

# Queensland workers' compensation scheme statistics 2019–20

## The State of Queensland 2020



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### Obtaining information

Enquiries about technical aspects of this publication should be forwarded to the Office of Industrial Relations at [oirdata@oir.qld.gov.au](mailto:oirdata@oir.qld.gov.au).

### Providing feedback

We welcome your feedback on this statistics publication. You can provide feedback to [safe@oir.qld.gov.au](mailto:safe@oir.qld.gov.au).

PN12660

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# Introduction

This is the 21<sup>st</sup> annual statistical report published by the Office of Industrial Relations to circulate Queensland workers' compensation scheme-wide data.

This report covers aspects of the Queensland workers' compensation scheme, including:

- claims information reported by WorkCover Queensland and self-insured employers for statutory claims and common law claims
- scheme-wide information about the major regulatory services provided by the Office of Industrial Relations for insurer and medical issues including:
  - administrative review of insurers' decisions
  - appeals to the Queensland Industrial Relations Commission and the Industrial Court
  - Medical assessment tribunals.

All figures reported as at 30 June 2020, are true and correct as supplied by insurers.

## Queensland's workers' compensation scheme

The *Workers' Compensation and Rehabilitation Act 2003* (the Act) is administered by the Office of Industrial Relations, Queensland Government.

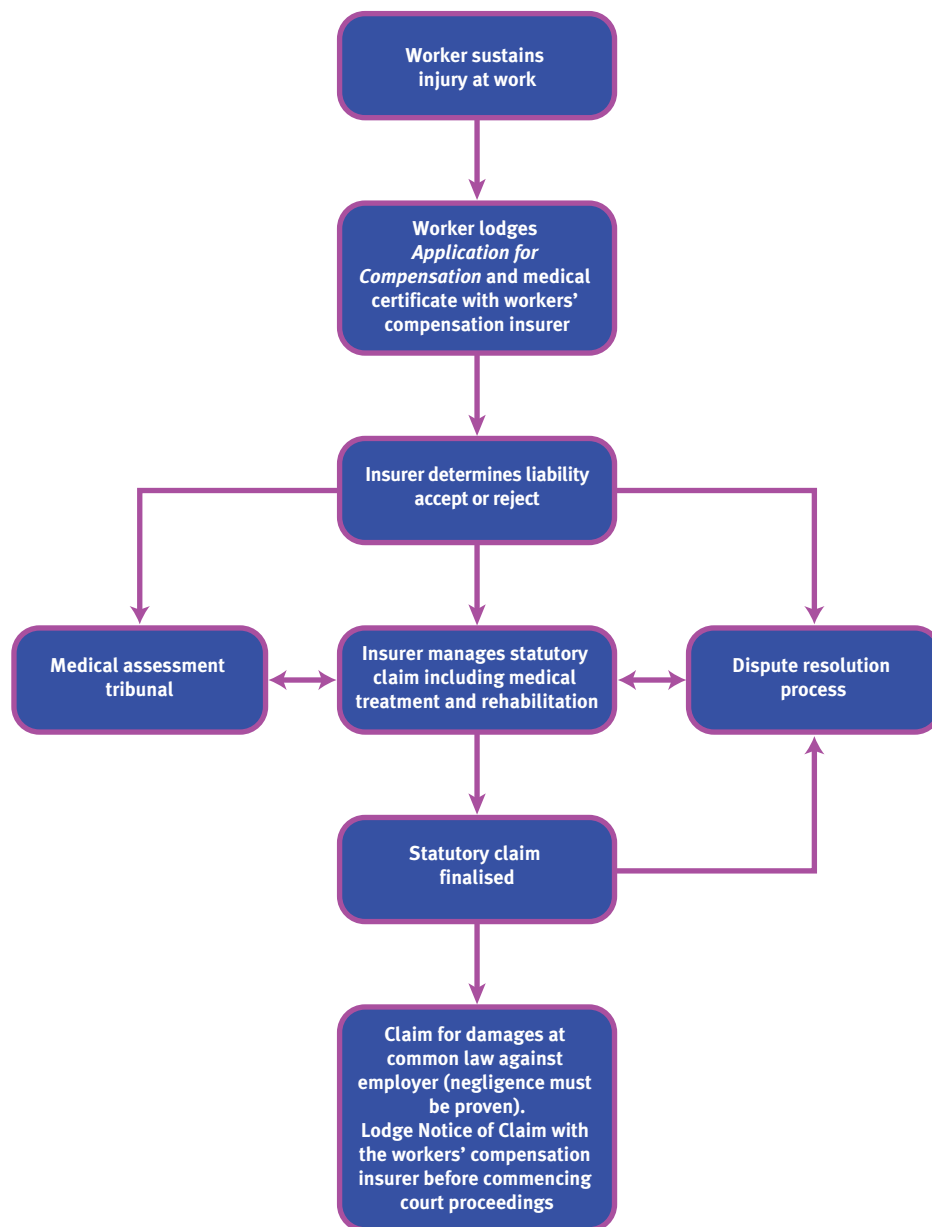
The Office of Industrial Relations is responsible for:

- monitoring insurer performance and compliance with the Act
- deciding self-insurance applications
- reviewing insurer decisions
- managing appeals of review decisions
- monitoring employer rehabilitation compliance and providing advice
- supporting the Medical assessment tribunal
- maintaining and analysing statistics and reporting on the scheme
- providing workers' compensation information and education
- administering grants.

As at 30 June 2020 there were 30 insurers in the scheme—WorkCover Queensland and 29 self-insured employers.

In Queensland, workers have access to a no fault statutory workers' compensation scheme and where negligence exists, injured workers may be able to access damages at common law. Figure 1 below illustrates the workers' compensation claims process. Each of the key phases of the claim is examined in more detail throughout this publication.

### 1 Workers' compensation claims process

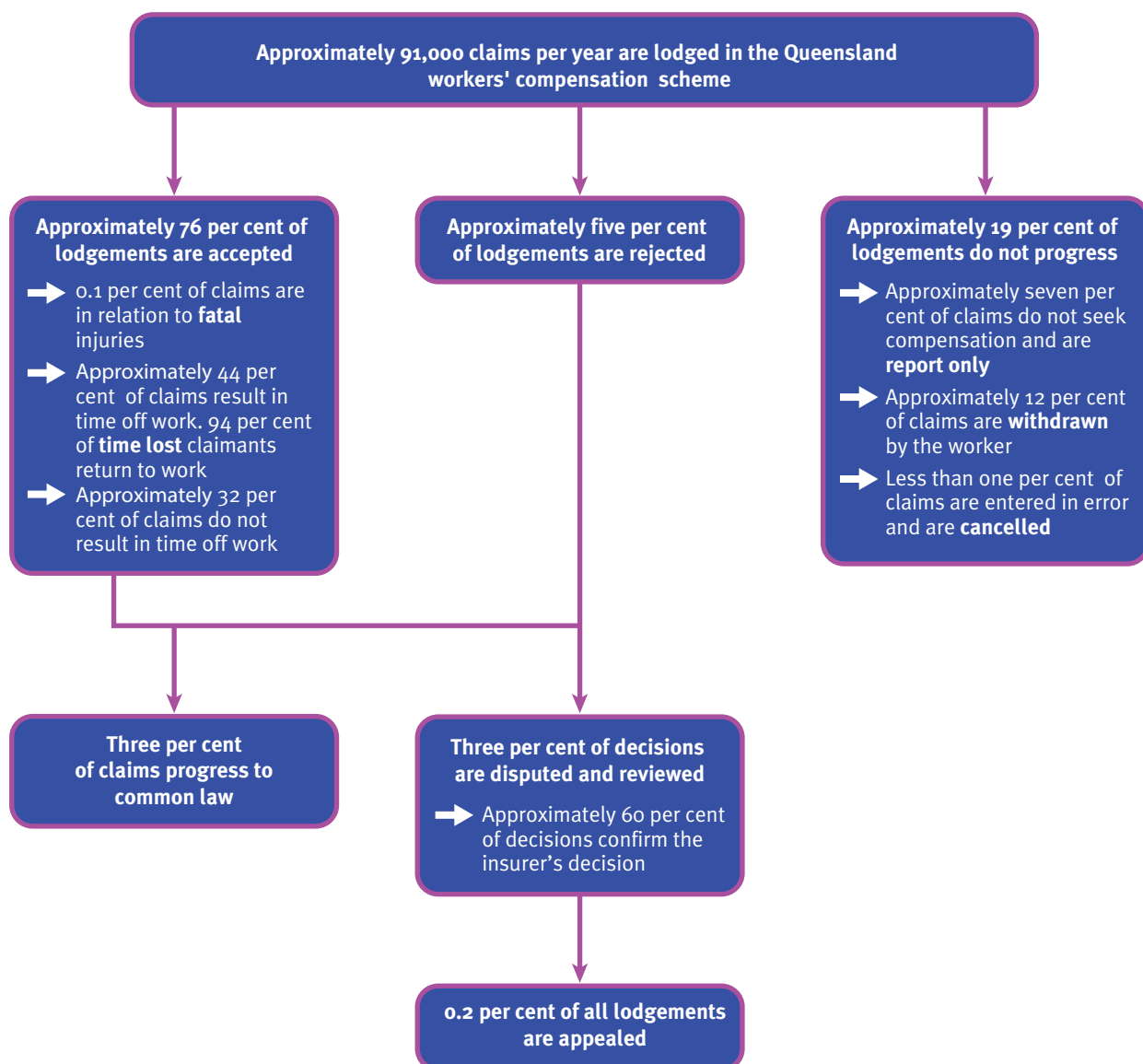


# Claim profile

Figure 2 illustrates the progression of a workers' compensation claim through the statutory claims process to common law and dispute resolution.

As represented in figure 2, there is a gap between the number of claims lodged in the scheme, compared to the number of decisions. This is due to 19 per cent of lodgements failing to progress as they are either withdrawn by the worker, entered in error, or do not require a statutory decision and are 'report only'.

## 2 Queensland workers' compensation claim profile



# Scheme highlights

## Statutory claim lodgements

New statutory claims of 90,819 for 2019–20 were 4.4 per cent lower than 2018–19. While the number of employed people increased by 2.1 per cent for 2019–20, there was a 6.3 per cent reduction in the claim rate. The claim rate for 2019–20 has reduced to 35.6 claims per 1,000 employed people. Industries that have increases in claim rates this year include public administration and safety, mining, health care and social assistance, and electricity, gas, water and waste services.

The proportion of psychological and psychiatric statutory claims increased for 2019–20 at 5.9 per cent (5.1 per cent in 2018–19). Psychological and psychiatric claims currently represent 7.8 per cent of total statutory payments (\$96.6 million for 2019–20) and have an average finalised time lost claim cost of \$48,844 (\$47,565 in 2018–19) which is over two times the average time lost claim cost of physical injuries (\$20,949 for 2019–20).

## Statutory claim payments

Statutory payments for 2019–20 of \$1,240.7 million were 16.2 per cent higher than in 2018–19 (\$1,068.1 million). Weekly compensation payments, which represent 44.5 per cent of statutory payments, have increased 15.8 per cent for 2019–20 from \$477.3 million to \$552.5 million. Average work days lost increased from 51.6 days in 2018–19 to 55.8 days in 2019–20. The average cost of time lost claims increased by 10.9 per cent from \$19,672 in 2018–19 to \$21,826 in 2019–20.

## Fatalities

There were 64 fatal claim lodgements in 2019–20. Fatal claim lodgements due to injuries at work represented just under a third of the 2019–20 figures (n = 19; 29.7 per cent). Manufacturing (n = 11), construction (n = 8); and transport, postal and warehousing (n = 7) industries contributed 40.6 per cent of fatalities in 2019–20.

As fatality figures are subject to development over time, comparisons between years cannot be made.

## Return to work

In 2019–20, the return to work rate increased slightly to 94.0 per cent (93.7 per cent for 2018–19).

## Dispute resolution

Review applications have increased by 3.5 per cent, from 2,532 in 2018–19 to 2,620 in 2019–20. The proportion of review applications to statutory claims has increased to 2.9 per cent for 2019–20 (2.7 per cent for 2018–19). Appeals served in 2019–20 have reduced, down 11.0 per cent from 228 served in 2018–19 to 203 served in 2019–20.

## Medical assessment tribunals

In 2019–20, 2,774 referrals were made to the Medical assessment tribunals. This is an increase of 12.6 per cent from the 2,463 referrals received in 2018–19. Of the cases determined by the Medical assessment tribunal, 43.9 per cent were for permanent impairment (PI) assessment (45.8 per cent in 2018–19) and 51.5 per cent were for ongoing capacity to work (47.8 per cent in 2018–19). The proportion of Medical assessment tribunal referrals to statutory claims has increased for 2019–20 to 3.1 per cent (2.6 per cent for 2018–19).

## Common law lodgements

Common law lodgements increased by 5.8 per cent from 2,841 in 2018–19 to 3,006 in 2019–20. Strains and sprains accounted for 28.7 per cent of all common law claim lodgements in 2019–20.

## Common law average damages

The average cost of finalised common law claims has increased by 6.4 per cent to \$168,836 for 2019–20. The average defendant and plaintiff cost reduced by 6.4 per cent from \$23,330 in 2018–19 to \$21,837 in 2019–20.

### 3 Scheme at a glance

Overview					
		2019–20	2018–19	% change from previous year	page number
Statutory claims	New claims	90,819	94,953	-4.4	10
	Claims per 1,000 employed people	35.6	38.0	-6.3	8
	New psychological claims (%)	5.9%	5.1%	0.8	12
	Payments (\$M)	\$1,240.7	\$1,068.1	16.2	23
Statutory decisions	Average time to decide (days)	8.6	9.2	-6.5	18
	Rejection rate—physical (%)	4.9%	4.7%	0.2	19
	Rejection rate—psychological and psychiatric (%)	54.4%	55.7%	-1.3	19
Outcomes	Average work days lost (days) (time lost claims)	55.8	51.6	8.1	32
	Return to work rate (%)	94.0%	93.7%	0.4	27
Common law	New claims	3,006	2,841	5.8	36
	Payments (\$M)	\$484.9	\$423.4	14.5	41
	Average damages cost (excluding nil settlements)	\$168,836	\$158,719	6.4	42
Regulator functions	Review applications	2,620	2,532	3.5	44
	Appeals served	203	228	-11.0	47
	Medical assessment tribunal referrals	2,774	2,463	12.6	50



# Workers' compensation statutory claims

- The majority of employers (almost 90 per cent) covered by the scheme in 2019–20 did not have a claim for workers' compensation.
- The scheme-wide claim rate reduced 6.3 per cent.
- The manufacturing industry has the highest claim rate.

As at 30 June 2020, approximately 163,000 employers were covered by the Queensland workers' compensation scheme. During 2019–20, the scheme covered approximately 170,000 employers, taking into account fluctuations in cancelled and new policies.

## 4 Number of claims lodged by insurance type 2018–19 and 2019–20

Insurance type	2018–19	2019–20	% Variance
Employed people	94,468	90,433	-4.3
Volunteers, industrial placement/work experience, contracts of insurance (the Act s26)	364	270	-25.8
Workplace personal injury insurance (self-employed, working directors)	89	84	-5.6
Household workers	32	32	0.0
<b>Total lodgements</b>	<b>94,953</b>	<b>90,819</b>	<b>-4.4</b>

The majority of claims (99.6 per cent) are for 'workers' (as defined in the Act).

## 5 Number of claims per employer by declared wages 2018–19

Number of claims	Declared wages						Total employers
	\$1M or less	\$1.01M to \$2.5M	\$2.51M to \$5M	\$5.01M to \$10M	\$10.01M to \$50M	Over \$50M	
No claims	144,101	5,050	1,093	324	112	3	150,683
1 claim	8,434	1,905	643	217	121	5	11,325
2 to 5 claims	2,319	1,703	965	584	327	29	5,927
6 to 10 claims	75	161	272	267	289	27	1,091
11 to 20 claims	17	18	74	146	264	41	560
Over 20 claims	19	1	8	46	264	194	532
<b>Total with claims</b>	<b>10,864</b>	<b>3,788</b>	<b>1,962</b>	<b>1,260</b>	<b>1,265</b>	<b>296</b>	<b>19,435</b>
<b>Total</b>	<b>154,965</b>	<b>8,838</b>	<b>3,055</b>	<b>1,584</b>	<b>1,377</b>	<b>299</b>	<b>170,118</b>
% without claims	93.0%	57.1%	35.8%	20.5%	8.1%	1.0%	88.6%

Figure 5 above is based on claims lodged by insurance type 'employed people' and excluding claims that have been lodged under uninsured policies.

The majority of employers (88.6 per cent) did not have a claim for workers' compensation in 2019–20. Smaller employers (\$1 million or less in declared wages) were the most likely to have no claims (93.0 per cent).

## Claim rate

In 2019–20, 90,819 claims were lodged scheme-wide (excluding cancelled claims). The estimated rates per 1,000 employed people are detailed below.

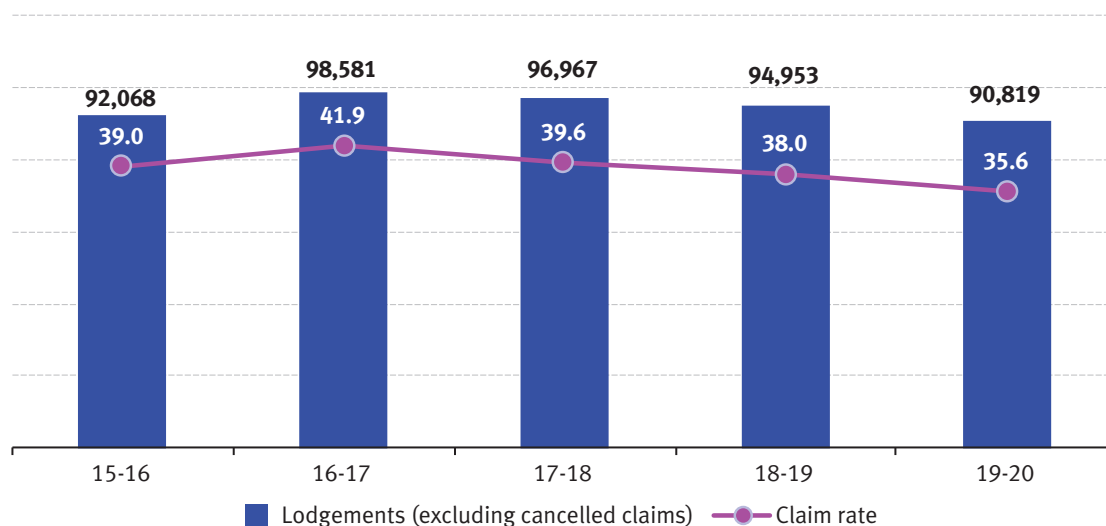
### 6 Claim rates (per 1,000 employed people) 2015–16 to 2019–20

	Annual comparison				
	2015–16	2016–17	2017–18	2018–19	2019–20
<b>Queensland labour force</b>					
Average number of employed people ('000) <sup>a</sup>	2,362.3	2,353.3	2,447.6	2,496.1	2,547.7
Change from previous year (%)	1.4%	-0.4%	4.0%	2.0%	2.1%
<b>Queensland workers' compensation scheme</b>					
Number of lodged claims	92,068	98,581	96,967	94,953	90,819
Change from previous year (%)	4.4%	7.1%	-1.6%	-2.1%	-4.4%
<b>Claim rate</b>					
Number per 1,000 employed people	39.0	41.9	39.6	38.0	35.6
Change from previous year (%)	3.2%	7.4%	-5.5%	-4.0%	-6.3%

<sup>a</sup> Australian Bureau of Statistics, Labour Force, Queensland average of May quarter to February quarter, Cat. No. 6291.0.55.003, May 2020.

Figure 7 shows claim rates and claim lodgements in the scheme for the past five years. Lodgements for 2019–20 of 90,819 have reduced by 4.4 per cent from 2018–19 lodgements of 94,953.

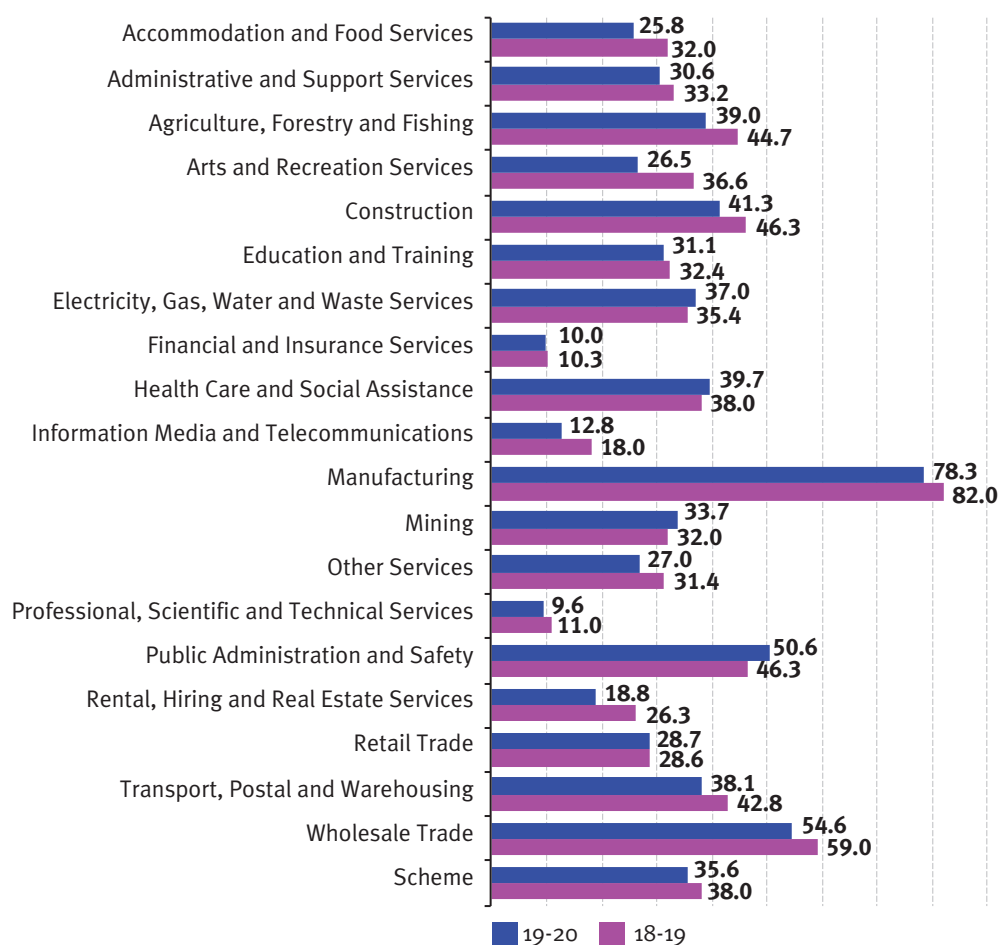
### 7 Claim rates (per 1,000 employed people) and lodgements 2015–16 to 2019–20



As shown in figure 8, manufacturing had the highest claim rate in the scheme, with 78.3 claim lodgements per 1,000 employed people in the industry. Other industries where the claim rate was larger than the scheme rate of 35.6 include:

- wholesale trade (54.6)
- public administration and safety (50.6)
- construction (41.3)
- health care and social assistance (39.7)
- agriculture, forestry and fishing (39.0)
- transport, postal and warehousing (38.1)
- electricity, gas, water and waste services (37.0).

## 8 Claim rates (per 1,000 employed people) by industry 2018–19 and 2019–20



## Statutory claim lodgements

- Lodgements reduced by 4.4 per cent in 2019–20.  
Note: Cancelled claims have been excluded from the lodgements reported.
- There were 64 fatal claims lodged in 2019–20.

