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**RE: Workers Compensation and Injury Management Act 2023 (WCIMA23) Implementation Review Consultation Paper (January 2025)**

**1. Introduction**

Adbri welcomes the opportunity to provide feedback on the Workers Compensation and Injury Management Act 2023 (WCIMA23) Implementation Review Consultation Paper (January 2025). As a self-insured employer operating under the Western Australian workers compensation scheme, we are committed to ensuring a fair, efficient, and compliant claims management process while balancing the needs of our injured workers and business operations.

We generally support the proposed refinements but provide the following feedback regarding efficiency, administrative clarity, and fairness in implementation.

**Submission**

**2.0 Settlement Agreement Approved Form (SF1 Form)**

Support:

Removing references to compensation to avoid disputes.  
Ensuring compensation payments do not cease before registration to prevent worker hardship.

Concerns:

Delays in registration due to administrative errors must be addressed to prevent extended financial liability for employers. WorkCover WA should consider fast-tracking minor form corrections to prevent unnecessary delays.

Recommendation:

Implement a clear service standard for settlement registration turnaround times to prevent avoidable delays.

## **2.2 Permanent Impairment Agreements (SF3 & SF4 Forms)**

### Support:

Adding checkboxes to clarify employer agreement or disagreement.

### Concerns:

The two-step process for impairment agreement is inefficient and causes delays.

Consideration should be given to allowing impairment agreement within the settlement application instead of requiring a separate process.

### Recommendation:

Amend the Act to allow impairment agreement as part of settlement registration, rather than requiring a separate PI Notice process.

## **2.3 Permanent Impairment Assessment by APIA (APIA Forms)**

### Support:

Clarifying that the date of assessment is when the APIA signs the report, not the date of examination.

Requiring APIAs to confirm that special assessment criteria are met before proceeding.

### Concerns:

Some assessments are delayed unnecessarily, impacting claim resolution and cost containment.

### Recommendation:

Set clear timeframes for APIAs to finalise reports after an examination to ensure timely claim processing.

## **2.4 Intention to Reduce or Stop Income Compensation Return to Work (CN2 Form)**

### Support:

Including a statement of wages paid to the worker.

Requiring a declaration verifying that the worker has actually returned to work before ceasing payments.

### Concerns:

Employers should not be burdened with additional administrative hurdles in verifying external employment.

### Recommendation:

Clarify that third-party employment verification (e.g., via workers' payslips or employer confirmation) is sufficient rather than requiring additional documentation.

## **2.5 Custody or Imprisonment Notice (CN6 Form)**

**Support:**

WorkCover WA taking over responsibility for confirming custody or imprisonment status to avoid privacy issues and delays.

## **2.6 Return to Work Program (IM1 Form)**

**Support:**

No changes to the form structure.

Seeking feedback on staged return-to-work guidance to improve clarity.

**Concerns:**

The explanatory guide should better clarify how employers can structure phased return-to-work arrangements within certificate timeframes.

**Recommendation:**

Provide more detailed guidance on staged return-to-work aligned with the certificate of capacity requirements.

## **2.7 Noise-Induced Hearing Loss (NIHL) Compensation Claim Form (CF2 Form)**

**Support:**

Adding fields for claim submission dates to improve compliance tracking.

## **2.8 Audiological Test Report (NIHL1 Form)**

**Support:**

Adding a recreational noise history to provide a complete hearing profile.

Allowing either a threshold table or an audiogram to avoid duplication errors.

## **2.9 Broker Access to Personal Worker Information**

**Support:**

Maintaining worker consent requirements for brokers to access personal information.

**Concerns:**

Employers rely on brokers for advisory services, so there should be no unnecessary barriers to employer-broker communication.

**Recommendation:**

Ensure brokers can support employers in claims administration without needing direct access to worker records unless consent is provided.

## **2.10 Additional Modified Penalties**

Support:

Introducing penalties for non-payment of compensation and preventing compliance.

Concerns:

Ensure penalties are proportionate and allow for reasonable explanations (e.g., banking delays).

Recommendation:

WorkCover WA should introduce a formal review mechanism before imposing penalties to allow employers to provide evidence of reasonable compliance efforts.

## **3. Conclusion & Recommendations**

Adbri supports WorkCover WA's efforts to refine workers compensation processes but urges:

1. Clear timeframes for settlement registration and APIA reporting to prevent unnecessary delays.
2. Streamlining permanent impairment agreement processes to avoid inefficiencies.
3. Clarifying employer verification obligations for return-to-work and external employment.
4. Ensuring proportionate penalty enforcement that considers reasonable employer circumstances.

We appreciate the opportunity to contribute to this consultation and look forward to further discussions on implementation improvements.

Yours sincerely,

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