
- c) employer responsibility for the occupational rehabilitation and return to work of injured employees.
- d) Comcare approval of rehabilitation program providers.
- e) a comprehensive benefit structure with an entitlement to compensation payments for 45 weeks at 100 per cent of normal weekly earnings, and between 75 per cent and 100 per cent thereafter, until age 67 (or for up to 104 weeks if the injury occurs after age 65);
- f) coverage of allowable medical, rehabilitation and related costs associated with the treatment of work-related injury and diseases; and
- g) lump sum payments for permanent impairment or death due to work related injury or disease.

The philosophy underpinning the Comcare scheme regime of benefits is one of providing ongoing income support to injured employees, if required.

The range of benefits under the Comcare scheme is comparable with the range of benefits available under any other State based Workers Compensation scheme.

What does this change mean for the employees of SUEZ?

All employees of SUEZ transitioning to Cleanaway Operations Pty Ltd will be covered under the Comcare Scheme from the completion date. Any new claims lodged after the completion date (with a date of injury on or after the completion date) will be managed under the Comcare scheme. Rehabilitation and RTW support will continue, as it is currently, with rehabilitation support and the provision of meaningful suitable duties through the period of recovery to a return to pre-injury duties.

There is a specific claim form that relates to the Comcare scheme with copies available through a link on the Cleanaway portal which will be available once employment commences with Cleanaway.

Any contractors, agency labor staff will continue to retain their Workers Compensation entitlements / arrangements under their employer's insurance arrangements within the State schemes and not Comcare.

What does this mean for the employees of SUEZ who sustain an injury before the completion date?

Your claim will be lodged under the NSW State scheme and current policies will apply (i.e. no change to current process) and your claim will be managed by the NSW State claims provider (Allianz / iCare) with business support, as cases are currently.

What does this mean for the employees of SUEZ with a current claim?

There will be no impact on current claims in terms of any claims related activities. Your claim will continue to be managed by your current claims provider (Allianz / iCare) with business support as it is currently.

What does this mean for the employees of SUEZ with a previous claim?

There will be no impact.

What does this change mean for employees of Cleanaway?

There will be no change to current claims or rehabilitation processes.

Where can I get more information on the Comcare Scheme?

There are several sources of information in relation to Comcare as follows:

Comcare website- <https://www.comcare.gov.au/>

Cleanaway Portal- Employee Handbook- To gain access to documents/information relating to Workers Compensation after the completion date please go to the following link

<https://cleanaway.sharepoint.com/sites/portal/Controlled Documents/Controlled Documents/Comcare Rehabilitation and Injury Management Employee Handbook.pdf>

What if I have any further questions or want to provide feedback?

Should you have any questions or feedback in relation to the application being made to the Safety, Rehabilitation and Compensation Commission, please provide feedback via the e-mail address andrew.mosca@cleanaway.com.au by 1st December 2021.