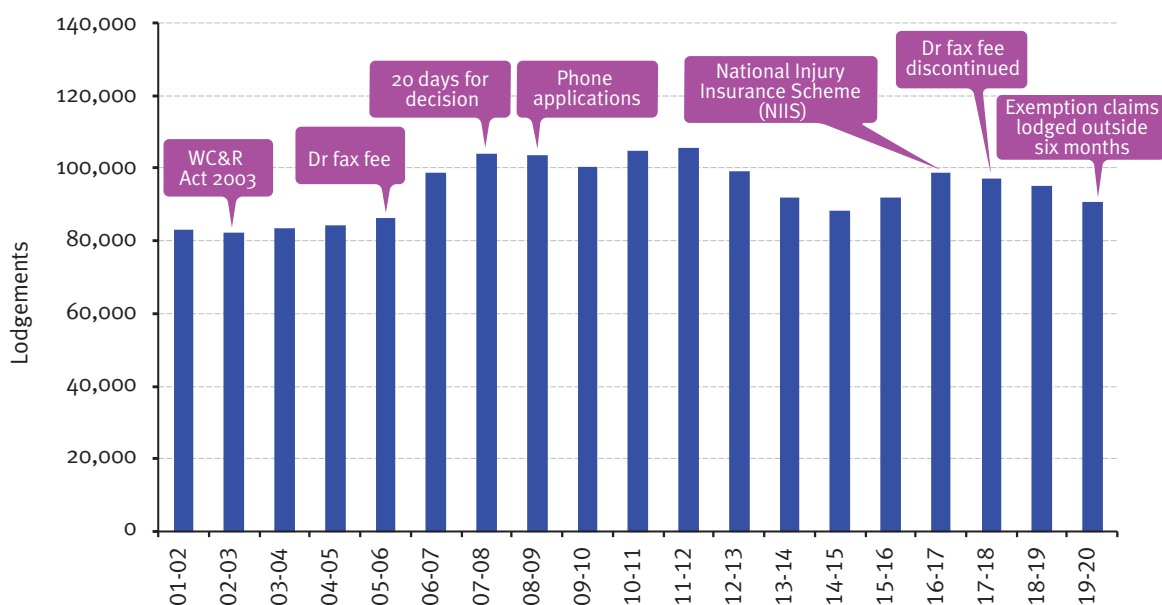
Many factors influence the number of claims lodged in the Queensland workers' compensation scheme. Some of the factors that may have contributed to changes in numbers of lodgements over the years include:

- injury prevention initiatives and interventions by Workplace Health and Safety Queensland (WHSQ) and WorkCover Queensland
- changing industry economics
- variations in the overall numbers in the workforce
- work process changes within industry (e.g. automation and improved work health and safety practices).

Figure 9 shows a history of statutory claim lodgements and key events in the Queensland workers' compensation scheme. For a comprehensive list of key events in the Queensland workers' compensation scheme please refer to Appendix 3.

In 2019–20, there were 90,819 claims lodged (excluding cancelled), representing a 4.4 per cent reduction from 2018–19 (94,953).

### 9 Statutory claim lodgement history 2001–02 to 2019–20

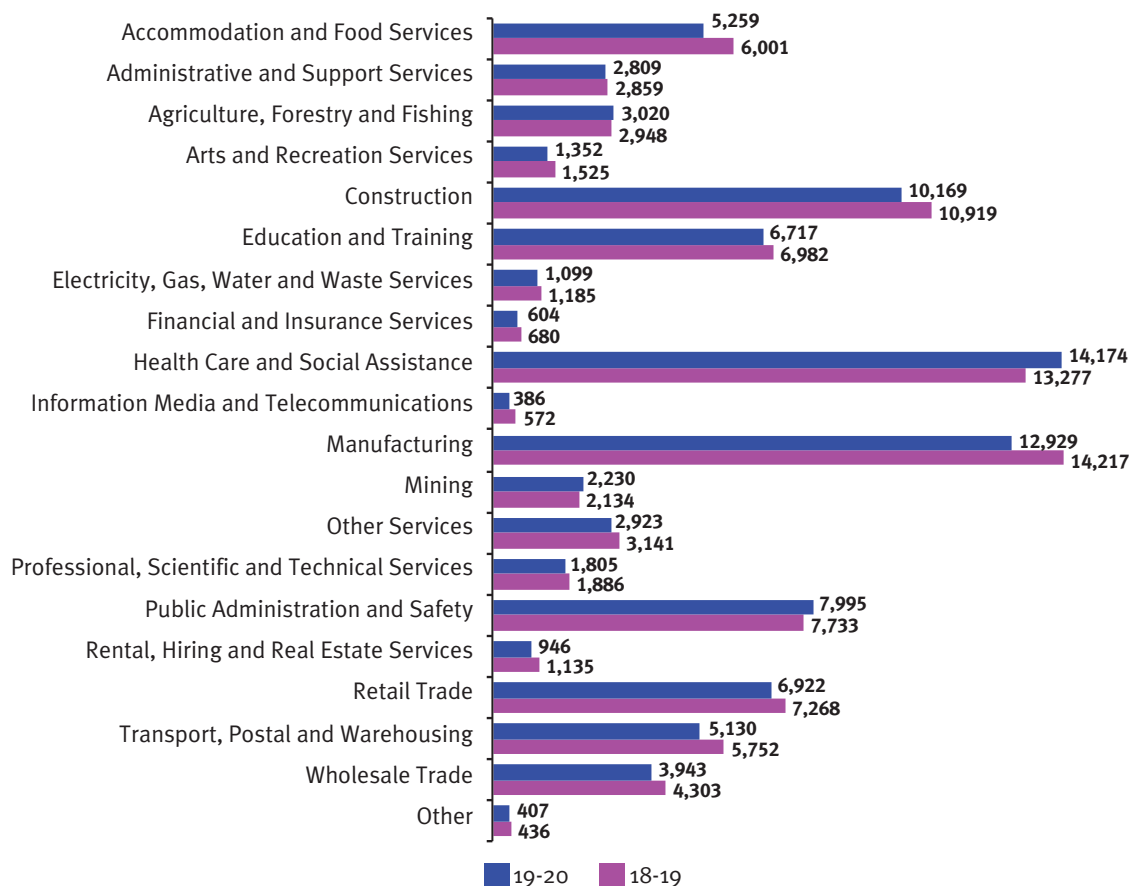


## Industry

The health care and social assistance industry accounted for the largest proportion of claim lodgements with 15.6 per cent of all scheme lodgements.

The largest claim increases were in the health care and social assistance industry, up 6.8 per cent from 13,277 to 14,174 and the mining industry, up 4.5 per cent from 2,134 to 2,230 (figure 10).

### 10 Statutory claim lodgements by industry 2018–19 and 2019–20



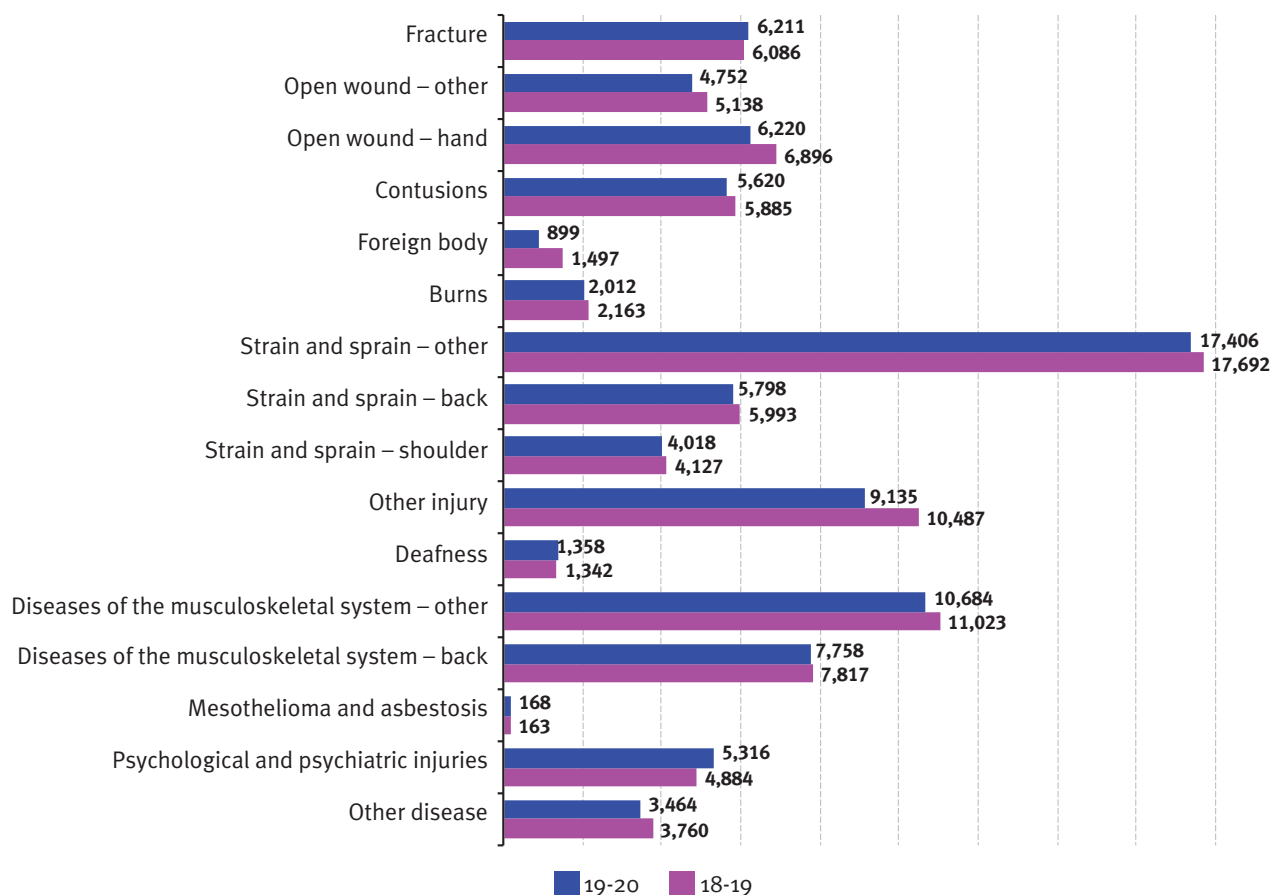
For industry 'Other', this includes injuries pre-July 1997 (pre ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

## Injury type

Strain and sprain injury claims accounted for 30.0 per cent of all injuries lodged in 2019–20. Of these, the back was the major bodily location (accounting for 6.4 per cent of all lodgements).

Psychological and psychiatric injuries increased in 2019–20, up 8.8 per cent from 4,884 in 2018–19 to 5,316.

### 11 Statutory claim lodgements by injury type 2018–19 and 2019–20

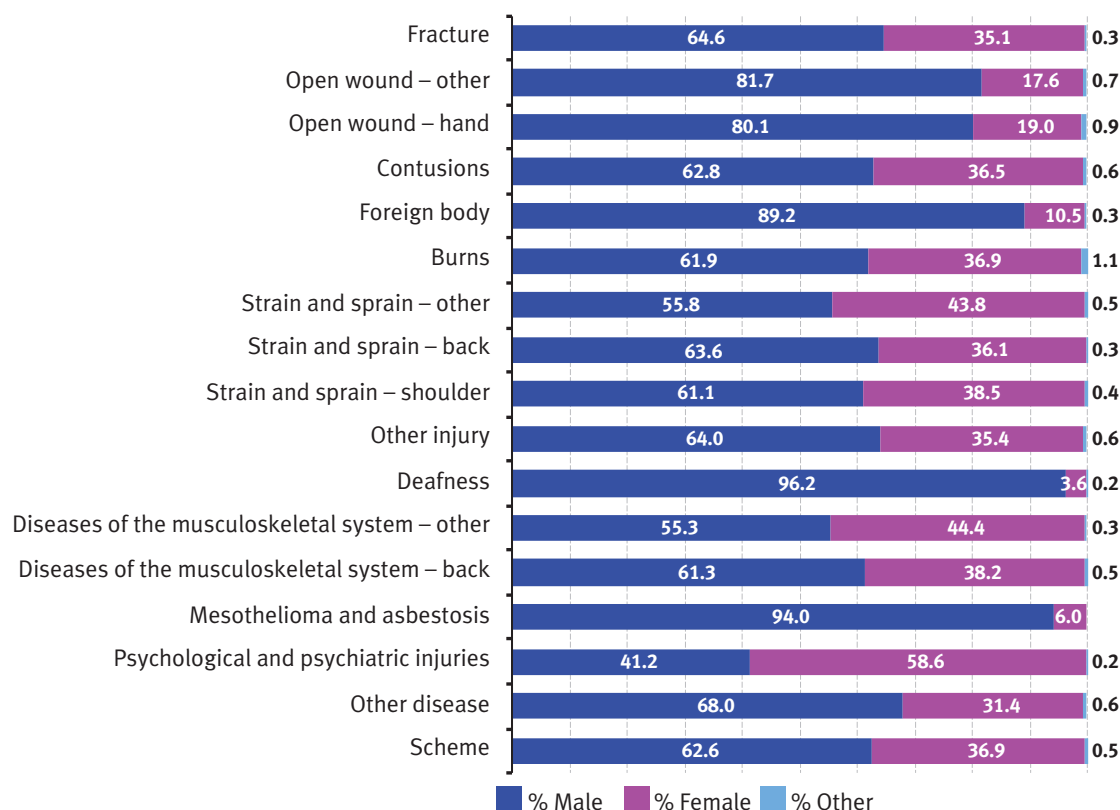


## Gender

In 2019–20, males represented just under two-thirds of the 90,819 claims lodged in the Queensland workers' compensation scheme. Injuries where males represented a much higher proportion of claims than females were deafness (96.2 per cent), mesothelioma and asbestosis (94.0 per cent) and foreign body (89.2 per cent).

Psychological and psychiatric injury was the only injury type where females were represented more than males, with females accounting for 58.6 per cent of claims.

### 12 Proportion of statutory claim lodgements by injury type and gender 2019–20

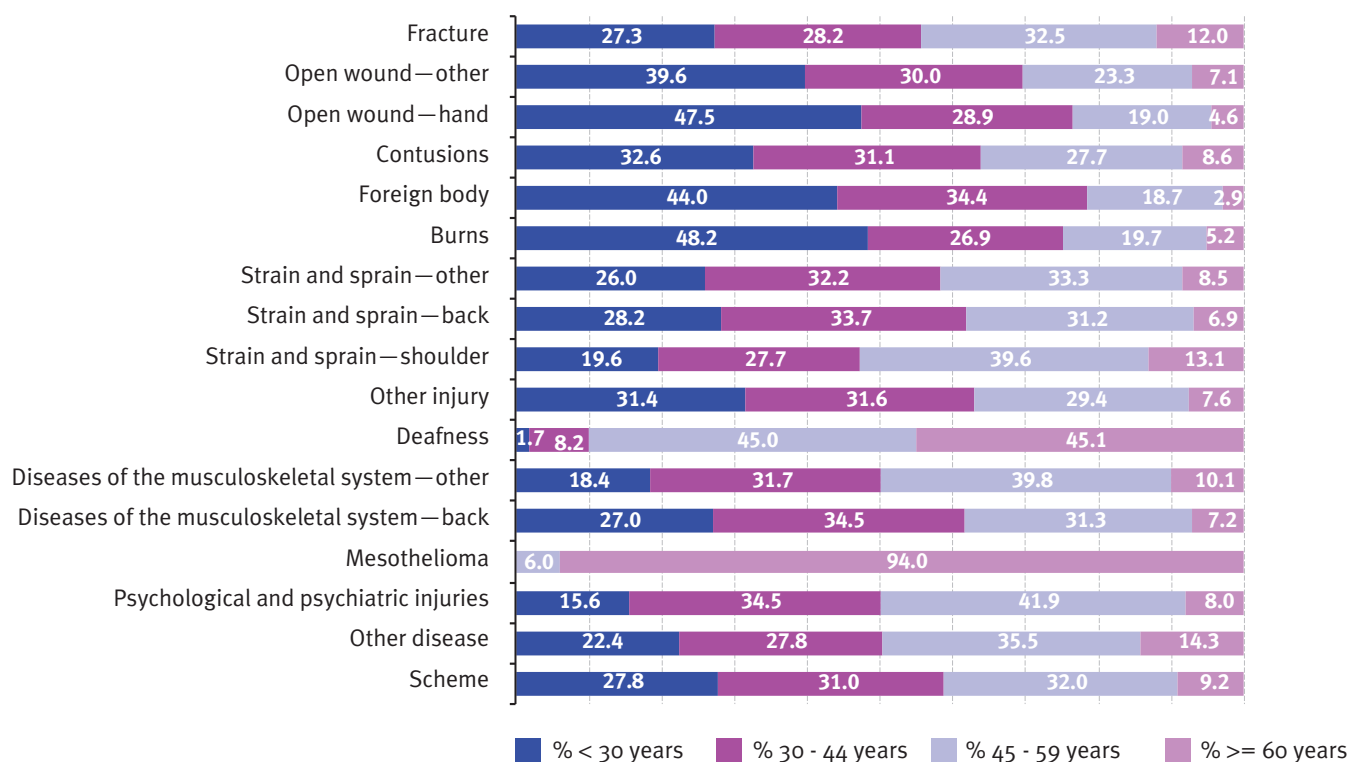


## Age

While older workers (60 years or over) represented only 9.2 per cent of all claim lodgements, they have a high representation for injuries such as mesothelioma (94.0 per cent) and deafness (45.1 per cent).

Injury types where younger workers (less than 30 years) represented a greater proportion include burns (48.2 per cent), open wound to the hand (47.5 per cent), foreign body (44.0 per cent) and open wound to a location other than the hand (39.6 per cent).

### 13 Proportion of statutory claim lodgements by injury type and age group 2019–20



Please note: For the purposes of the above figure only, asbestosis has been separated from mesothelioma and categorised into 'Other disease'.



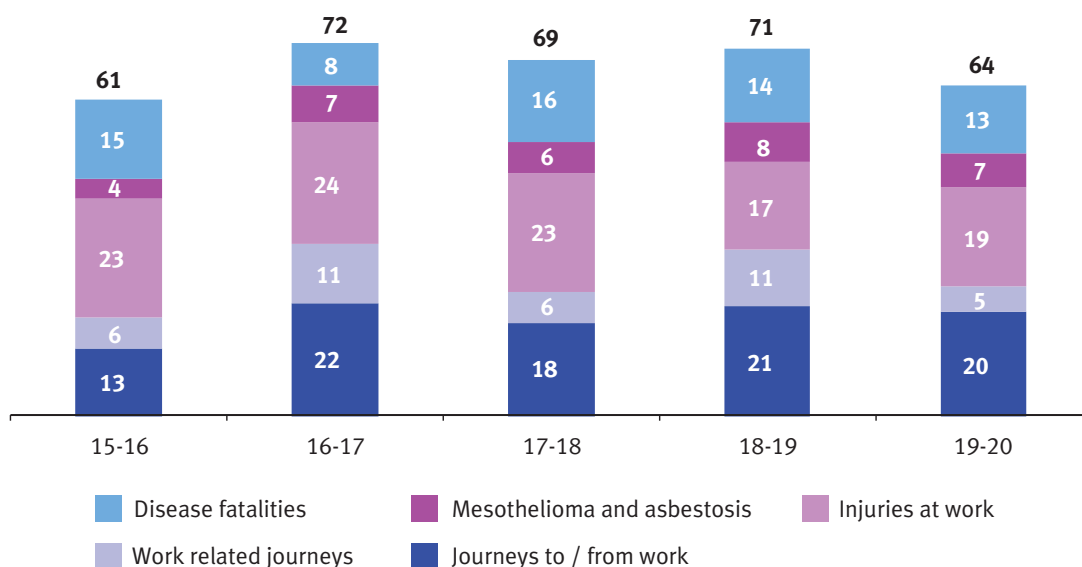
## Compensated fatalities

Compensated fatalities are included in the year a workers' compensation claim is lodged, not the year the worker died. Considerable time can elapse between claim lodgement and the death of the injured worker. Because these figures are subject to development over time, comparisons between years have not been made.

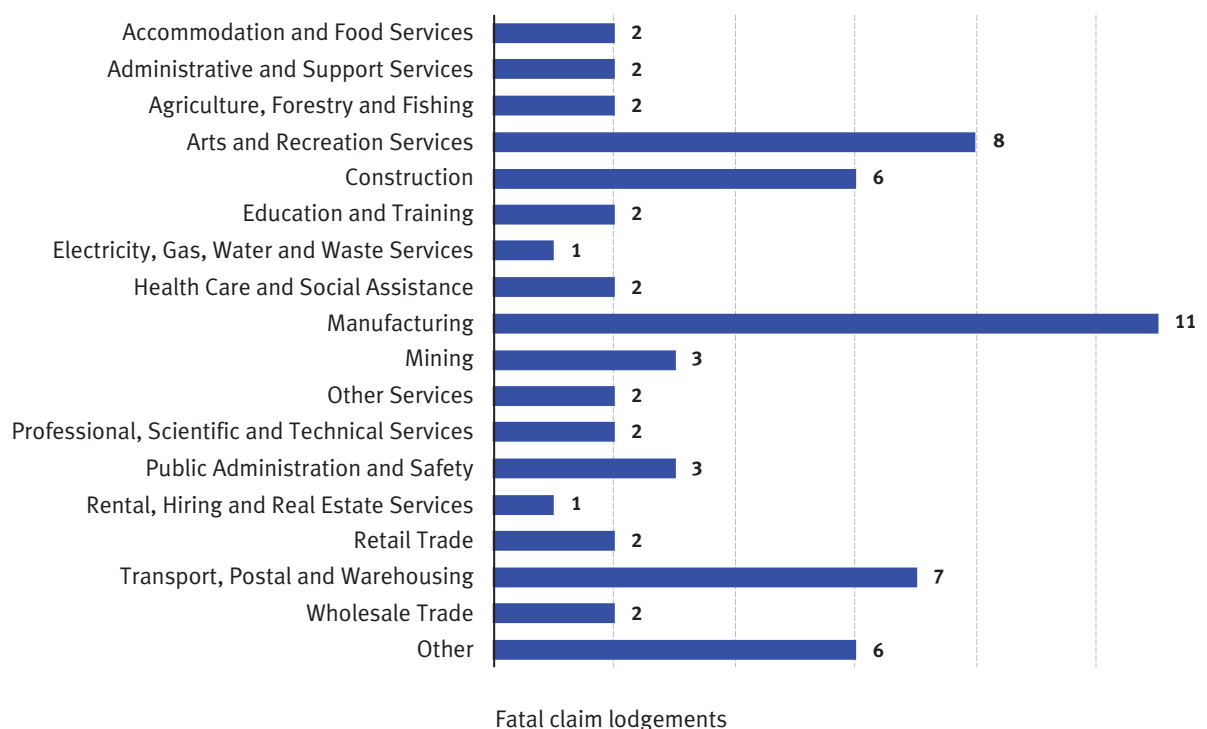
The Office of Industrial Relations reports the claim as a fatality if the claim is indicated by the insurer as a fatality under the Act on the individual application, taking into account the definitions of a worker, event and injury under the Act (s11, s31 and s32). Figure 14 below shows the fatal claim lodgement numbers.

There were 64 fatalities lodged in 2019–20.

### 14 Fatal claim lodgements (excluding cancelled claims) 2015–16 to 2019–20



### 15 Fatal claim lodgements by industry 2019–20



## Statutory claim decision-making process

- Decision timeframes have reduced 6.5 per cent in 2019–20.
- Rejections and claims for psychological and psychiatric injuries take longer to decide.
- Claims for psychological and psychiatric injuries have a higher chance of rejection.
- 68.7 per cent of claims are rejected due to the injury not meeting the definition under the Act.
- Claims lodged with the insurer early are, on average, determined more quickly.
- Rejections are more likely to progress to a review than claims that are accepted.

Once the insurer receives a complete application for compensation, they will determine whether or not the claim is compensable under the Act. Insurers have 20 business days to determine liability for both physical injuries, and psychological and psychiatric injuries lodged after 1 January 2008. Prior to this, insurers had 40 business days for physical injuries and 60 business days for psychological and psychiatric injuries.

Where injuries are difficult to determine due to medical complexities, they may be referred to the Medical assessment tribunal to determine whether the medical matters alleged in the application for compensation constitute an injury.

If parties (either the worker or the employer) are dissatisfied with the insurer's decision, a dispute resolution process is available. The process involves an initial independent administrative review of the insurer's decision by the Office of Industrial Relations, followed by an appeal to the Queensland Industrial Relations Commission (QIRC) if the parties are dissatisfied with the Office of Industrial Relations review decision. The court or QIRC decision may be appealed in the Industrial Court (IC).

Figure 16 demonstrates the decision-making process for new claims.

### 16 Claims decision-making process



Figure 17 illustrates the change in decision-making timeframes in 2018–19 and 2019–20.

#### 17 Average time to decide by injury type 2018–19 and 2019–20

Injury type	Average decision time (days)	
	2018–19	2019–20
Fracture	5.5	4.9
Open wound—other	4.5	4.8
Open wound—hand	5.3	4.2
Contusions	9.5	5.0
Foreign body	4.9	5.7
Burns	9.4	4.7
Strain and sprain—other	7.4	6.1
Strain and sprain—back	10.8	6.4
Strain and sprain—shoulder	8.8	7.5
Other injury	6.6	7.3
Deafness	17.1	13.4
Diseases of the musculoskeletal system—other	9.5	9.8
Diseases of the musculoskeletal system—back	7.9	8.2
Mesothelioma and asbestosis	37.2	43.5
Psychological and psychiatric injuries	31.1	32.1
Other disease	19.0	20.8
<b>Total average</b>	<b>9.2</b>	<b>8.6</b>

Overall, the average decision-making timeframe has reduced to 8.6 days in 2019–20.

The median decision-making timeframe is stable at four days in 2019–20.

Due to the complexity of some claims, the duration from lodgement to decision can be lengthy. The injuries with the longest average decision times were mesothelioma and asbestosis, and psychological and psychiatric injuries.

Figure 18 illustrates decision-making timeframes and outcomes for claims determined in 2019–20. These timeframes are based on statutory claim decisions.

#### 18 Decisions made and average time to decide by decision type and injury type 2019–20

Injury type	Number of decisions	Proportion of decisions		Average decision time		
		Admitted %	Rejected %	Admitted days	Rejected days	Total days
Fracture	5,627	96.3	3.7	4.4	17.1	4.9
Open wound—other	3,555	97.9	2.1	4.7	9.5	4.8
Open wound—hand	4,770	98.5	1.5	4.1	5.9	4.2
Contusions	4,390	97.5	2.5	4.8	12.2	5.0
Foreign body	625	99.2	0.8	5.7	5.0	5.7
Burns	1,434	97.8	2.2	4.6	8.6	4.7
Strain and sprain—other	14,647	96.7	3.3	5.6	20.7	6.1
Strain and sprain—back	4,930	96.6	3.4	6.0	17.5	6.4
Strain and sprain—shoulder	3,519	95.4	4.6	6.8	23.8	7.5
Other injury	6,632	93.9	6.1	6.0	26.7	7.3
Deafness	1,114	91.8	8.2	12.7	21.0	13.4
Diseases of the musculoskeletal system—other	9,263	92.1	7.9	8.1	29.3	9.8
Diseases of the musculoskeletal system—back	6,562	93.8	6.2	7.3	22.9	8.2
Mesothelioma and asbestosis	105	96.2	3.8	40.6	117.3	43.5
Psychological and psychiatric injuries	3,741	45.6	54.4	21.0	41.4	32.1
Other disease	2,738	83.0	17.0	15.3	47.6	20.8
<b>Total</b>	<b>73,652</b>	<b>92.6</b>	<b>7.4</b>	<b>6.7</b>	<b>31.8</b>	<b>8.6</b>

Most claims (92.6 per cent) were accepted by insurers with an average determination time of 6.7 days. On average, decision timeframes tended to be longer for:

- rejected claims—determined in 31.8 days on average compared to 6.7 days on average for accepted claims
- diseases—particularly psychological and psychiatric injury claims (average 32.1 days to determine), mesothelioma and asbestosis claims (average 43.5 days to determine) and deafness (average 13.4 days to determine).

In 2019–20, 54.4 per cent of psychological and psychiatric claims were rejected.

One reason the rejection rate of psychological and psychiatric claims is so high is that workers cannot receive compensation for certain psychological and psychiatric injuries that arise out of or in the course of reasonable management action, as they are excluded from the definition of an injury under the Act. In 2019–20, 91.3 per cent of the rejected psychological and psychiatric claims were rejected on this basis.

## Reasons for claim rejection

Insurers reject claims where, for some reason, the event or the person is not covered under the Act. For 68.7 per cent of rejected claims, the reason for rejection was that the injury did not meet the definition under the Act.

Figure 19 details the main reasons claims were rejected.

### 19 Rejected claims by reason for rejection 2018–19 and 2019–20

Reason for rejection	2018–19		2019–20	
	Number of rejections	% of rejections	Number of rejections	% of rejections
Not an injury—s.32	4,089	78.1	3,753	68.7
Not a worker—s.11	337	6.4	274	5.0
Out of time—excluded under s.131	403	7.7	329	6.0
Journey—subsequent delay, interruption or deviation - s.36(2)(B)	62	1.2	45	0.8
Invalid application—s.132	2	0.0	3	0.1
Industrial deafness—excluded under s.125—initial application	86	1.7	31	0.6
Not a journey—s.35	17	0.3	62	1.1
Other	240	4.6	963	17.6
<b>Total</b>	<b>5,236</b>	<b>100</b>	<b>5,460</b>	<b>100</b>

## Determination of medically complex claims

Where an insurer is unable to determine a claim due to complex medical issues, the matter may be referred to the Medical assessment tribunal to determine whether the medical matters alleged in the application for compensation constitute an injury.

In 2019–20, only 60 claims were referred to the Medical assessment tribunal for determination of the worker's injury for an application for compensation. Of these cases, 44 (73.3 per cent) were accepted and the remaining 16 (26.7 per cent) cases were rejected.

## Disputation of insurer claim determination decisions

Both the injured worker and employer are able to dispute an insurer's claim determination decision. While only a small percentage of accepted claims are disputed by employers (0.6 per cent), 26.3 per cent of rejected claims are disputed by either the employer or the injured worker.

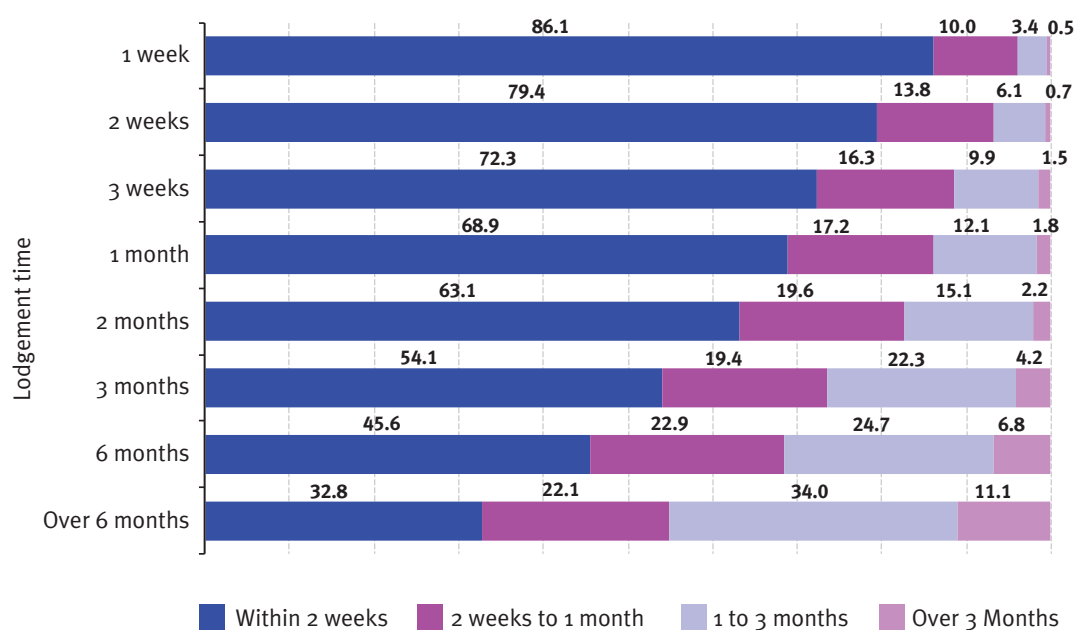
## Impact of lodgement time on determination time

Delays in the time from injury to the lodgement of a claim may lead to delays in the decision-making process and, ultimately, additional costs for the claim.

86.1 per cent of claims lodged within the first week of the injury are determined by the insurer within two weeks. The proportion decided within two weeks reduces as the time to lodge the claim increases. For claims lodged more than six months after an injury, the proportion determined in less than two weeks drops to 32.8 per cent.

Figure 20 below illustrates the link between lodgement and decision-making timeframes.

### 20 Decision-making timeframes for claims decided in 2019–20 by the time taken to lodge the claim



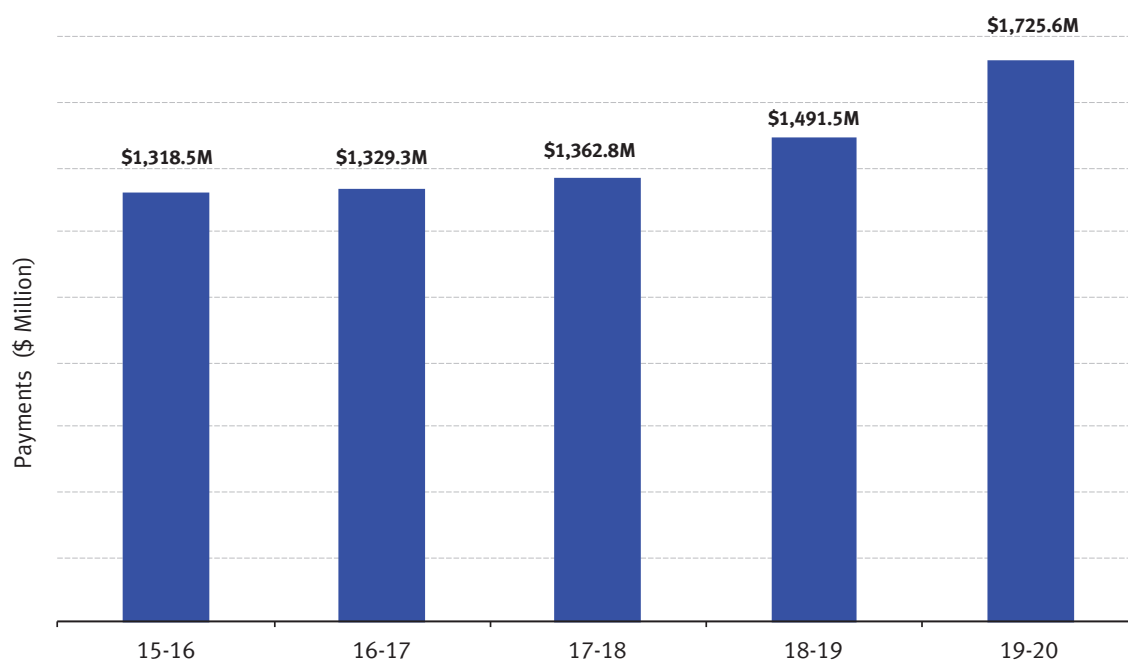
## Claim payments

- Total scheme payments increased 15.7 per cent in 2019–20.
- There was a 14.5 per cent increase in common law payments made in 2019–20.
- Statutory payments increased by 16.2 per cent between 2018–19 and 2019–20.

## Workers' compensation payments

Overall, the total scheme payments increased 15.7 per cent in 2019–20, with common law payments increasing by 14.5 per cent and statutory payments increasing by 16.2 per cent. Total payments for workers' compensation claims in 2019–20 were \$1,725.6 million. Common law payments made up 28.1 per cent (\$484.9 million) and statutory claim payments made up 71.9 per cent (\$1,240.7 million).

### 21 Scheme payments 2015–16 to 2019–20

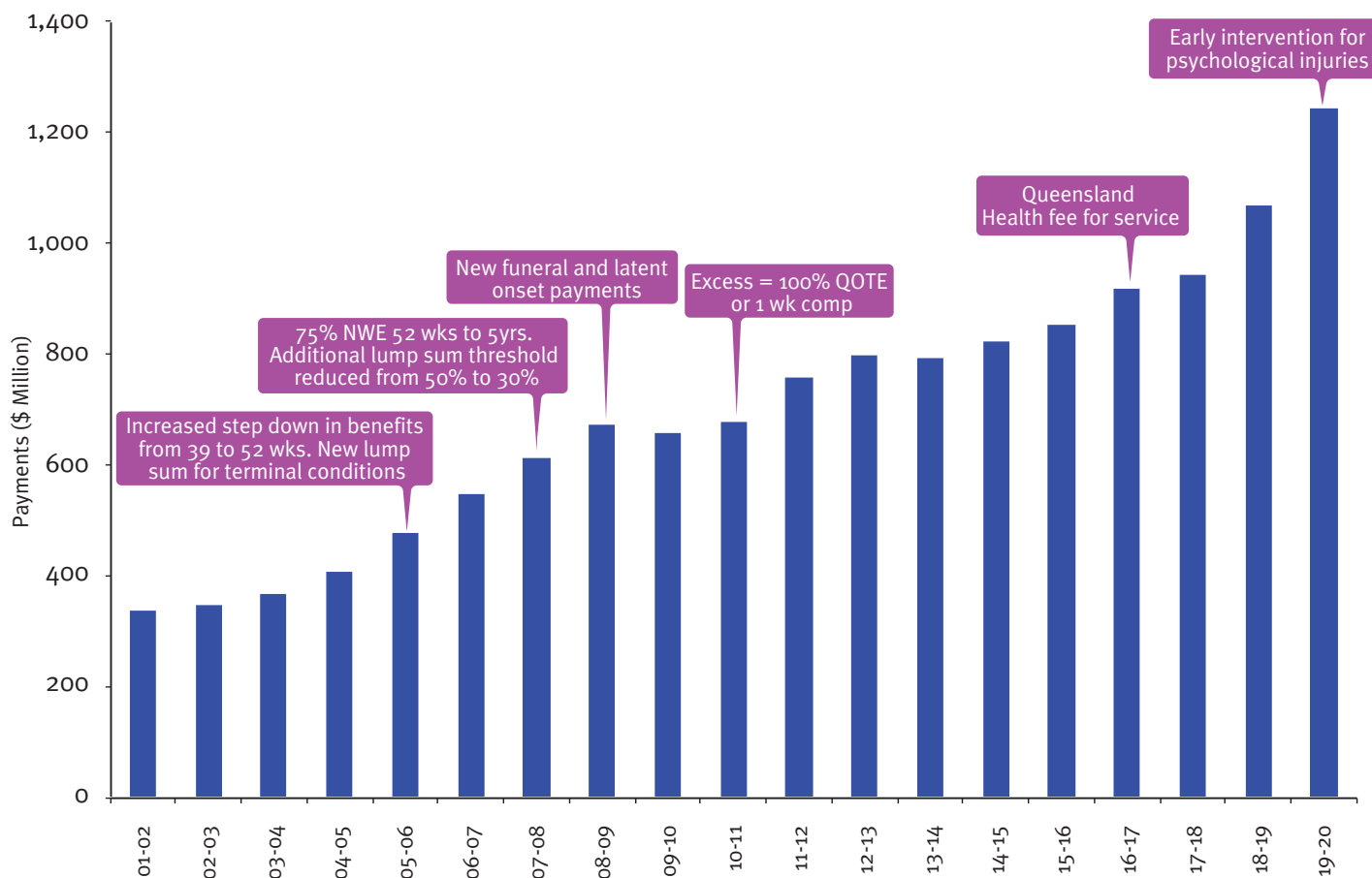


## Statutory claim payments

During the management of a claim, payments are made to the worker for weekly compensation to replace wages, lump sums for permanent impairment (PI) and a broad range of services such as medical treatment and rehabilitation.

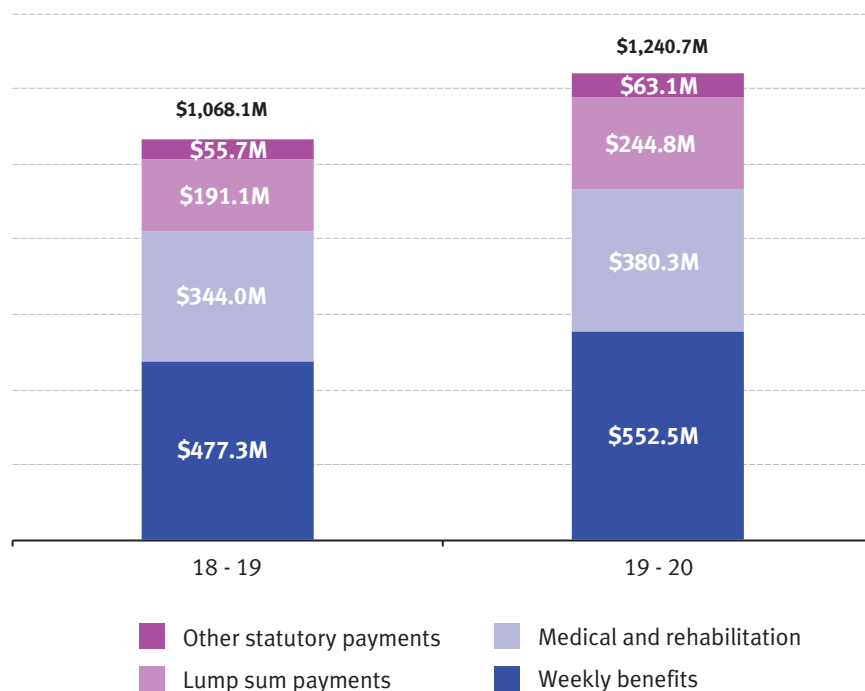
Figure 22 below shows a history of statutory claim payments and key events in the Queensland workers' compensation scheme. For a comprehensive list of key events in the Queensland workers' compensation scheme please refer to Appendix 3.

### 22 Statutory claim payment history 2001–02 to 2019–20





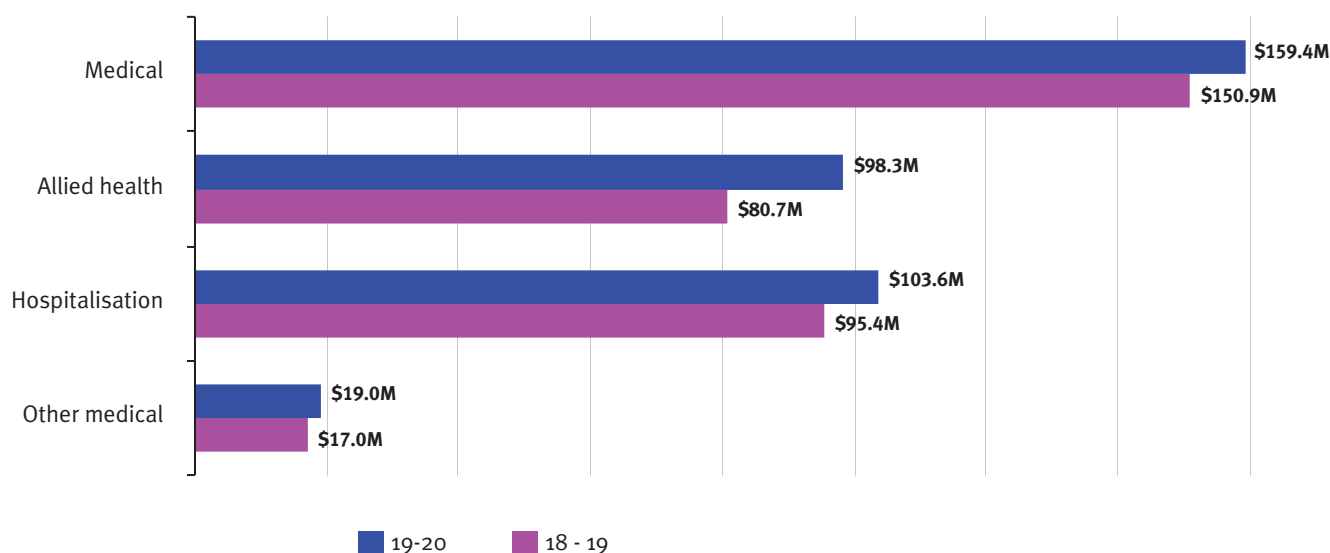
### 23 Statutory claim payments by payment type 2018–19 and 2019–20



The total amount spent on claims for the year has increased by 16.2 per cent from \$1,068.1 million in 2018–19 to \$1,240.7 million in 2019–20 (figure 23).

The largest payments increase was for lump sum payments, up 28.1 per cent from 2018–19.

### 24 Medical and rehabilitation payments 2018–19 and 2019–20

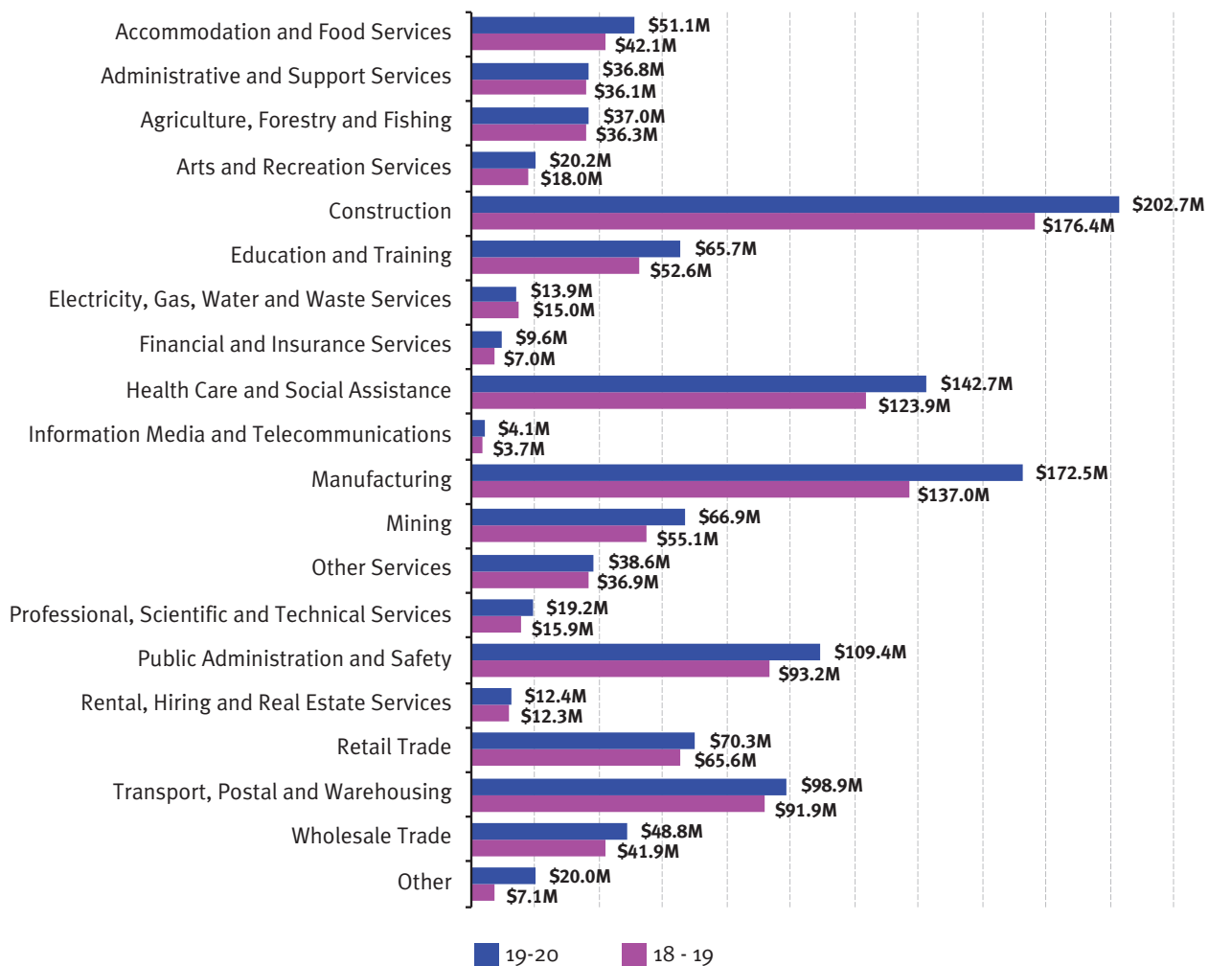


Medical and rehabilitation payments represent 30.7 per cent of statutory payments. Payments for medical treatment accounted for 41.9 per cent of all payments for medical and rehabilitation fees paid in the scheme in 2019–20. Allied health payments increased 21.8 per cent in 2019–20 from \$80.7 million in 2018–19 to \$98.3 million.

## Payments by industry

Claims from the construction industry accounted for the largest proportion (16.3 per cent) of statutory claim payments in 2019–20. Manufacturing accounted for 13.9 per cent of statutory payments, while health care and social assistance accounted for 11.5 per cent (figure 25).

### 25 Statutory claim payments by industry 2018–19 and 2019–20

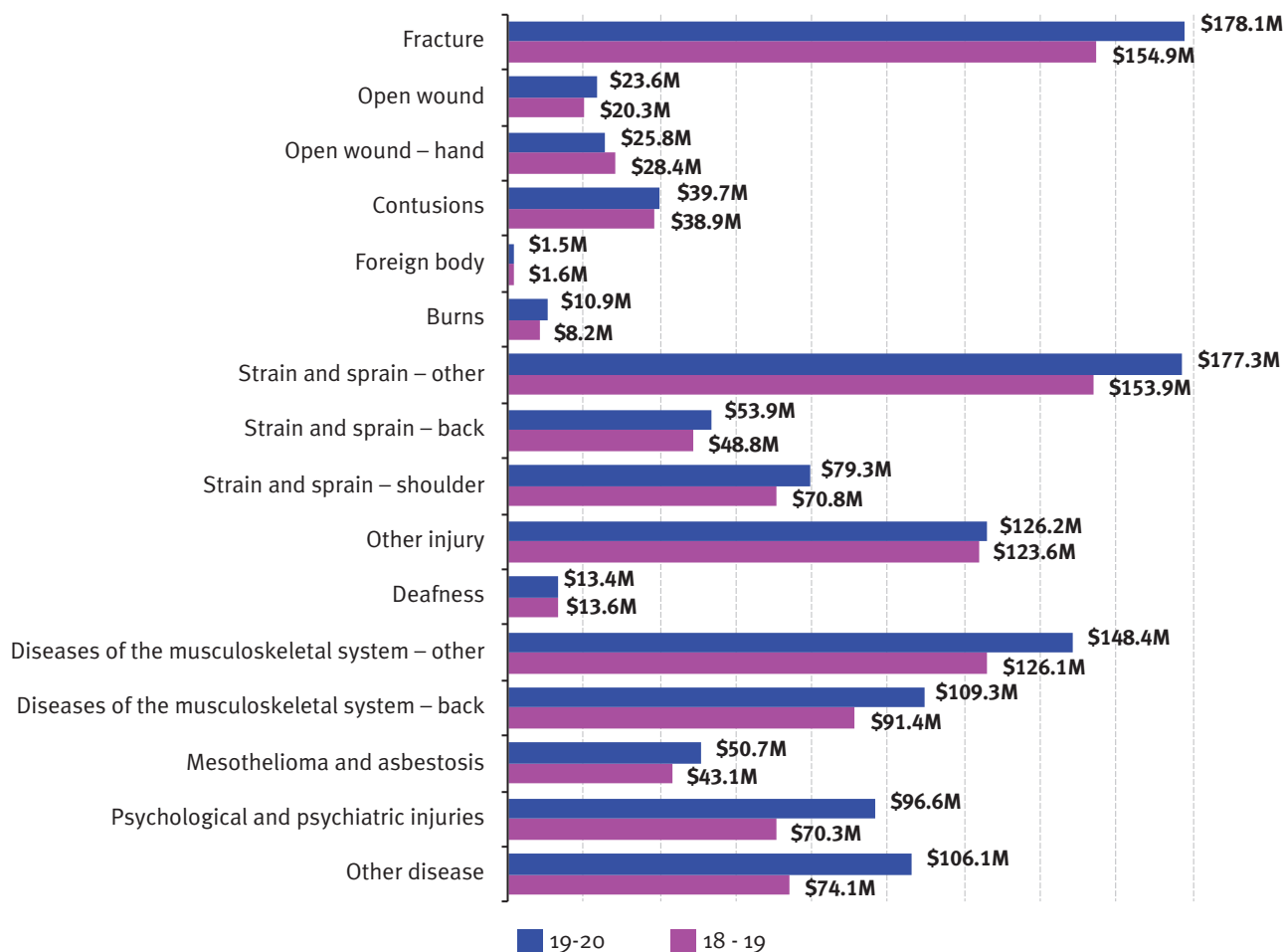


## Payments by injury

As shown in figure 26, claims from strain and sprain injuries accounted for the largest proportion (25.0 per cent) of statutory claim payments in 2019–20 (4.3 per cent to the back, 6.4 per cent to the shoulder and 14.3 per cent to a location other than the back or shoulder). Diseases of the musculoskeletal system claims accounted for 20.8 per cent of statutory claim payments made in 2018–19 (8.8 per cent to the back and 12.0 per cent to a location other than the back). Fractures accounted for 14.4 per cent of claim injuries in 2019–20.

The injury type that experienced the largest percentage increase in statutory claim payments from 2018–19 to 2019–20 was psychological and psychiatric injuries (37.3 per cent).

**26 Statutory claim payments by injury type 2018–19 and 2019–20**



## Finalised claims and outcomes

- In 2019–20, 88.0 per cent of workers with claims finalised returned to their same job with the same employer.
- The average costs of finalised medical expense only claims increased by 7.1 per cent.
- The average costs of finalised time lost claims increased by 10.9 per cent and the duration increased 8.1 per cent.

## Work related impairment/degree of permanent impairment

Where a worker has a permanent impairment (PI) assessed, the degree of work related impairment (WRI) is calculated. WRI applies to injuries before 15 October 2013. Under the 2013 legislative amendments if a worker is injured on or after 15 October 2013 the worker is assessed for a degree of permanent impairment (DPI).

For injuries before 15 October 2013 a person may have multiple permanent impairments assessed separately; from these only one physical and one psychological or psychiatric WRI is calculated. For injuries under the 2013 legislative amendments, impairments are assessed together and only one physical and one psychological or psychiatric DPI is given.

Injured workers receive an offer of lump sum compensation based on their WRI or DPI.

Figure 27 below shows the number of claims finalised and those that had a WRI/DPI in 2018–19 and 2019–20.

### 27 Finalised claims with a WRI/DPI 2018–19 and 2019–20

	2018–19	2019–20	Variance %
Finalised claims	76,652	76,470	-0.2
WRI/DPI	8,036	8,661	7.8
Proportion of finalised claims with WRI/DPI	10.5%	11.3%	0.8
<b>Work related impairment/Degree of permanent impairment range</b>			
0%	1,991	2,024	1.7
0.1%–4.9%	2,562	2,864	11.8
5%–9.9%	2,201	2,455	11.5
10%–14.9%	625	630	0.8
15%–19.9%	297	268	-9.8
>=20%	360	420	16.7

For 2019–20, 11.3 per cent of claims were finalised with a PI. Of these, the majority of claims (95.2 per cent) had a WRI/DPI of less than 20 per cent and 23.4 per cent were calculated as having a zero per cent impairment.

## Return to work (RTW) outcomes

Returning an injured worker to the same job with the same employer is the best outcome that can be achieved on a claim. The following figure analyses the RTW outcome of claims reported at the time the claim closed. As figure 28 illustrates, this is the outcome achieved in most cases, with 88.0 per cent of injured workers who had time off work returning to the same job and the same employer.

### 28 Return to work status of finalised time lost claims 2018–19 and 2019–20

	2018–19		2019–20	
	Number	% of time lost claims	Number	% of time lost claims
Fit for work: same job/tasks with same employer	39,328	87.9	40,633	88.0
Fit for work: same job/tasks with different employer	604	1.4	646	1.4
Fit for work: different job/tasks with same employer	515	1.2	552	1.2
Fit for work: different job/tasks with different employer	1,436	3.2	1,602	3.4
Fit for work: no job	772	1.7	810	1.8
Fit for work: worker does not return	1,190	2.6	1,061	2.3
Not fit for work	831	1.9	780	1.7
Alternative outcome not claim related	63	0.1	114	0.2
<b>Total</b>	<b>44,739</b>	<b>100</b>	<b>46,198</b>	<b>100</b>

Note: For the purpose of the above figure only, all deceased injured workers have been excluded.

In 2019–20, 94.0 per cent of injured workers returned to some type of employment (93.7 per cent in 2018–19). In a small number of cases, the worker is deemed fit to return to work but there is no job for the worker to return to (1.8 per cent of time lost claims) or the worker chooses not to return (2.3 per cent of claims).

One of the factors that influence the RTW outcome on a claim is the severity of the injury. Figure 29 compares claims that have had a PI assessed as an indicator of the impact of severity of injury on RTW outcomes.

### 29 Return to work status of finalised time lost claims with/without a PI assessed 2018–19 and 2019–20

	2018–19			2019–20		
	PI Assessed			PI Assessed		
	% No	% Yes	Number	% No	% Yes	Number
Fit for work: same job/tasks with same employer	91.0	9.0	39,328	90.6	9.4	40,633
Fit for work: same job/tasks with different employer	71.2	28.8	604	67.8	32.2	646
Fit for work: different job/tasks with same employer	58.3	41.7	515	53.6	46.4	552
Fit for work: different job/tasks with different employer	54.7	45.3	1,436	55.4	44.6	1,602
Fit for work: no job	38.7	61.3	772	36.4	63.6	810
Fit for work: worker does not return	53.4	46.6	1,190	48.3	51.7	1,061
Not fit for work	30.1	69.9	831	26.7	73.3	780
Alternative outcome not claim related	42.9	57.1	63	49.1	50.9	114
<b>Total</b>	<b>86.1</b>	<b>13.9</b>	<b>44,739</b>	<b>85.5</b>	<b>14.5</b>	<b>46,198</b>

Note: For the purpose of the above figure only, all deceased injured workers have been excluded.

Workers with claims assessed for PI are less likely to return to the same job with the same employer. In 2019–20, 9.4 per cent of workers returning to the same job with the same employer had a PI assessed.

Another factor that influences the RTW outcome on claims is the existence of a psychological or psychiatric injury. Figure 30 below illustrates the impact of the injury type on RTW outcomes.

### 30 Return to work status of finalised time lost claims by injury nature 2018–19 and 2019–20

	2018–19			2019–20		
	Physical only %	Psych only %	Psych and Physical %	Physical only %	Psych only %	Psych and Physical %
Fit for work: same job/tasks with same employer	90.1	60.8	46.0	90.5	63.5	46.2
Fit for work: same job/tasks with different employer	1.3	3.6	2.3	1.3	3.5	2.8
Fit for work: different job/tasks with same employer	1.1	2.2	2.8	1.1	2.7	3.2
Fit for work: different job/tasks with different employer	2.6	10.3	12.8	2.9	11.0	11.8
Fit for work: no job	1.4	2.9	8.7	1.4	3.9	7.9
Fit for work: worker does not return	2.2	9.6	10.8	1.8	6.8	10.2
Not fit for work	1.2	10.2	15.2	0.9	7.9	15.4
Alternative outcome not claim related	0.1	0.4	1.4	0.1	0.7	2.5
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Number</b>	<b>42,139</b>	<b>1,113</b>	<b>1,487</b>	<b>43,121</b>	<b>1,318</b>	<b>1,759</b>

Note: For the purpose of the above figure only, all deceased injured workers have been excluded.

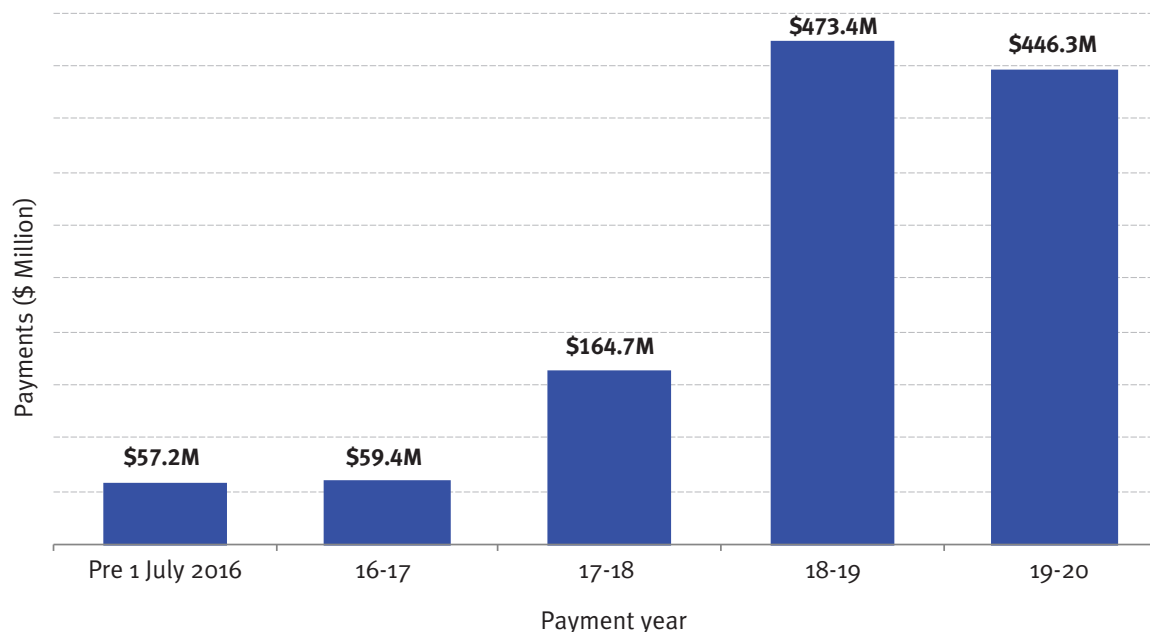
Workers having claims with both a physical and psychological or psychiatric component are the least likely to return to employment and in 2019–20, 15.4 per cent were not fit for work at the end of their claim.

## Average claim costs

The average finalised claim cost is calculated using statutory claim payments made on a claim that was ceased or finalised within the financial year. The payments made on these claims may have occurred over several years.

Figure 31 below illustrates the payments made on claims finalised in 2019–20. Over 60 per cent of the payments for these claims occurred in previous years. Only 37.2 per cent of the statutory payments made on claims finalised in 2019–20 were also paid in that financial year. A further 39.4 per cent of payments were made in the 2018–19 financial year. The remaining 23.4 per cent of the payments were made in 2017–18 or earlier.

**31 Payments by payment year for claims finalised in 2019–20**



The claims that cost more to the scheme tend to be those that have longer durations. These usually occur over several years and therefore would not impact on the average finalised claim cost until the year the claim is ceased or finalised.

The average cost (time lost claims and medical expenses only claims) has increased for the financial year (up 13.7 per cent from \$12,736 in 2018–19 to \$14,478 in 2019–20).

The number of claims finalised in the past two financial years, and the average claim costs by claim type for time lost claims and medical expense only claims is represented in figure 32 below. These two claims types represent 97.6 per cent of all finalised claims during 2019–20.

### 32 Finalised claims and average claim costs by claim type 2018–19 and 2019–20

Claim type	Number of claims			Average claim cost		
	2018–19	2019–20	Variance %	2018–19 \$	2019–20 \$	Variance %
Time lost claim	44,751	46,216	3.3	19,672	21,826	10.9
Medical expense only claim	29,913	28,411	-5.0	2,360	2,527	7.1
<b>Total</b>	<b>74,664</b>	<b>74,627</b>	<b>0.0</b>	<b>12,736</b>	<b>14,478</b>	<b>13.7</b>

The median claim costs for time lost and medical expense only claims has increased from \$1,899 in 2018–19 to \$2,208 in 2019–20.

The average finalised claim cost may vary depending on factors such as:

- the duration of claims—the longer an injured worker is away from work, the more weekly compensation payments and medical expenses the claim will incur, impacting on the time lost claims costs and the level of medical and other expenses required for the injury
- changes in industry claim rates and the average wages paid in industry
- the mix of injuries lodged scheme-wide (the severity of the injury can impact on the average finalised time lost claim duration and cost)
- changes in practices by insurers can have an impact on claim finalisation and average costs
- changes to legislation to provide increased or additional benefits to claimants
- claim re-openings.

Figure 33 compares the variance in finalised claim costs to other indicators.

### 33 Changes in average finalised claim costs and economic indices 2019–20

Indicator	% change from previous year
Average finalised time lost claim cost	10.9
Average finalised medical expense only claim cost	7.1
<b>Consumer price index</b>	
Average of all groups, Brisbane (excluding GST) <sup>a</sup>	1.8
Health, Brisbane (excluding GST) <sup>b</sup>	3.0
Full time adult ordinary earnings <sup>c</sup>	2.2

<sup>a</sup> Australian Bureau of Statistics, consumer price index, Australia Cat. No. 6401.0 - Consumer Price Index, Australia, March 2020, Tables 1 and 2 CPI - all groups, index numbers and percentages changes, Index Numbers; All groups; Brisbane. [Percentage change from March 2019 to March 2020.]

<sup>b</sup> Australian Bureau of Statistics, Australia Cat. No. 6401.0 - Consumer Price Index, Australia, March 2020, Table 5 CPI - groups, index numbers by capital city, Index Numbers; Health; Brisbane. [Percentage change from March 2019 to March 2020.]

<sup>c</sup> Australian Bureau of Statistics, average weekly earnings, Australia Cat. No 6302.0 - Average weekly earnings Australia, November 2018. Table 13C Average weekly earnings Queensland (dollars) - Original Earnings; Queensland; Persons; Full Time; Adult; Ordinary time earnings. [Percentage change from November 2018 to November 2019.]



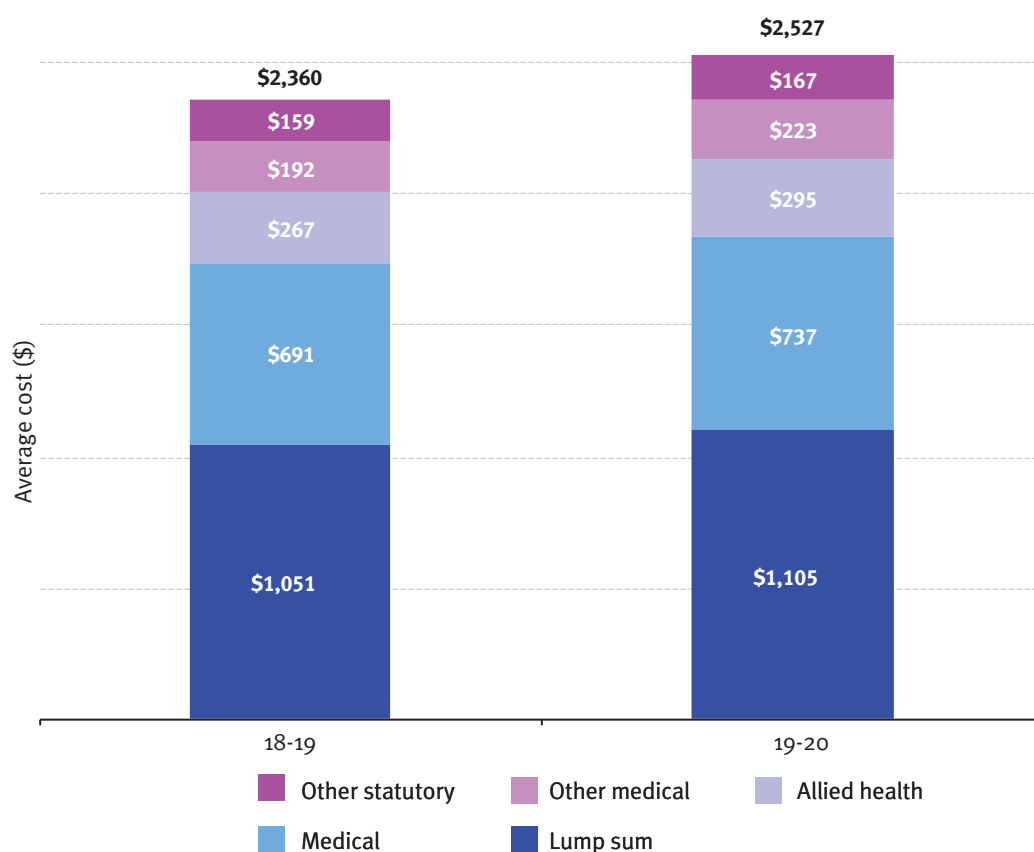
## Average finalised medical expense only claim costs

This section looks at a further breakdown of the average costs of finalised medical expense only claims.

The average cost of finalised medical expense only claims has increased by 7.1 per cent from \$2,360 in 2018–19 to \$2,527 in 2019–20 (figure 34).

The breakdown of the average cost for 2019–20 shows 43.7 per cent of the cost is made up of lump sum payments followed by medical and rehabilitation payments of 29.2 per cent. Allied health payments account for 11.7 per cent and other medical payments (including hospitalisation) account for 8.8 per cent. The remaining 6.6 per cent of the average cost is made up of other statutory payments.

### 34 Average finalised medical expense only claim costs by payment type 2018–19 and 2019–20



## Average finalised time lost claim durations

Average finalised time lost claim durations are calculated using finalised time lost claims over a financial year. The number of finalised time lost claims increased in 2019–20, up 3.3 per cent from 44,751 in 2018–19 to 46,216.

Durations for finalised time lost claims including the excess paid period by the employer (where applicable) have increased from 51.6 days in 2018–19 to 55.8 days in 2019–20.

Around 70 per cent of time lost claims have 40 or less workdays lost (68.8 per cent), while the median workdays lost for all time lost claims is 15 days. This illustrates how the small number of long term claims impact the average duration. Only 11.8 per cent of time lost claims had more than 130 workdays lost. It is at the 26 week point that the level of compensation benefits payable first begins to decrease (the Act s150).

### 35 Number of time lost claims by workdays lost time band 2018–19 and 2019–20

Workdays lost	2018–19		2019–20	
	Number of claims	% of claims	Number of claims	% of claims
1–5 days	14,592	32.6	14,284	30.9
6–10 days	5,374	12.0	5,551	12.0
11–20 days	5,621	12.6	5,831	12.6
21–40 days	5,901	13.2	6,148	13.3
41–65 days	3,987	8.9	4,110	8.9
66–130 days	4,473	9.9	4,873	10.5
131–260 days	2,937	6.6	3,177	6.9
> 260 days	1,866	4.2	2,242	4.9
<b>Total time lost claims</b>	<b>44,751</b>	<b>100</b>	<b>46,216</b>	<b>100</b>

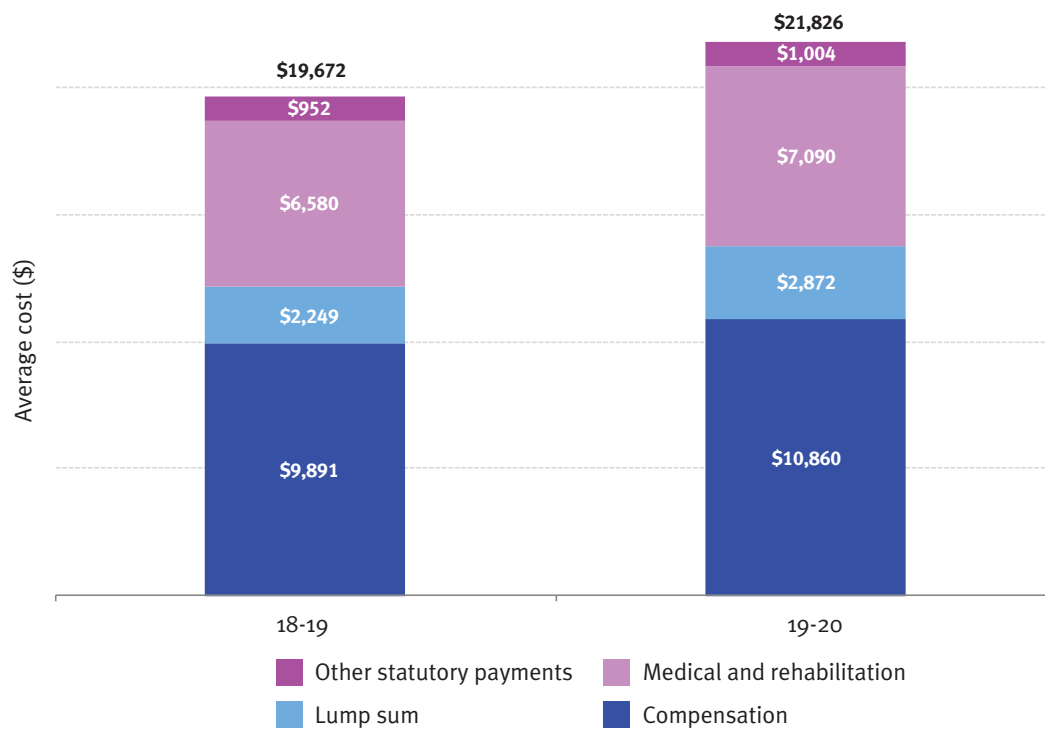
## Average finalised time lost claim costs

The average cost of finalised time lost claims increased by 10.9 per cent from \$19,672 in 2018–19 to \$21,826 in 2019–20 (figure 36).

The breakdown of the average cost in 2019–20 shows half (49.8 per cent) of the cost is made up of weekly compensation payments.

In 2019–20, medical and rehabilitation payments accounted for a third (32.5 per cent) of the average cost and lump sum payments accounted for 13.2 per cent. The remaining 4.5 per cent of the average cost was made up of other statutory payments.

### 36 Average finalised time lost claim costs by payment type 2018–19 and 2019–20

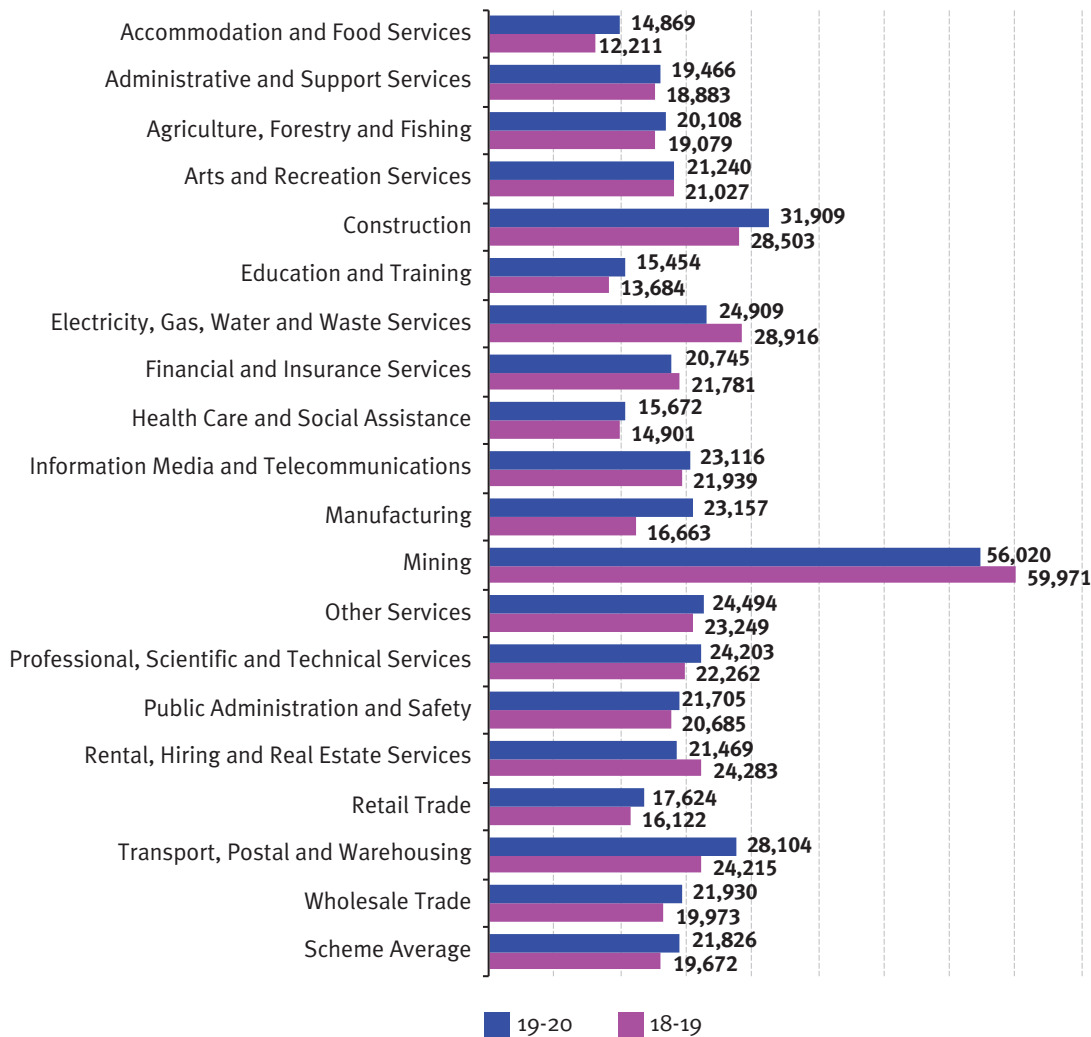


## Average cost by industry

Of all industry claims, those from the mining industry had the highest average finalised time lost claim cost (\$56,020) partially due to the higher wages paid in the industry (figure 37). Being the highest of all industries, the Australian average weekly earnings (full time adult ordinary time earnings) for workers within the mining industry is \$2,616\*.

Similarly, industries that tended to have a lower average finalised time lost claim cost (e.g. accommodation and food services and retail trade)—also had the lowest Australian average weekly earnings of all industries—\$1,179 and \$1,249 respectively.

### 37 Average finalised time lost claim costs by industry 2018–19 and 2019–20



\*Source: ABS, Average Weekly Earnings, Cat. No. 6302.0, May 2020, table 10G. Average Weekly Earnings, Industry, Australia (Dollars) - Original - Persons, Full Time Adult Ordinary Time Earnings.

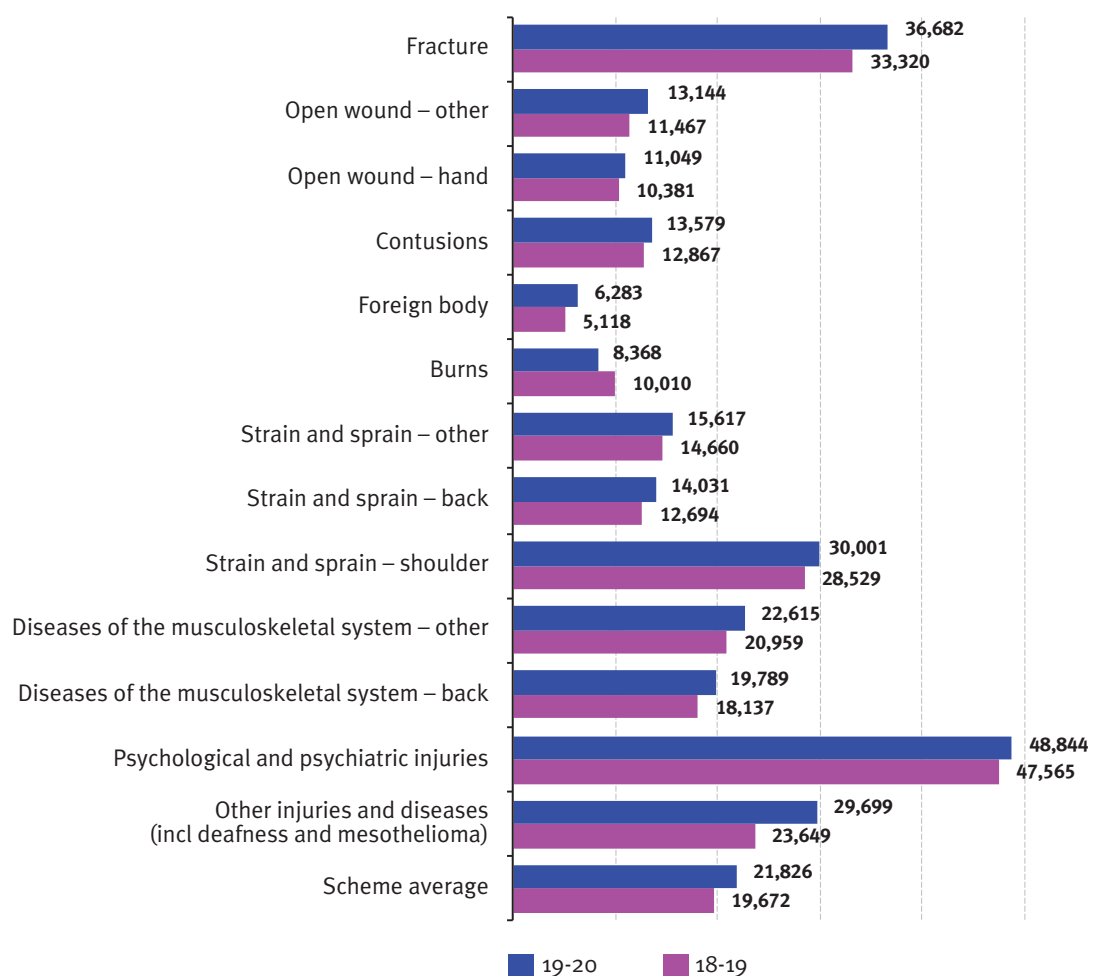
## Average cost by injury type

Although psychological and psychiatric injury claims account for only 3.1 per cent of all time lost claims finalised, they are the most expensive with an average finalised time lost claim cost of \$48,844 in 2019–20.

In 2019–20, the average duration of a psychological or psychiatric injury claim was 151.3 days (147.1 days in 2018–19) compared with the overall scheme average of 55.8 days. It is the long duration of psychological and psychiatric injury claims that impacts on the average finalised time lost claim cost for these claims.

As shown in figure 38, the second most expensive injury type was fractures with an average cost of \$36,682 (\$33,320 in 2018–19).

**38 Average finalised time lost claim cost by injury type 2018–19 and 2019–20**



# Claims for damages at common law

- Common law lodgements have increased 5.8 per cent over the last year.
- The majority of lodgements are for injuries that occurred two to three years prior.
- Over half (56.3 per cent) of common law lodgements have a work related impairment of less than five per cent.
- Psychological and psychiatric injury claims represent 9.9 per cent of common law lodgements. They represent only 5.9 per cent of statutory claim lodgements.
- In 2019–20, the average settlement cost of a finalised common law claim was \$168,836.

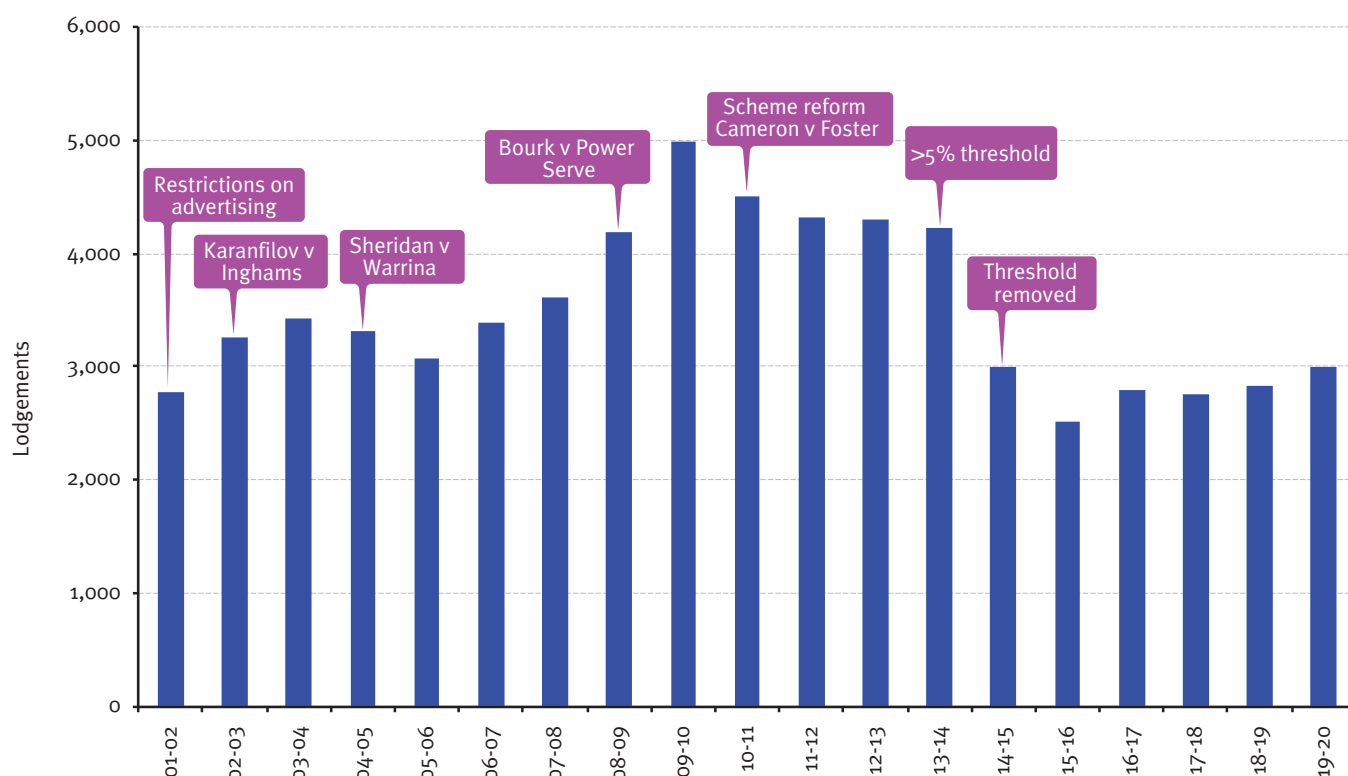
Legislative amendments in 2013 introduced a threshold to restrict access to common law damages. This threshold required workers with injuries on or after 15 October 2013 to have a degree of permanent impairment (DPI) greater than five per cent to access common law damages.

In 2015, the threshold was removed for injuries on or after 31 January 2015. The 2015 legislative amendments established a provision for additional compensation for workers impacted by the common law threshold.

## Lodgements

Figure 39 shows a history of common law lodgements and key events in the Queensland workers' compensation scheme. For a comprehensive list of key events in the Queensland workers' compensation scheme please refer to Appendix 3.

**39 Common law lodgements history 2001–02 to 2019–20**



In 2019–20, common law claim lodgements increased by 5.8 per cent, increasing from 2,841 in 2018–19 to 3,006 in 2019–20. Figure 40 shows common law claim lodgements over the past eight years by the date of injury.

#### 40 Common law claim lodgements 2012–13 to 2019–20 by injury year

Injury year	Lodgement year							
	2012–13	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19	2019–20
Pre 01/07/2004	45	65	38	28	26	19	22	24
2004–05	8	3	2	0	4	2	1	4
2005–06	12	6	5	2	1	2	2	0
2006–07	19	5	4	3	0	4	3	1
2007–08	24	16	12	6	4	4	4	1
2008–09	43	22	13	10	3	4	1	4
2009–10	908	53	18	12	4	3	1	0
2010–11	1,379	948	44	21	13	8	4	1
2011–12	1,640	1,436	866	40	12	12	2	6
2012–13	223	1,526	1,237	855	27	13	11	8
2013–14		148	716	852	634	47	11	6
2014–15			41	576	940	672	35	20
2015–16				108	1,008	1,002	740	60
2016–17					116	866	1,047	774
2017–18						95	862	1,078
2018–19							95	915
2019–20								104
<b>Total</b>	<b>4,301</b>	<b>4,228</b>	<b>2,996</b>	<b>2,513</b>	<b>2,792</b>	<b>2,753</b>	<b>2,841</b>	<b>3,006</b>

The majority of common law claims lodged in any given year are for injuries that occurred two to three years prior.

Figure 41 shows the breakdown of common law claim lodgements in 2019–20 by the injured worker's WRI/DPI.

#### 41 Common law claim lodgements by WRI/DPI 2019–20

WRI/DPI	Common law lodgements	% of common law lodgements
No impairment assessed	351	11.7%
0%	634	21.1%
0.1–4.9%	706	23.5%
5–9.9%	829	27.6%
10–14.9%	222	7.4%
15–19.9%	92	3.0%
>=20%	172	5.7%
<b>Total</b>	<b>3,006</b>	<b>100%</b>

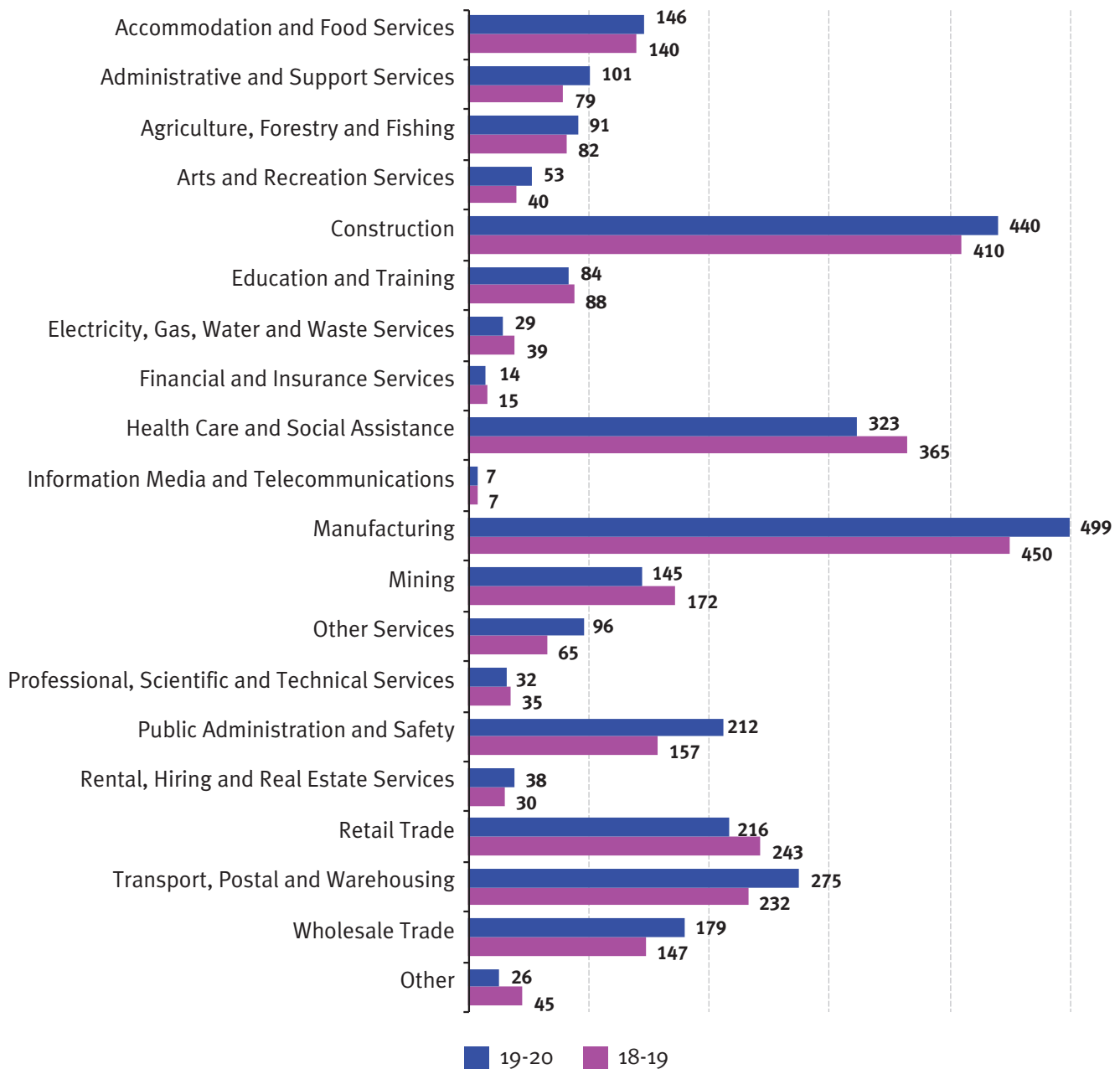
If the injured worker's work related impairment/degree of permanent impairment is less than 20 per cent, the worker has to make an irrevocable decision to either accept a payment of the statutory lump sum compensation for the injury or seek damages at common law. If the work related impairment/degree of permanent impairment is 20 per cent or more, the injured worker can accept a lump sum payment and seek damages. Only a small proportion of common law claims (5.7 per cent) are able to access lump sum payment and pursue common law.



## Industry

The manufacturing (16.6 per cent), construction (14.6 per cent), and health care and social assistance (10.7 per cent) industries represented the highest proportion of common law claims lodged in the Queensland workers' compensation scheme (figure 42).

### 42 Common law claim lodgements by industry 2018–19 and 2019–20



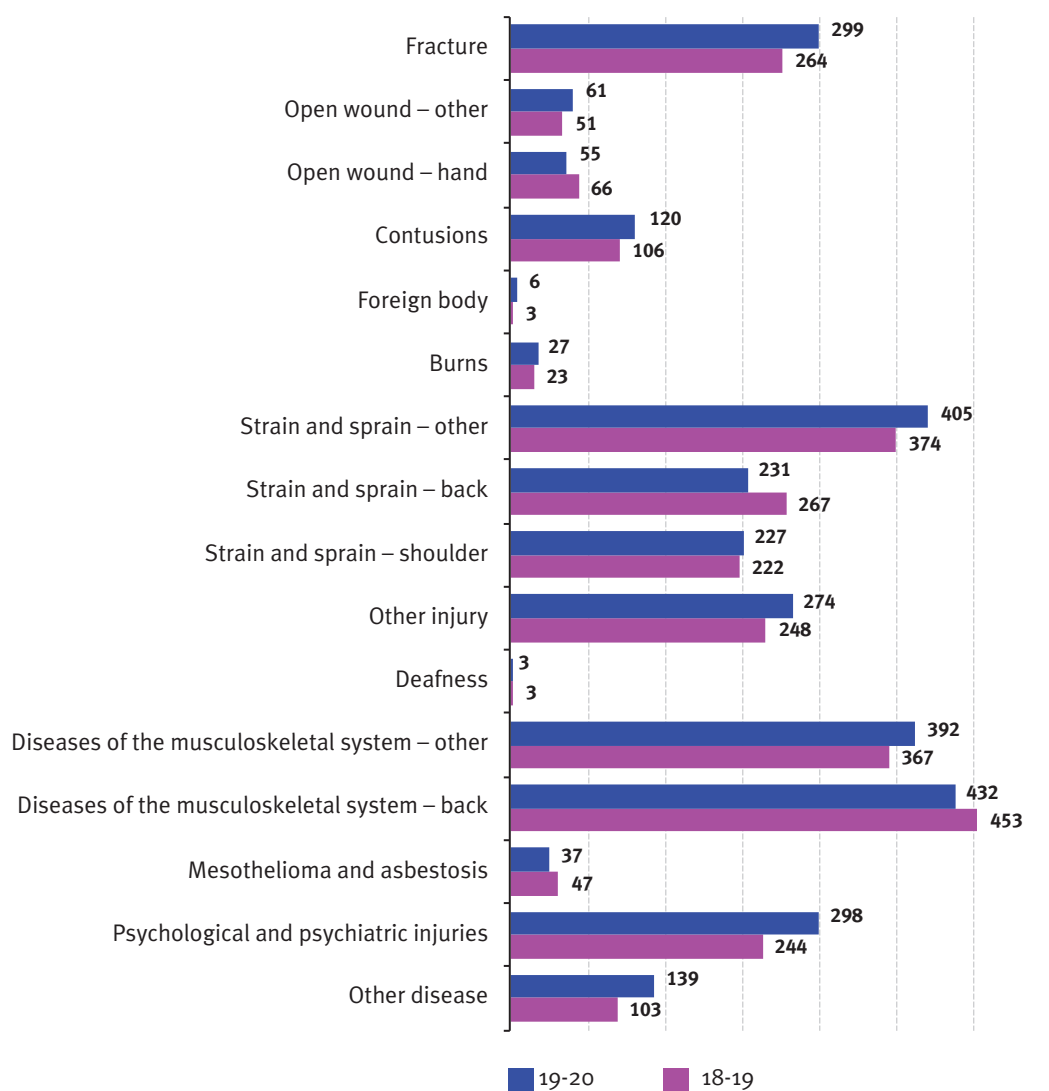
For industry 'Other', this includes injuries pre-July 1997 (pre-ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

## Injury type

Strains and sprains accounted for 28.7 per cent of all common law claim lodgements in 2019–20.

Although psychological and psychiatric injury claims represented only 5.9 per cent of statutory claim lodgements, they represented 9.9 per cent of all common law claim lodgements in 2019–20.

### 43 Common law claim lodgements by injury type 2018–19 and 2019–20



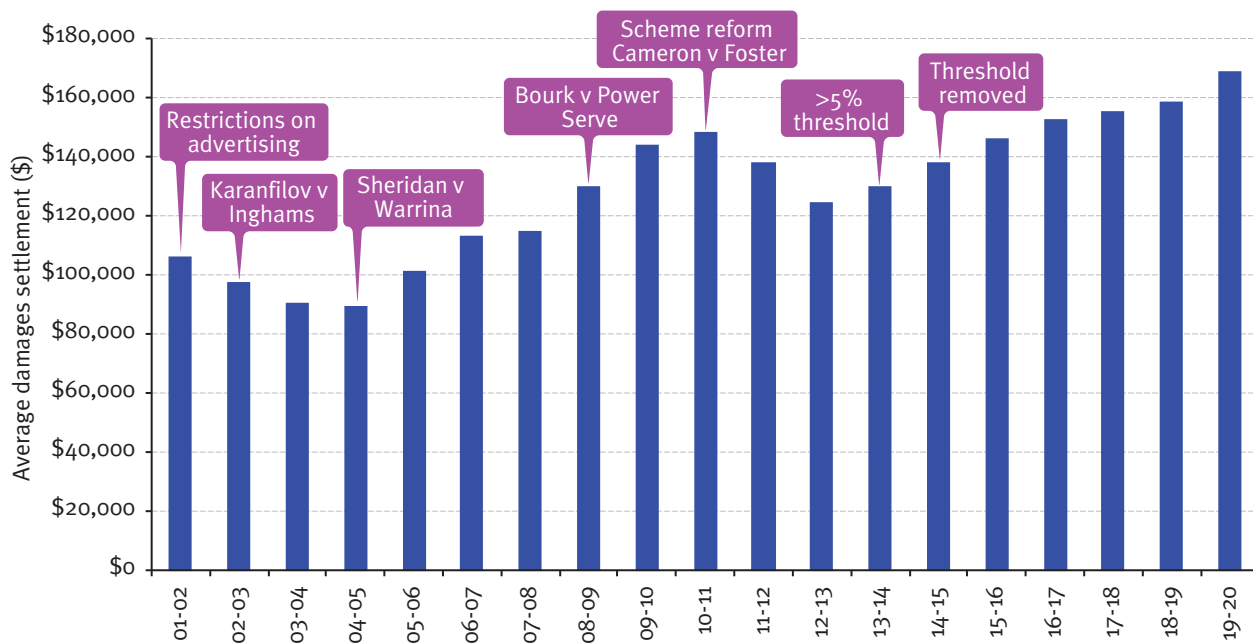
## Total common law payments

In 2019–20, common law claims cost a total of \$484.9 million. This represents a 14.5 per cent increase from the 2018–19 cost of \$423.4 million.

## Average costs

A history of the average damages settlement for finalised common law claims and key events in the Queensland workers' compensation scheme is shown in figure 44. For a comprehensive list of key events in the Queensland workers' compensation scheme please refer to Appendix 3.

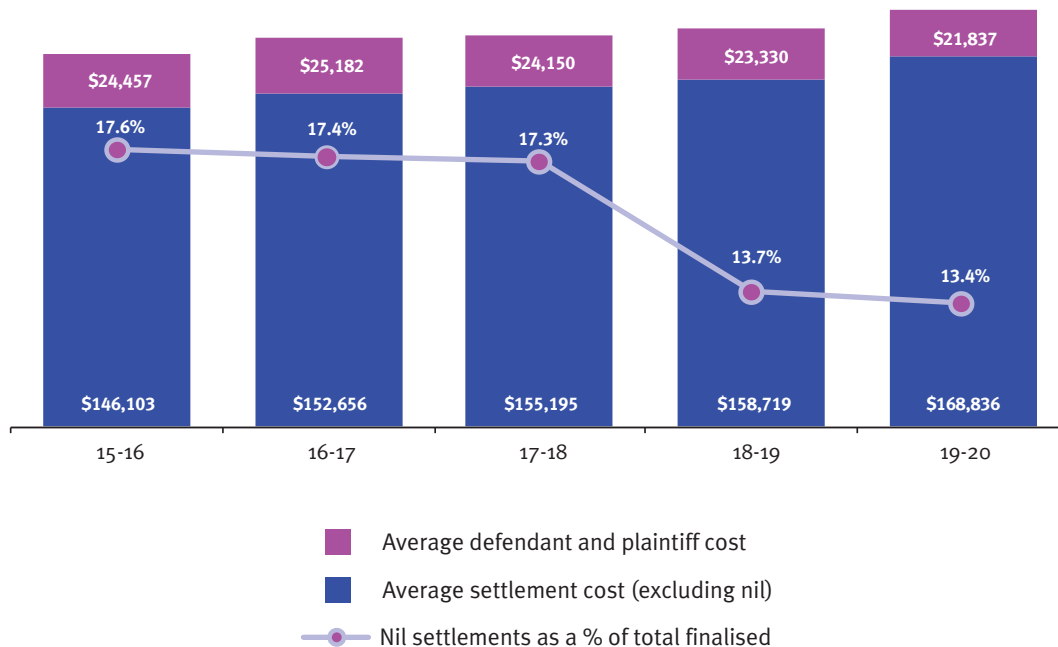
44 Common law average damages settlement history 2001–02 to 2019–20



Over the last year, the average settlement cost of a finalised common law claim (excluding nil settlements) has increased 6.4 per cent from \$158,719 in 2018–19 to \$168,836 in 2019–20. The average defendant and plaintiff cost reduced 6.4 per cent from \$23,330 in 2018–19 to \$21,837 in 2019–20. Figure 45 shows average cost fluctuations between 2015–16 and 2019–20.

In 2019–20, there were 367 common law claims finalised with a nil settlement.

#### 45 Average costs for finalised common law claims by payment type 2015–16 to 2019–20



## Heads of damage

Heads of damage consist of two distinct parts: general damages and special damages.

The legislative amendments in 2010 introduced caps on the amount of general damages that can be awarded for pain and suffering, loss of amenity, loss of expectation of life and general disfigurement. The caps align the workers' compensation scheme with the *Civil Liability Act 2003*, and limit the amount of compensation that can be awarded to an injury based on the severity of the injury, or its 'injury scale value'.

Special damages consists of future economic loss, past economic loss, care, and treatment and rehabilitation. This incorporates loss of past and future earnings, future medical needs and care due to the ongoing disability. The amount of future earnings loss must not exceed the amount equal to the present value of three times Queensland ordinary time earnings (QOTE) per week for each week of the period of loss of earnings as specified within the Act.

Figure 46 shows the average cost of each head of damage for a finalised claim (excluding nil settlements).

### 46 Heads of damage average cost 2018–19 and 2019–20

	2018–19		2019–20	
	\$	%	\$	%
General damages	20,145	8.4	20,615	8.0
Past economic loss	59,049	24.5	61,221	23.8
Future economic loss	126,596	52.5	137,451	53.4
Rehabilitation	29,990	12.4	33,920	13.2
Gratuitous care	2,214	0.9	2,270	0.9
Other	3,200	1.3	1,770	0.7
Gross settlement	241,193	100.0	257,248	100.0

## Average timeframes

For claims lodged in the financial year, the average time from date of injury to lodgement of a common law claim has remained stable (2.27 years in 2018–19; 2.27 years in 2019–20).

For claims finalised in the financial year, the average time from the lodgement of a common law claim to finalisation has remained stable at 0.97 years in 2019–20 (0.97 years in 2018–19).

# Review of insurer decisions

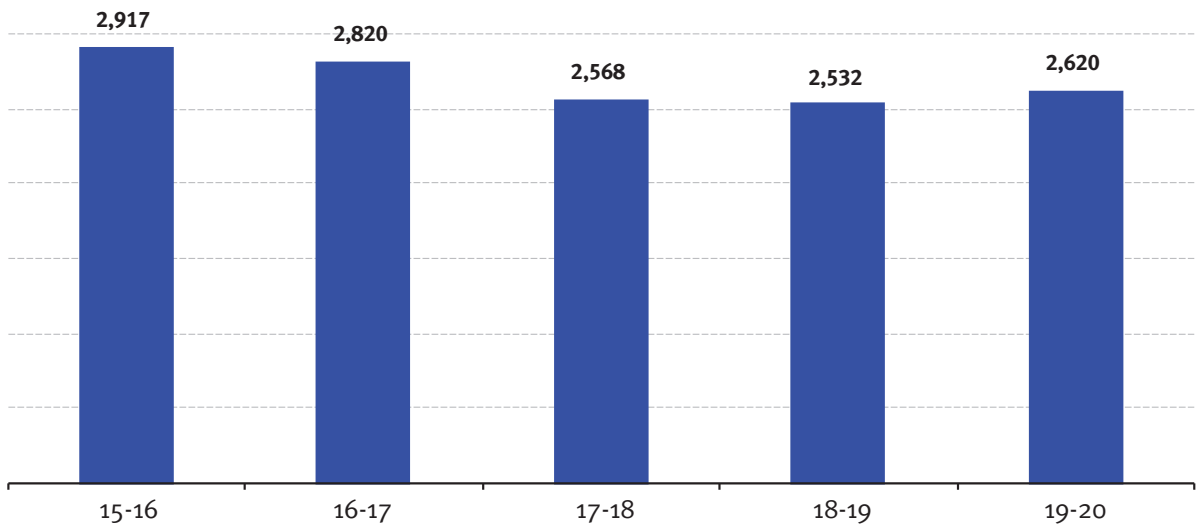
## Applications received

A party aggrieved by an insurer decision may apply to the Office of Industrial Relations for review.

Review applications received have increased (3.5 per cent) in 2019–20, up from 2,532 in 2018–19 to 2,620 in 2019–20.

Figure 47 shows the number of applications for review received over the last five years.

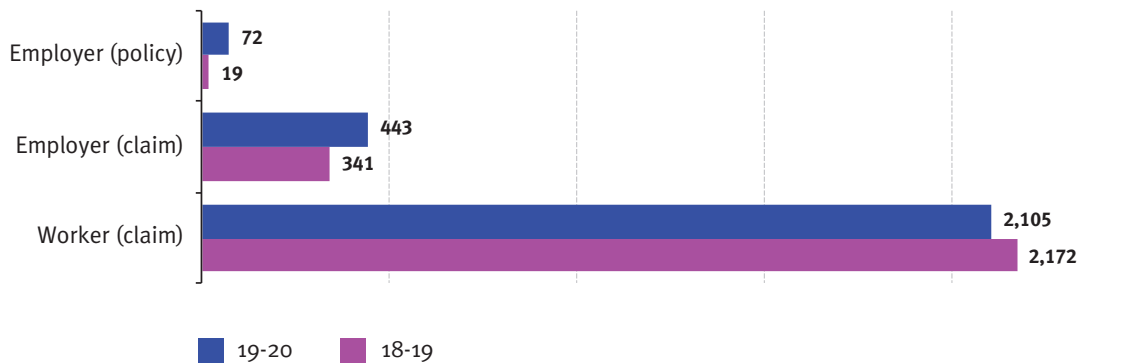
47 Review applications received 2015–16 to 2019–20



## Types of applications

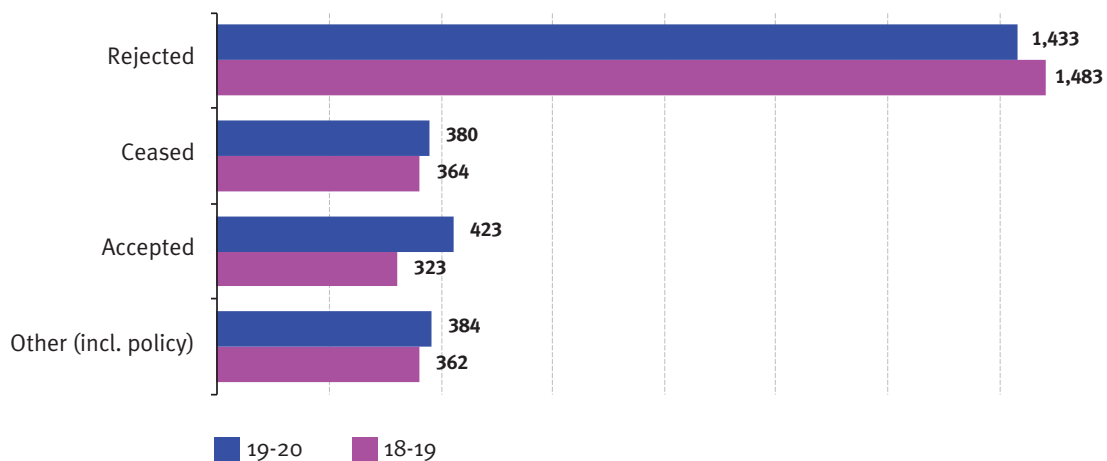
Of the applications lodged in 2019–20, 80.3 per cent were lodged by workers, down 5.5 per cent from 85.8 per cent in 2018–19. Employers lodged 16.9 per cent of reviews in 2019–20, up from 13.5 per cent in 2018–19. The remaining 2.8 per cent of applications were lodged by employers having a policy decision reviewed.

### 48 Review applications received by type 2018–19 and 2019–20



Over half (54.7 per cent) of all review applications received in 2019–20 related to the insurer decision to reject the claim, 16.1 per cent were lodged after the claim had been accepted and a further 14.5 per cent were following the cessation of the claim.

### 49 Review applications received by insurer decision 2018–19 and 2019–20



## Outcomes

As shown in figure 50, in 2019–20, 90.1 per cent of reviews finalised were decided (as compared to 90.6 per cent in 2018–19), 5.1 per cent were cancelled (5.7 per cent in 2018–19), and the remaining 4.8 per cent were withdrawn (3.7 per cent in 2018–19)

### 50 Review outcomes 2018–19 and 2019–20

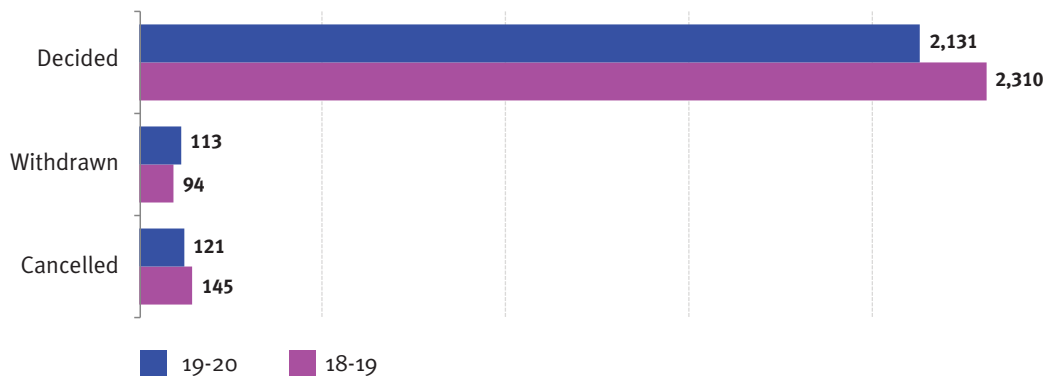
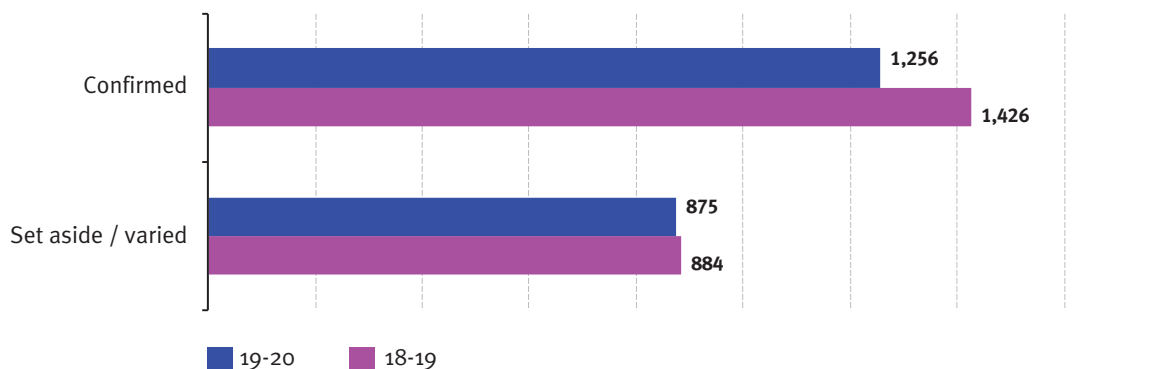


Figure 51 demonstrates in 2019–20, the original decision of the insurer was confirmed by the Review Unit in 58.9 per cent of review decisions made, compared to 61.7 per cent in 2018–19.

### 51 Decided review outcomes 2018–19 and 2019–20





# Appeals of review decisions

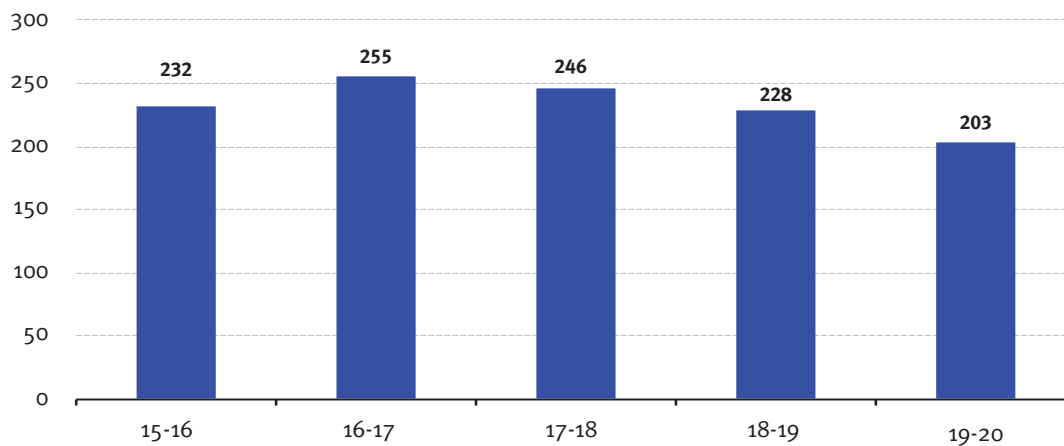
## Appeal lodgements

A party aggrieved by a decision of the Office of Industrial Relations may apply for appeal. In December 2010, the Queensland Industrial Relations Commission (QIRC) replaced the Industrial Magistrates Court as the appeal body for appeals of reviewable decisions (except for appeals about WorkCover Queensland's premium decisions).

In 2019–20, 203 appeals were lodged with the QIRC. Of these, three further appealed in the Industrial Court (IC).

Appeal lodgements have experienced a reduction of 11 per cent in 2019–20 compared with 2018–19 (figure 52).

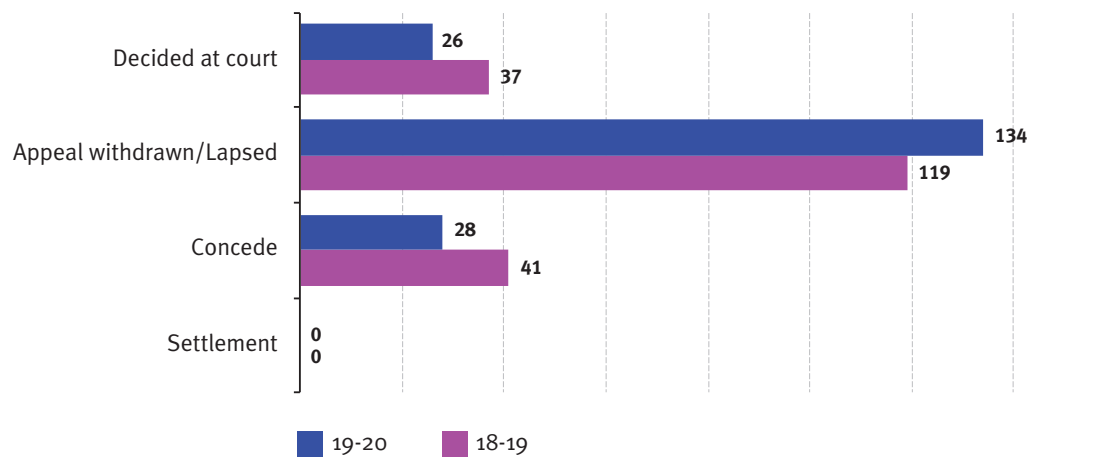
### 52 Appeals lodged 2015–16 to 2019–20



## Appeal outcomes

In 2019–20, 86.2 per cent of appeals were finalised before reaching the QIRC. Of these, 82.7 per cent of cases were withdrawn by the appellant and 17.3 per cent were conceded (figure 53).

### 53 Appeals finalised by outcome 2018–19 and 2019–20



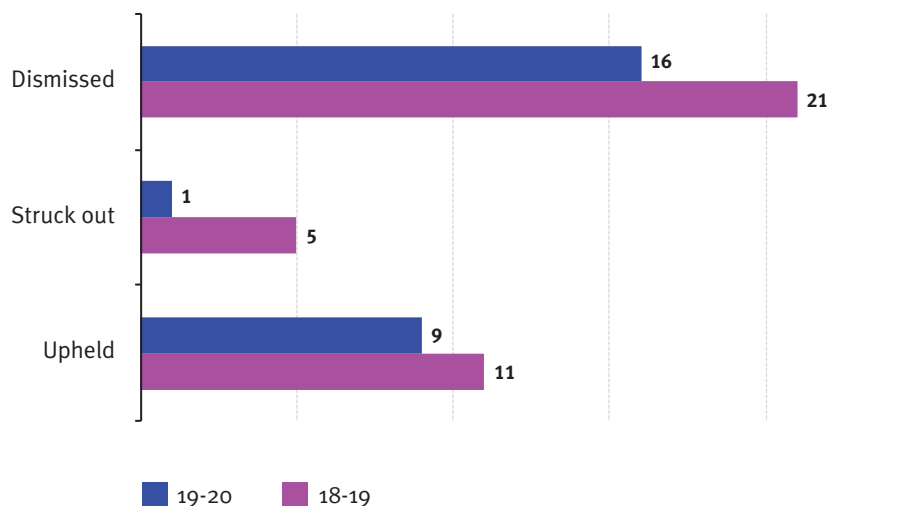
## Non-judicial resolution

In 2019–20, 162 appeals were finalised before reaching the court or commission. This is a slight increase of 1.3 per cent when compared to 160 in 2018–19.

## Judicial resolution

The total percentage of cases determined by a court or commission in 2019–20 was 13.8 per cent which has reduced compared to 2018–19 (18.8 per cent). Of these, 17 cases (65.4 per cent) were dismissed or struck-out and 9 cases (34.6 per cent) were upheld in favour of the appellant (figure 54).

### 54 Appeals finalised judicially by outcome 2018–19 and 2019–20



# Medical assessment tribunals

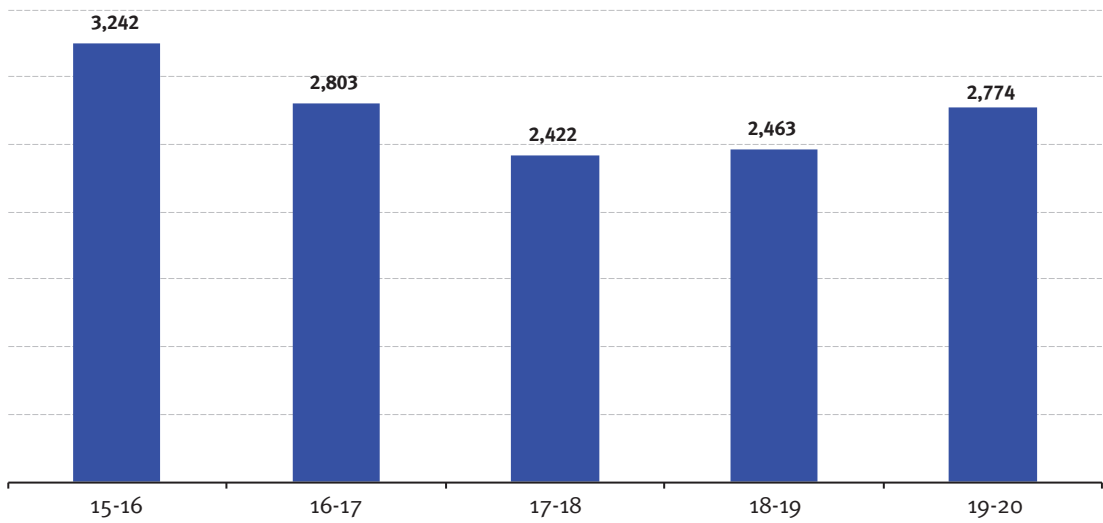
## Referrals

Medical assessment tribunals are coordinated by the Office of Industrial Relations to determine ongoing incapacity of an injured worker or the assessment of permanent impairment.

In 2019–20, 2,774 cases were referred to a Medical assessment tribunal. This is a 12.6 per cent increase on the 2,463 cases referred in 2018–19.

Figure 55 illustrates the number of Medical assessment tribunal referrals received over the past five years.

55 Medical assessment tribunal referrals received 2015–16 to 2019–20



## Cases determined

In 2019–20, 2,214 cases were determined by a Medical assessment tribunal. This represented a 22.2 per cent increase from 2018–19 (1,812 determinations).

Of the cases heard in 2019–20, 78.0 per cent (1,727) were heard at a General medical assessment tribunal (GMAT)—Psychiatric compared to 70.5 per cent (1,277) in 2018–19.

A further 16.6 per cent (367) of cases in 2019–20 were determined at an Orthopaedic Tribunal as compared to 22.0 per cent (398) in 2018–19 (figure 56).

### 56 Cases determined by tribunal type 2018–19 and 2019–20

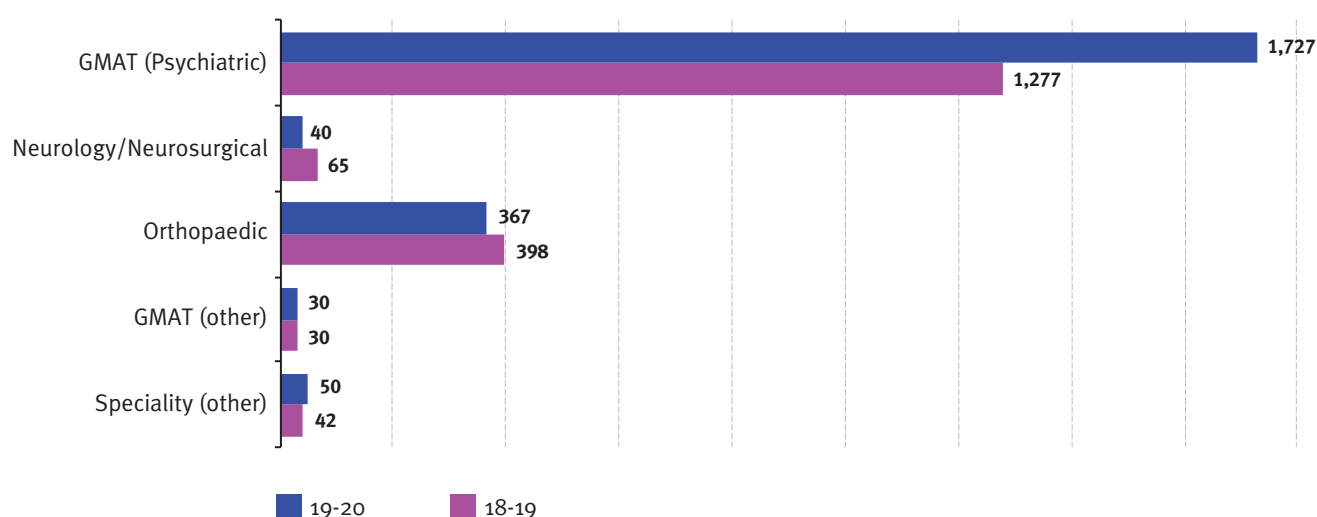


Figure 57 shows the average number of cases heard per tribunal in 2018–19 and 2019–20.

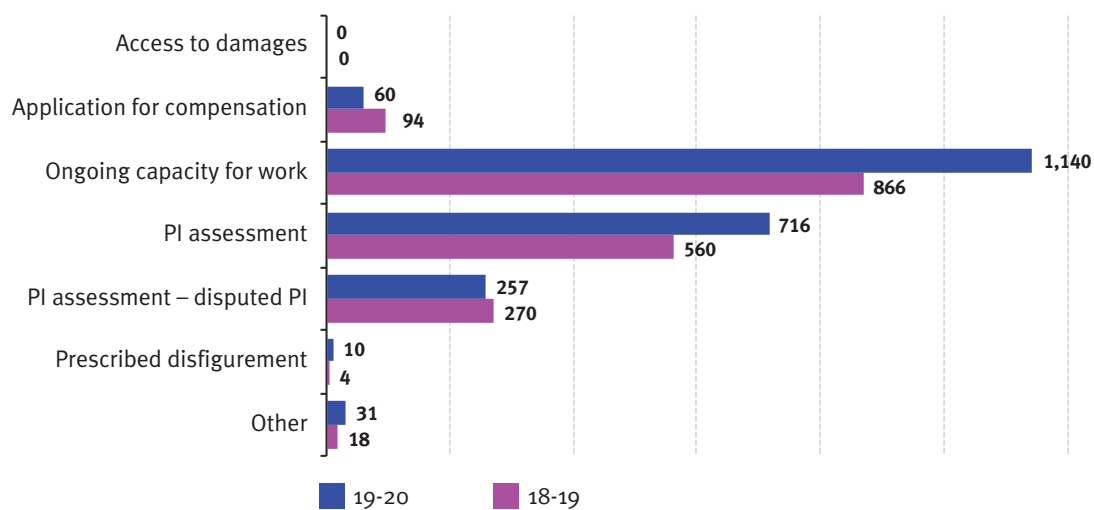
### 57 Average number of cases heard per tribunal by tribunal type 2018–19 and 2019–20

Tribunal	Average number of cases heard per tribunal	
	18–19	19–20
GMAT (Psychiatric)	1.9	1.9
Neurology/Neurosurgical	1.8	1.4
Orthopaedic	2.0	2.0
GMAT (other)	1.4	1.3
Speciality (other)	1.8	2.0
<b>Total</b>	<b>1.9</b>	<b>1.9</b>

## Referral reason

In 2019–20, 43.9 per cent of the cases determined by the Medical assessment tribunal were for PI assessment, compared to 45.8 per cent in 2018–19.

### 58 Cases determined by referral reason 2018–19 and 2019–20



# Appendix 1: Statistics by sub-industry

59 Statutory claim lodgements, statutory claim payments, average finalised time lost claim costs and durations by industry and sub-industry 2018–19 and 2019–20

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18–19	19–20	Variance	18–19	19–20	Variance	18–19	19–20	Variance	18–19	19–20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
<b>Accommodation and Food Services</b>	<b>6,001</b>	<b>5,259</b>	<b>-12.4</b>	<b>42.1</b>	<b>51.1</b>	<b>21.3</b>	<b>12,211</b>	<b>14,869</b>	<b>21.8</b>	<b>44.1</b>	<b>52.5</b>	<b>19.0</b>
Accommodation	1,431	1,252	-12.5	10.5	12.4	18.2	12,737	13,523	6.2	45.7	48.9	7.0
Food and Beverage Services	4,392	3,886	-11.5	30.4	37.5	23.4	12,163	15,373	26.4	43.6	53.5	22.7
Labour Hire	178	121	-32.0	1.2	1.1	-5.9	8,909	13,723	54.0	42.2	57.8	37.0
<b>Administrative and Support Services</b>	<b>2,859</b>	<b>2,809</b>	<b>-1.7</b>	<b>36.1</b>	<b>36.8</b>	<b>1.9</b>	<b>18,883</b>	<b>19,466</b>	<b>3.1</b>	<b>59.2</b>	<b>63.2</b>	<b>6.8</b>
Administrative Services	837	874	4.4	9.7	10.3	6.0	20,689	22,868	10.5	57.2	62.6	9.4
Building Cleaning, Pest Control and Other Support Services	1,975	1,897	-3.9	25.7	25.7	0.0	18,137	18,574	2.4	59.7	63.6	6.5
Labour Hire	47	38	-19.1	0.7	0.8	18.4	25,166	15,319	-39.1	65.3	46.7	-28.5
<b>Agriculture, Forestry and Fishing</b>	<b>2,948</b>	<b>3,020</b>	<b>2.4</b>	<b>36.3</b>	<b>37.0</b>	<b>2.0</b>	<b>19,079</b>	<b>20,108</b>	<b>5.4</b>	<b>45.4</b>	<b>47.0</b>	<b>3.5</b>
Agriculture	2,274	2,323	2.2	27.1	27.4	1.3	19,215	20,782	8.2	46.6	48.6	4.3
Agriculture, Forestry and Fishing Support Services	380	343	-9.7	6.8	5.3	-21.9	18,832	20,780	10.3	42.5	50.2	18.1
Aquaculture	32	43	34.4	0.2	0.4	155.3	7,219	13,343	84.8	22.6	38.5	70.4
Fishing, Hunting and Trapping	37	49	32.4	0.4	2.3	503.6	23,808	15,818	-33.6	84.1	54.0	-35.8
Forestry and Logging	26	29	11.5	0.5	0.5	17.8	29,353*	23,217*	-20.9	84.8	56.6	-33.3
Labour Hire	199	233	17.1	1.4	1.1	-25.0	17,597	11,941	-32.1	29.8	19.0	-36.2
<b>Arts and Recreation Services</b>	<b>1,525</b>	<b>1,352</b>	<b>-11.3</b>	<b>18.3</b>	<b>20.2</b>	<b>10.4</b>	<b>21,027</b>	<b>21,240</b>	<b>1.0</b>	<b>65.5</b>	<b>62.9</b>	<b>-4.0</b>
Creative and Performing Arts Activities	219	194	-11.4	1.8	2.3	24.0	17,484	22,082	26.3	56.3	68.3	21.3
Gambling Activities	182	142	-22.0	2.2	2.7	24.9	15,668	18,326	17.0	44.3	40.8	-7.9
Heritage Activities	233	230	-1.3	1.6	1.9	19.7	14,050	12,351	-12.1	35.7	37.9	6.2

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Sports and Recreation Activities	888	783	-11.8	12.7	13.4	5.2	24,389	24,460	0.3	78.4	74.4	-5.1
Labour Hire	3	3	0.0	0.0	0.0	-94.2	37,918*	0*	-100.0	156.0	0.0	-100.0
<b>Construction</b>	<b>10,919</b>	<b>10,169</b>	<b>-6.9</b>	<b>176.7</b>	<b>202.7</b>	<b>14.7</b>	<b>28,503</b>	<b>31,909</b>	<b>11.9</b>	<b>65.0</b>	<b>73.2</b>	<b>12.6</b>
Building Construction	1,806	1,619	-10.4	31.6	34.4	8.7	24,973	27,425	9.8	53.7	60.4	12.5
Construction Services	6,987	6,630	-5.1	115.4	128.5	11.4	28,739	31,073	8.1	67.2	74.3	10.6
Heavy and Civil Engineering Construction	1,269	1,141	-10.1	18.4	23.2	26.3	38,833	50,443	29.9	78.1	92.7	18.7
Labour Hire	857	779	-9.1	11.2	16.5	47.3	21,344	25,370	18.9	54.5	66.7	22.4
<b>Education and Training</b>	<b>6,982</b>	<b>6,717</b>	<b>-3.8</b>	<b>52.6</b>	<b>65.7</b>	<b>25.0</b>	<b>13,684</b>	<b>15,454</b>	<b>12.9</b>	<b>32.9</b>	<b>36.9</b>	<b>12.2</b>
Adult, Community and Other Education	212	166	-21.7	1.7	2.0	22.4	13,985	20,696	48.0	40.8	60.9	49.3
Preschool and School Education	5,453	5,349	-1.9	42.0	52.7	25.6	13,911	15,495	11.4	32.9	36.0	9.4
Tertiary Education	1,310	1,191	-9.1	8.9	10.6	19.9	12,679	14,315	12.9	31.5	36.5	15.9
Labour Hire	7	11	57.1	0.1	0.3	265.7	15,433*	20,206*	0.0	35.5	82.0	0.0
<b>Electricity, Gas, Water and Waste Services</b>	<b>1,185</b>	<b>1,099</b>	<b>-7.3</b>	<b>15.0</b>	<b>13.9</b>	<b>-7.9</b>	<b>28,916</b>	<b>24,909</b>	<b>-13.9</b>	<b>72.3</b>	<b>64.5</b>	<b>-10.8</b>
Electricity Supply	456	441	-3.3	5.0	4.8	-4.0	30,812	20,992	-31.9	74.4	53.3	-28.4
Gas Supply	29	24	-17.2	0.5	0.1	-77.4	7,951*	12,149*	52.8	17.4	33.4	92.0
Waste Collection, Treatment and Disposal Services	452	445	-1.5	5.2	6.6	26.6	27,129	28,022	3.3	77.0	77.5	0.6
Water Supply, Sewerage and Drainage Services	147	138	-6.1	1.3	1.4	6.1	23,611	21,478	-9.0	39.8	45.4	14.1
Labour Hire	101	51	-49.5	3.0	0.9	-68.5	41,052	28,703	-30.1	95.2	65.4	-31.3
<b>Financial and Insurance Services</b>	<b>680</b>	<b>604</b>	<b>-11.2</b>	<b>7.0</b>	<b>9.6</b>	<b>36.4</b>	<b>21,781</b>	<b>20,745</b>	<b>-4.8</b>	<b>49.3</b>	<b>44.1</b>	<b>-10.5</b>
Auxiliary Finance and Insurance Services	129	118	-8.5	1.1	1.7	50.6	33,317	21,578	-35.2	75.4	49.1	-34.9
Finance	241	219	-9.1	2.9	2.9	2.9	19,637	19,371	-1.4	44.4	47.5	7.0



	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Insurance and Superannuation Funds	304	262	-13.8	3.0	4.9	62.4	20,167	22,004	9.1	45.7	41.3	-9.6
Labour Hire	6	5	-16.7	0.0	0.1	77.5	3,257*	4,844*	48.7	10.3	11.0	6.8
<b>Health Care and Social Assistance</b>	<b>13,277</b>	<b>14,174</b>	<b>6.8</b>	<b>123.9</b>	<b>142.7</b>	<b>15.2</b>	<b>14,901</b>	<b>15,672</b>	<b>5.2</b>	<b>50.2</b>	<b>50.9</b>	<b>1.4</b>
Hospitals	5,074	5,499	8.4	52.4	59.2	12.8	16,125	17,379	7.8	49.2	49.5	0.6
Medical and Other Health Care Services	1,821	1,666	-8.5	13.8	16.9	22.7	14,660	15,338	4.6	42.9	43.9	2.3
Residential Care Services	3,238	3,295	1.8	28.5	31.6	10.8	13,276	14,840	11.8	56.1	58.7	4.6
Social Assistance Services	3,054	3,589	17.5	27.8	33.0	18.8	14,386	14,151	-1.6	47.1	48.1	2.1
Labour Hire	90	125	38.9	1.3	2.0	48.7	24,768	16,132	-34.9	77.1	45.5	-41.0
<b>Information Media and Telecommunications</b>	<b>572</b>	<b>386</b>	<b>-32.5</b>	<b>3.7</b>	<b>4.1</b>	<b>10.5</b>	<b>21,939</b>	<b>23,116</b>	<b>5.4</b>	<b>53.2</b>	<b>57.8</b>	<b>8.6</b>
Broadcasting (except Internet)	62	47	-24.2	0.4	0.7	65.8	30,784	32,249	4.8	72.1	94.5	31.1
Internet Publishing and Broadcasting	0	1	0.0	0.0	0.0	100.0	0*	0*	0.0	0	0	0.0
Internet Service Providers, Web Search Portals and Data Processing Services	9	8	-11.1	0.0	0.0	22.8	5,405*	5,682*	5.1	12.9	14.4	11.6
Library and Other Information Services	14	12	-14.3	0.1	0.3	326.3	17,567*	24,295*	38.3	56.2	32.0	-43.1
Motion Picture and Sound Recording Activities	245	83	-66.1	1.5	1.8	19.7	17,954	21,141	17.8	40.2	47.5	18.2
Publishing (except Internet and Music Publishing)	57	37	-35.1	0.7	0.6	-18.7	22,076	25,217	14.2	49.3	51.7	4.9
Telecommunications Services	173	186	7.5	0.8	0.6	-31.3	52,328	15,462	-70.5	151.6	41.8	-72.4
Labour Hire	12	12	0.0	0.2	0.2	1.9	15,747*	23,987*	52.3	57.9	117.4	102.8
<b>Manufacturing</b>	<b>14,217</b>	<b>12,929</b>	<b>-9.1</b>	<b>137.0</b>	<b>172.5</b>	<b>25.9</b>	<b>16,663</b>	<b>23,157</b>	<b>39.0</b>	<b>41.3</b>	<b>49.4</b>	<b>19.6</b>
Basic Chemical and Chemical Product Manufacturing	312	312	0.0	3.6	4.0	11.3	19,147	20,903	9.2	47.4	55.7	17.5

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Beverage and Tobacco Product Manufacturing	143	161	12.6	1.1	1.2	6.8	15,796	15,203	-3.8	34.0	38.7	13.8
Fabricated Metal Product Manufacturing	2,906	2,491	-14.3	23.4	29.9	27.7	12,601	19,502	54.8	31.5	48.0	52.4
Food Product Manufacturing	3,483	3,206	-8.0	32.8	34.4	4.9	15,439	18,118	17.4	39.9	46.3	16.0
Furniture and Other Manufacturing	429	410	-4.4	5.3	6.8	29.9	24,380	31,827	30.5	50.6	70.9	40.1
Machinery and Equipment Manufacturing	1,137	1,099	-3.3	12.1	11.4	-5.8	22,397	19,072	-14.8	53.1	46.1	-13.2
Non-Metallic Mineral Product Manufacturing	1,017	829	-18.5	14.7	38.1	159.5	25,114	89,125	254.9	61.8	83.0	34.3
Petroleum and Coal Product Manufacturing	39	39	0.0	0.5	0.8	69.5	22,112	69,096	212.5	28.9	114.4	295.8
Polymer Product and Rubber Product Manufacturing	489	506	3.5	4.9	4.5	-8.3	28,717	25,987	-9.5	61.3	55.1	-10.1
Primary Metal and Metal Product Manufacturing	570	537	-5.8	3.6	4.8	35.1	25,295	30,371	20.1	50.0	47.6	-4.8
Printing (including the Reproduction of Recorded Media)	133	112	-15.8	1.3	1.5	15.7	11,353	15,522	36.7	27.0	41.4	53.3
Pulp, Paper and Converted Paper Product Manufacturing	106	109	2.8	0.9	1.1	32.5	34,080	24,101	-29.3	67.0	50.2	-25.1
Textile, Leather, Clothing and Footwear Manufacturing	251	166	-33.9	2.3	1.4	-40.4	12,125	17,988	48.4	38.2	54.8	43.5
Transport Equipment Manufacturing	1,298	1,190	-8.3	11.5	13.4	15.7	13,926	17,994	29.2	35.7	43.8	22.7
Wood Product Manufacturing	993	908	-8.6	11.1	10.2	-7.9	14,469	16,303	12.7	40.1	38.6	-3.7
Labour Hire	911	854	-6.3	8.0	9.0	12.6	14,152	17,540	23.9	39.5	49.4	25.1
<b>Mining</b>	<b>2,134</b>	<b>2,230</b>	<b>4.5</b>	<b>55.1</b>	<b>66.9</b>	<b>21.3</b>	<b>59,971</b>	<b>56,020</b>	<b>-6.6</b>	<b>102.3</b>	<b>99.8</b>	<b>-2.4</b>
Coal Mining	771	881	14.3	25.5	29.7	16.5	80,184	68,252	-14.9	116.5	116.0	-0.4

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Exploration and Other Mining Support Services	335	353	5.4	8.1	9.3	15.5	36,947	46,185	25.0	94.5	103.0	9.0
Metal Ore Mining	438	474	8.2	8.2	12.1	46.3	79,156	47,141	-40.4	99.0	66.4	-32.9
Non-Metallic Mineral Mining and Quarrying	235	159	-32.3	5.0	5.8	16.3	35,403	54,301	53.4	79.4	86.7	9.2
Oil and Gas Extraction	29	17	-41.4	0.7	0.6	-22.5	38,348*	44,447*	15.9	93.4	93.0	-0.4
Labour Hire	326	346	6.1	7.6	9.4	23.9	47,579	53,638	12.7	98.9	107.2	8.4
<b>Other Services</b>	<b>3,141</b>	<b>2,923</b>	<b>-6.9</b>	<b>36.9</b>	<b>38.6</b>	<b>4.8</b>	<b>23,249</b>	<b>24,494</b>	<b>5.4</b>	<b>60.8</b>	<b>59.7</b>	<b>-1.8</b>
Personal and Other Services	1,095	1,024	-6.5	11.6	12.8	10.2	19,082	19,838	4.0	58.0	63.8	10.0
Repair and Maintenance	1,723	1,766	2.5	23.3	22.2	-4.7	29,213	28,264	-3.2	68.7	57.6	-16.2
Labour Hire	323	133	-58.8	2.0	3.7	83.2	11,486*	17,775*	54.8	35.3	49.6	40.5
<b>Professional, Scientific and Technical Services</b>	<b>1,886</b>	<b>1,805</b>	<b>-4.3</b>	<b>15.9</b>	<b>19.2</b>	<b>20.7</b>	<b>22,262</b>	<b>24,203</b>	<b>8.7</b>	<b>48.5</b>	<b>49.6</b>	<b>2.3</b>
Computer System Design and Related Services	177	183	3.4	1.4	1.8	34.6	27,208	24,682	-9.3	41.7	32.1	-23.0
Professional, Scientific and Technical Services (Except Computer System Design and Related Services)	1,694	1,614	-4.7	14.5	17.3	19.1	22,062	24,342	10.3	49.7	52.1	4.8
Labour Hire	15	8	-46.7	0.0	0.1	220.4	4,754*	8,449*	77.7	16.5	14.9	-9.7
<b>Public Administration and Safety</b>	<b>7,733</b>	<b>7,995</b>	<b>3.4</b>	<b>93.2</b>	<b>109.4</b>	<b>17.3</b>	<b>20,685</b>	<b>21,705</b>	<b>4.9</b>	<b>49.5</b>	<b>52.1</b>	<b>5.3</b>
Defence	5	3	-40.0	0.1	0.1	20.5	23,918*	81,808*	242.0	9.0	204.0	2166.7
Public Administration	3,154	3,060	-3.0	34.5	37.4	8.4	18,038	18,201	0.9	42.7	43.5	1.9
Public Order, Safety and Regulatory Services	4,361	4,759	9.1	55.4	68.7	24.0	23,436	24,375	4.0	56.2	58.2	3.6
Labour Hire	213	173	-18.8	3.2	3.2	-0.7	16,442	21,689	31.9	46.3	57.4	24.0
<b>Rental, Hiring and Real Estate Services</b>	<b>1,135</b>	<b>946</b>	<b>-16.7</b>	<b>12.3</b>	<b>12.4</b>	<b>0.7</b>	<b>24,283</b>	<b>21,469</b>	<b>-11.6</b>	<b>62.0</b>	<b>59.6</b>	<b>-3.9</b>

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Property Operators and Real Estate Services	650	459	-29.4	6.3	6.0	-5.7	24,290	19,742	-18.7	64.2	56.0	-12.8
Rental and Hiring Services (except Real Estate)	468	478	2.1	5.7	6.3	10.5	24,377	23,515	-3.5	59.6	63.9	7.2
Labour Hire	17	9	-47.1	0.3	0.1	-52.4	20,429*	17,683*	-13.4	54.8	53.3	-2.7
<b>Retail Trade</b>	<b>7,268</b>	<b>6,922</b>	<b>-4.8</b>	<b>65.6</b>	<b>70.3</b>	<b>7.2</b>	<b>16,122</b>	<b>17,624</b>	<b>9.3</b>	<b>49.0</b>	<b>55.2</b>	<b>12.7</b>
Food Retailing	2,625	2,606	-0.7	23.0	25.2	9.6	16,044	18,689	16.5	49.0	56.9	16.1
Fuel Retailing	270	276	2.2	1.8	2.6	44.1	18,803	13,161	-30.0	58.2	52.2	-10.3
Motor Vehicle and Motor Vehicle Parts Retailing	1,270	1,202	-5.4	10.0	12.2	22.9	14,566	17,270	18.6	41.0	49.1	19.8
Non-Store Retailing and Retail Commission-Based Buying and/or Selling	68	93	36.8	2.2	1.3	-40.6	16,766	36,773	119.3	54.5	106.9	96.1
Other Store-Based Retailing	2,945	2,656	-9.8	27.8	28.2	1.2	16,583	16,593	0.1	51.4	54.8	6.6
Labour Hire	90	89	-1.1	0.8	0.8	1.9	18,503	21,090	14.0	56.8	59.3	4.4
<b>Transport, Postal and Warehousing</b>	<b>5,752</b>	<b>5,130</b>	<b>-10.8</b>	<b>92.0</b>	<b>98.9</b>	<b>7.5</b>	<b>24,215</b>	<b>28,104</b>	<b>16.1</b>	<b>60.1</b>	<b>68.7</b>	<b>14.3</b>
Air and Space Transport	358	246	-31.3	4.0	3.8	-4.1	20,317	13,883	-31.7	35.7	27.8	-22.1
Other Transport	221	174	-21.3	2.3	2.3	2.1	16,330	20,674	26.6	50.4	66.2	31.3
Postal and Courier Pick-up and Delivery Services	227	249	9.7	4.1	3.9	-4.3	20,399	29,692	45.6	63.4	89.6	41.3
Rail Transport	479	446	-6.9	8.2	7.7	-6.7	34,631	34,011	-1.8	57.2	51.9	-9.3
Road Transport	3,031	2,710	-10.6	57.6	63.7	10.6	27,104	31,743	17.1	69.5	77.6	11.7
Transport Support Services	661	613	-7.3	5.7	6.9	20.3	15,281	20,460	33.9	36.1	50.3	39.3
Warehousing and Storage Services	244	231	-5.3	3.6	3.0	-15.8	28,864	28,797	-0.2	75.2	71.7	-4.7
Water Transport	122	92	-24.6	1.9	2.0	3.8	19,725	30,333	53.8	48.5	80.8	66.6
Labour Hire	409	369	-9.8	4.6	5.6	21.6	14,488	19,333	33.4	43.7	53.6	22.7
<b>Wholesale Trade</b>	<b>4,303</b>	<b>3,943</b>	<b>-8.4</b>	<b>41.9</b>	<b>48.8</b>	<b>16.5</b>	<b>19,973</b>	<b>21,930</b>	<b>9.8</b>	<b>50.2</b>	<b>55.0</b>	<b>9.6</b>
Basic Material Wholesaling	1,221	1,174	-3.8	12.5	15.8	26.2	17,112	23,041	34.6	42.5	54.3	27.8

	Claim lodgements			Claim payments			Average finalised time lost claims cost			Average finalised time lost claims durations		
	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance	18-19	19-20	Variance
	No.	No.	%	\$M	\$M	%	\$	\$	%	Days	Days	%
Commission-Based Wholesaling	77	53	-31.2	1.3	0.9	-25.8	52,118	26,601	-49.0	86.4	74.6	-13.7
Grocery, Liquor and Tobacco Product Wholesaling	848	740	-12.7	8.8	11.0	25.7	17,385	24,010	38.1	53.4	67.2	25.8
Machinery and Equipment Wholesaling	1,130	1,045	-7.5	10.0	10.1	1.7	25,441	21,153	-16.9	58.5	45.0	-23.1
Motor Vehicle and Motor Vehicle Parts Wholesaling	395	383	-3.0	3.2	4.8	46.9	14,118	17,008	20.5	35.6	50.2	41.0
Other Goods Wholesaling	527	459	-12.9	4.9	5.1	3.8	19,834	19,643	-1.0	52.0	49.6	-4.6
Labour Hire	105	89	-15.2	1.2	1.1	-15.6	19,409	24,720	27.4	50.6	76.5	51.2
<b>Other</b>	<b>436</b>	<b>407</b>	<b>-6.7</b>	<b>7.1</b>	<b>20.0</b>	<b>180.6</b>	<b>33,131</b>	<b>38,983</b>	<b>17.7</b>	<b>75.7</b>	<b>98.5</b>	<b>30.1</b>
<b>Total</b>	<b>94,953</b>	<b>90,819</b>	<b>-4.4</b>	<b>1,068.1</b>	<b>1,240.7</b>	<b>16.2</b>	<b>19,672</b>	<b>21,826</b>	<b>10.9</b>	<b>51.6</b>	<b>55.8</b>	<b>8.1</b>

\*Average is based on less than 30 finalised time lost claims.

For industry 'Other', this includes injuries pre-July 1997 (pre-ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

'Labour hire' pre-July 2009 was classified under industry 'Property and business services - Employment services'. Post June 2009, WorkCover created a 'labour hire' classification for each industry.

## 60 Statutory claim decisions and statutory claim finalisations by industry and sub-industry 2019–20

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
<b>Accommodation and Food Services</b>	<b>93.5</b>	<b>6.5</b>	<b>4,231</b>	<b>2,902</b>	<b>86.7</b>	<b>1.7</b>	<b>1.4</b>	<b>3.2</b>	<b>1.6</b>	<b>3.5</b>	<b>1.8</b>	<b>0.1</b>
Accommodation	94.5	5.6	1,009	715	88.8	1.8	0.9	2.9	1.4	2.9	1.3	0.0
Food and Beverage Services	93.2	6.8	3,120	2,101	85.9	1.6	1.7	3.2	1.7	3.8	2.0	0.1
Labour hire	93.1	6.9	102	86	86.0	2.3	0.0	7.0	1.2	2.3	1.2	0.0
<b>Administrative and Support Services</b>	<b>90.6</b>	<b>9.4</b>	<b>2,217</b>	<b>1,653</b>	<b>87.0</b>	<b>1.1</b>	<b>0.3</b>	<b>5.3</b>	<b>2.2</b>	<b>2.2</b>	<b>1.5</b>	<b>0.4</b>
Administrative Services	84.4	15.6	570	358	81.0	1.9	0.0	9.5	3.1	2.0	2.5	0.0
Building Cleaning, Pest Control and Other Support Services	92.8	7.2	1,619	1,276	88.8	0.9	0.3	4.0	2.0	2.3	1.2	0.5
Labour hire	89.3	10.7	28	19	78.9	0.0	5.3	10.5	5.3	0.0	0.0	0.0
<b>Agriculture, Forestry and Fishing</b>	<b>94.8</b>	<b>5.2</b>	<b>2,405</b>	<b>1,568</b>	<b>81.7</b>	<b>3.2</b>	<b>1.4</b>	<b>6.5</b>	<b>2.2</b>	<b>3.9</b>	<b>1.1</b>	<b>0.0</b>
Agriculture	95.3	4.7	1,863	1,227	80.8	3.1	1.6	6.7	2.5	4.2	1.1	0.0
Agriculture, Forestry and Fishing Support Services	92.4	7.6	262	193	81.9	5.7	0.0	7.3	0.5	2.6	2.0	0.0
Aquaculture	96.8	3.2	31	17	82.4	0.0	5.9	5.9	0.0	5.8	0.0	0.0
Fishing, Hunting and Trapping	87.9	12.1	33	21	81.0	0.0	4.8	9.5	4.7	0.0	0.0	0.0
Forestry and Logging	95.0	5.0	20	13	61.5	7.7	0.0	15.4	7.7	7.7	0.0	0.0
Labour hire	93.9	6.1	196	97	95.9	0.0	0.0	1.0	0.0	2.1	1.0	0.0
<b>Arts and Recreation Services</b>	<b>93.9</b>	<b>6.1</b>	<b>1,151</b>	<b>733</b>	<b>85.4</b>	<b>1.6</b>	<b>2.7</b>	<b>4.9</b>	<b>1.0</b>	<b>2.5</b>	<b>1.8</b>	<b>0.1</b>
Creative and Performing Arts Activities	95.5	4.5	177	83	77.1	0.0	1.2	12.0	2.4	4.9	2.4	0.0
Gambling Activities	90.6	9.4	128	96	79.2	1.0	15.6	1.1	0.0	1.0	2.1	0.0
Heritage Activities	97.5	2.5	199	130	93.8	0.8	0.0	2.3	1.5	0.8	0.8	0.0

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Sports and Recreation Activities	93.2	6.8	645	424	85.8	2.4	0.9	5.2	0.7	2.9	1.9	0.2
Labour hire	50.0	50.0	2	-	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Construction</b>	<b>94.0</b>	<b>6.0</b>	<b>7,868</b>	<b>4,896</b>	<b>81.0</b>	<b>2.5</b>	<b>0.7</b>	<b>6.2</b>	<b>4.0</b>	<b>2.9</b>	<b>2.3</b>	<b>0.4</b>
Building Construction	94.8	5.2	1,286	815	84.1	1.8	0.4	5.9	2.9	2.5	2.0	0.4
Construction Services	94.1	6.0	5,074	3,245	80.9	2.8	0.6	5.8	4.2	2.9	2.4	0.4
Heavy and Civil Engineering Construction	93.0	7.1	879	472	80.1	1.9	1.3	6.8	4.7	2.3	2.7	0.2
Labour hire	93.5	6.5	629	364	76.1	2.2	1.9	9.3	3.8	4.1	2.0	0.6
<b>Education and Training</b>	<b>92.2</b>	<b>7.8</b>	<b>5,938</b>	<b>3,617</b>	<b>96.1</b>	<b>0.5</b>	<b>0.4</b>	<b>0.7</b>	<b>0.4</b>	<b>1.0</b>	<b>0.7</b>	<b>0.2</b>
Adult, Community and Other Education	90.1	9.9	131	102	89.2	1.0	1.0	4.9	1.9	1.0	1.0	0.0
Tertiary Education	91.3	8.7	1,054	602	93.0	0.5	0.5	2.0	0.8	2.2	1.0	0.0
Labour hire	85.7	14.3	7	7	71.4	14.3	14.3	0.0	0.0	0.0	0.0	0.0
Preschool and School Education	92.5	7.5	4,746	2,906	97.0	0.5	0.4	0.3	0.2	0.8	0.6	0.2
<b>Electricity, Gas, Water and Waste Services</b>	<b>91.3</b>	<b>8.7</b>	<b>889</b>	<b>463</b>	<b>86.4</b>	<b>1.5</b>	<b>1.1</b>	<b>5.0</b>	<b>2.1</b>	<b>2.6</b>	<b>1.1</b>	<b>0.2</b>
Electricity Supply	89.4	10.7	338	137	92.7	0.0	2.2	0.7	2.9	1.5	0.0	0.0
Gas Supply	90.0	10.0	20	8	87.5	0.0	0.0	12.5	0.0	0.0	0.0	0.0
Waste Collection, Treatment and Disposal Services	94.6	5.4	369	218	82.6	2.3	0.9	6.4	1.8	3.2	2.3	0.5
Water Supply, Sewerage and Drainage Services	86.0	14.0	114	58	94.9	0.0	0.0	1.7	1.7	1.7	0.0	0.0
Labour hire	93.8	6.3	48	42	73.8	4.8	0.0	14.3	2.4	4.7	0.0	0.0
<b>Financial and Insurance Services</b>	<b>84.1</b>	<b>15.9</b>	<b>485</b>	<b>303</b>	<b>91.4</b>	<b>0.7</b>	<b>0.6</b>	<b>2.0</b>	<b>1.0</b>	<b>1.7</b>	<b>2.3</b>	<b>0.3</b>

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Auxiliary Finance and Insurance Services	79.4	20.7	92	54	85.2	0.0	0.0	5.5	0.0	3.7	5.6	0.0
Finance	80.1	19.9	181	97	92.8	0.0	0.0	1.0	0.0	3.1	3.1	0.0
Insurance and Superannuation Funds	89.4	10.6	207	146	92.5	1.4	1.4	1.4	2.1	0.0	0.6	0.6
Labour hire	100.0	0.0	5	6	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Health Care and Social Assistance</b>	<b>91.1</b>	<b>8.9</b>	<b>11,585</b>	<b>8,022</b>	<b>92.5</b>	<b>0.8</b>	<b>0.9</b>	<b>1.4</b>	<b>0.7</b>	<b>1.7</b>	<b>1.8</b>	<b>0.2</b>
Hospitals	90.6	9.4	4,330	3,026	95.4	0.2	0.8	0.6	0.4	1.0	1.4	0.2
Medical and Other Health Care Services	90.8	9.2	1,301	772	93.1	1.2	0.8	1.4	0.5	0.9	2.0	0.1
Residential Care Services	90.4	9.6	2,786	2,025	90.3	1.0	1.4	1.2	0.8	2.6	2.5	0.2
Social Assistance Services	92.5	7.5	3,054	2,138	90.6	1.4	0.7	2.5	1.2	2.1	1.3	0.2
Labour hire	92.1	7.9	114	61	85.2	3.3	0.0	3.3	1.6	0.0	3.3	3.3
<b>Information Media and Telecommuni- cations</b>	<b>85.0</b>	<b>15.1</b>	<b>206</b>	<b>118</b>	<b>78.0</b>	<b>2.5</b>	<b>0.8</b>	<b>6.8</b>	<b>4.2</b>	<b>3.4</b>	<b>3.4</b>	<b>0.9</b>
Broadcasting (except Internet)	90.5	9.5	42	21	76.2	0.0	4.7	0.0	14.4	0.0	0.0	4.7
Internet Publishing and Broadcasting	-	-	-	-	-	-	-	-	-	-	-	-
Internet Service Providers, Web Search Portals and Data Processing Services	75.0	25.0	8	5	60.0	0.0	0.0	20.0	20.0	0.0	0.0	0.0
Library and Other Information Services	80.0	20.0	10	1	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Motion Picture and Sound Recording Activities	95.5	4.5	67	57	80.7	5.3	0.0	5.3	0.0	3.5	5.2	0.0



	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Publishing (except Internet and Music Publishing)	86.7	13.3	30	23	78.3	0.0	0.0	8.7	0.0	8.7	4.3	0.0
Telecommunica- tions Services	59.0	41.0	39	6	83.3	0.0	0.0	16.7	0.0	0.0	0.0	0.0
Labour hire	100.0	0.0	9	5	60.0	0.0	0.0	20.0	20.0	0.0	0.0	0.0
<b>Manufacturing</b>	<b>94.9</b>	<b>5.2</b>	<b>10,723</b>	<b>5,853</b>	<b>87.1</b>	<b>1.3</b>	<b>1.2</b>	<b>3.7</b>	<b>2.2</b>	<b>2.9</b>	<b>1.4</b>	<b>0.2</b>
Basic Chemical and Chemical Product Manufacturing	93.4	6.6	259	118	85.6	0.8	0.0	3.4	3.4	4.2	2.6	0.0
Beverage and Tobacco Product Manufacturing	90.6	9.4	128	68	92.6	1.5	0.0	1.5	1.5	1.5	1.4	0.0
Fabricated Metal Product Manufacturing	95.9	4.1	2,055	1,079	86.7	1.2	0.4	5.3	2.1	2.5	1.5	0.3
Food Product Manufacturing	94.3	5.7	2,668	1,631	87.9	0.5	2.3	1.9	2.3	3.8	1.2	0.1
Furniture and Other Manufacturing	94.3	5.7	317	182	85.2	2.7	0.6	3.8	2.2	2.8	1.1	1.6
Machinery and Equipment Manufacturing	95.1	4.9	923	484	88.6	1.9	1.2	4.1	1.7	2.1	0.4	0.0
Non-Metallic Mineral Product Manufacturing	93.4	6.7	692	307	80.1	1.6	1.0	5.9	2.3	1.9	7.2	0.0
Petroleum and Coal Product Manufacturing	81.3	18.8	32	16	75.0	6.3	0.0	6.3	0.0	0.0	12.4	0.0
Polymer Product and Rubber Product Manufacturing	94.8	5.2	424	217	90.8	0.5	0.9	2.3	1.8	1.8	1.9	0.0
Primary Metal and Metal Product Manufacturing	93.9	6.1	457	140	93.6	1.4	0.0	1.4	2.2	0.7	0.7	0.0
Printing (including the Reproduction of Recorded Media)	90.8	9.2	98	59	88.1	1.7	1.7	1.7	0.0	6.8	0.0	0.0

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- ative out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Pulp, Paper and Converted Paper Product Manufacturing	92.9	7.1	84	24	95.8	0.0	0.0	4.2	0.0	0.0	0.0	0.0
Textile, Leather, Clothing and Footwear Manufacturing	91.7	8.3	133	79	87.4	1.3	2.5	6.3	0.0	2.5	0.0	0.0
Transport Equipment Manufacturing	95.3	4.7	978	502	90.0	0.8	0.4	2.6	2.2	3.0	0.8	0.2
Wood Product Manufacturing	96.9	3.1	736	474	89.9	1.1	0.4	3.8	2.1	2.3	0.4	0.0
Labour hire	96.4	3.7	739	473	79.1	4.0	1.5	7.1	3.0	4.0	1.1	0.2
<b>Mining</b>	<b>90.7</b>	<b>9.3</b>	<b>1,919</b>	<b>899</b>	<b>79.3</b>	<b>1.7</b>	<b>3.2</b>	<b>5.5</b>	<b>2.9</b>	<b>2.6</b>	<b>4.5</b>	<b>0.3</b>
Coal Mining	89.1	10.9	771	314	78.3	1.6	5.1	2.9	1.3	3.2	7.3	0.3
Exploration and Other Mining Support Services	92.5	7.5	295	172	76.7	2.3	1.2	8.2	5.2	2.9	2.9	0.6
Metal Ore Mining	90.2	9.8	427	169	91.1	0.6	5.9	0.6	0.6	0.6	0.0	0.6
Non-Metallic Mineral Mining and Quarrying	93.2	6.8	117	78	70.5	1.3	1.3	11.5	5.1	2.6	7.7	0.0
Oil and Gas Extraction	94.1	5.9	17	13	84.6	7.7	0.0	7.7	0.0	0.0	0.0	0.0
Labour hire	92.8	7.2	292	153	75.2	1.9	0.0	9.8	5.2	3.3	4.6	0.0
<b>Other Services</b>	<b>93.0</b>	<b>7.0</b>	<b>2,238</b>	<b>1,341</b>	<b>85.3</b>	<b>2.1</b>	<b>0.8</b>	<b>5.3</b>	<b>2.3</b>	<b>2.2</b>	<b>1.4</b>	<b>0.6</b>
Personal and Other Services	90.0	10.0	782	528	86.4	2.5	0.2	4.7	1.3	2.6	1.7	0.6
Repair and Maintenance	95.2	4.8	1,363	756	85.2	1.7	1.1	5.7	2.9	1.7	1.2	0.5
Labour hire	86.0	14.0	93	57	77.2	3.5	1.8	5.3	3.5	5.3	1.7	1.7
<b>Professional, Scientific and Technical Services</b>	<b>89.1</b>	<b>10.9</b>	<b>1,322</b>	<b>728</b>	<b>90.9</b>	<b>2.2</b>	<b>0.3</b>	<b>2.7</b>	<b>1.9</b>	<b>1.4</b>	<b>0.4</b>	<b>0.2</b>
Computer System Design and Related Services	86.8	13.2	152	76	94.8	1.3	0.0	2.6	1.3	0.0	0.0	0.0

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Professional, Scientific and Technical Services (Except Computer System Design and Related Services)	89.3	10.7	1,162	644	90.7	2.0	0.3	2.8	2.0	1.6	0.5	0.1
Labour hire	100.0	0.0	8	8	75.0	25.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Public Administration and Safety</b>	<b>91.0</b>	<b>9.1</b>	<b>6,396</b>	<b>3,941</b>	<b>92.6</b>	<b>0.6</b>	<b>1.4</b>	<b>1.6</b>	<b>0.5</b>	<b>1.2</b>	<b>1.9</b>	<b>0.2</b>
Defence	100.0	0.0	3	4	75.0	0.0	0.0	25.0	0.0	0.0	0.0	0.0
Public Administration	88.9	11.1	2,864	1,676	93.4	0.5	2.4	0.5	0.3	1.1	1.5	0.3
Public Order, Safety and Regulatory Services	92.4	7.6	3,365	2,108	92.9	0.5	0.5	1.9	0.6	1.3	2.2	0.1
Labour hire	96.3	3.7	164	153	79.1	3.3	1.3	9.2	1.9	1.9	2.6	0.7
<b>Rental, Hiring and Real Estate Services</b>	<b>90.7</b>	<b>9.3</b>	<b>776</b>	<b>541</b>	<b>85.0</b>	<b>1.5</b>	<b>0.2</b>	<b>5.9</b>	<b>3.3</b>	<b>2.4</b>	<b>1.5</b>	<b>0.2</b>
Property Operators and Real Estate Services	88.7	11.3	380	280	84.6	1.4	0.4	6.1	2.9	2.1	2.1	0.4
Rental and Hiring Services (except Real Estate)	92.5	7.5	388	252	85.7	1.2	0.0	5.9	3.6	2.8	0.8	0.0
Labour hire	100.0	0.0	8	9	77.8	11.1	0.0	0.0	11.1	0.0	0.0	0.0
<b>Retail Trade</b>	<b>92.9</b>	<b>7.1</b>	<b>5,476</b>	<b>3,546</b>	<b>87.1</b>	<b>1.4</b>	<b>2.1</b>	<b>3.9</b>	<b>1.4</b>	<b>2.3</b>	<b>1.4</b>	<b>0.4</b>
Food Retailing	92.6	7.4	2,051	1,166	86.2	1.0	4.4	4.0	0.8	1.3	2.2	0.1
Fuel Retailing	89.6	10.4	231	124	91.2	0.8	0.0	2.4	0.8	2.4	2.4	0.0
Motor Vehicle and Motor Vehicle Parts Retailing	94.8	5.2	945	602	85.2	2.3	0.8	4.3	2.5	3.0	1.2	0.7
Non-Store Retailing and Retail Commission-Based Buying and/or Selling	92.1	7.9	63	49	85.8	0.0	0.0	4.1	4.1	2.0	2.0	2.0

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Other Store-Based Retailing	92.6	7.4	2,110	1,551	88.1	1.4	1.3	3.6	1.5	2.7	0.9	0.5
Labour hire	97.4	2.6	76	54	88.9	0.0	0.0	9.3	0.0	1.8	0.0	0.0
<b>Transport, Postal and Warehousing</b>	<b>92.1</b>	<b>8.0</b>	<b>4,378</b>	<b>3,002</b>	<b>83.2</b>	<b>1.8</b>	<b>2.5</b>	<b>4.4</b>	<b>2.5</b>	<b>3.1</b>	<b>2.3</b>	<b>0.2</b>
Air and Space Transport	91.2	8.8	228	186	91.9	0.0	4.8	0.6	0.0	0.5	1.6	0.6
Other Transport	87.4	12.6	127	112	83.9	0.9	0.9	8.0	1.8	3.6	0.9	0.0
Postal and Courier Pick-up and Delivery Services	89.6	10.4	183	111	73.9	0.9	0.9	11.7	2.7	5.4	4.5	0.0
Rail Transport	92.4	7.6	410	151	90.1	0.0	7.3	0.0	0.0	0.6	2.0	0.0
Road Transport	92.2	7.9	2,318	1,770	81.6	2.3	2.6	4.5	2.8	3.4	2.6	0.2
Transport Support Services	91.0	9.0	513	263	88.6	1.1	1.1	3.5	1.9	2.3	1.5	0.0
Warehousing and Storage Services	93.1	6.9	188	96	79.2	1.0	0.0	6.3	5.2	5.2	2.1	1.0
Water Transport	89.2	10.8	83	59	83.0	1.7	1.7	5.1	3.4	3.4	1.7	0.0
Labour hire	96.3	3.7	328	254	84.2	2.4	0.8	4.7	3.5	2.8	0.8	0.8
<b>Wholesale Trade</b>	<b>94.0</b>	<b>6.0</b>	<b>3,189</b>	<b>1,973</b>	<b>88.4</b>	<b>1.3</b>	<b>0.9</b>	<b>3.8</b>	<b>1.9</b>	<b>2.1</b>	<b>1.3</b>	<b>0.3</b>
Basic Material Wholesaling	94.2	5.8	942	591	89.5	1.5	1.0	2.6	2.0	1.4	1.5	0.5
Commission-Based Wholesaling	91.7	8.3	36	38	78.9	0.0	0.0	5.3	7.9	5.3	2.6	0.0
Grocery, Liquor and Tobacco Product Wholesaling	95.6	4.4	611	395	86.1	1.8	1.5	4.3	0.8	3.5	2.0	0.0
Machinery and Equipment Wholesaling	93.7	6.3	857	444	91.7	0.9	0.9	2.9	1.1	1.8	0.7	0.0
Motor Vehicle and Motor Vehicle Parts Wholesaling	93.9	6.1	294	193	90.2	1.0	0.0	5.2	2.6	0.5	0.5	0.0
Other Goods Wholesaling	91.1	8.9	372	242	87.6	1.6	0.0	5.0	2.1	2.5	0.4	0.8
Labour hire	98.7	1.3	77	70	74.3	0.0	1.4	8.6	7.1	4.3	2.9	1.4

	Claim decisions			Time lost claim finalisation								
	Admit	Reject- ed	Total claims decid- ed	Total time lost claims final- ised	Fit for work: same job / tasks with same em- ployer	Fit for work: same job / tasks with diff em- ployer	Fit for work: diff job / tasks with same em- ployer	Fit for work: diff job / tasks with diff em- ployer	Fit for work: no job	Fit for work: worker does not return	Not fit for work	Alter- native out- come not claim relat- ed
	%	%			%	%	%	%	%	%	%	%
Other	90.4	9.6	260	99	85.9	1.0	0.0	6.1	1.0	2.0	3.0	1.0
Total	92.6	7.4	73,652	46,198	88.0	1.4	1.2	3.4	1.8	2.3	1.7	0.2

For industry 'Other', this includes injuries pre-July 1997 (pre-ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

'Labour hire' pre-July 2009 was classified under industry 'Property and business services - Employment services'. Post June 2009, WorkCover created a 'labour hire' classification for each industry.

For the purposes of the above time lost claims finalised figures, all deceased injured workers have been excluded.

## Appendix 2: Industry classification codes

All industry codes are based on the workers' compensation insurers' coding of industry to the divisions from the Australian and New Zealand Standard Industry Classification (ANZSIC 2006), ABS. Below are the ANZSIC divisions and subdivisions with corresponding ANZSIC codes.

### **H Accommodation and Food Services**

- 44 Accommodation
- 45 Food and Beverage Services

### **N Administrative and Support Services**

- 72 Administrative Services
- 73 Building Cleaning, Pest Control and Other Support Services

### **A Agriculture, Forestry and Fishing**

- 01 Agriculture
- 05 Agriculture, Forestry and Fishing Support Services
- 02 Aquaculture
- 04 Fishing, Hunting and Trapping
- 03 Forestry and Logging

### **R Arts and Recreation Services**

- 90 Creative and Performing Arts Activities
- 92 Gambling Activities
- 89 Heritage Activities
- 91 Sports and Recreation Activities

### **E Construction**

- 30 Building Construction
- 32 Construction Services
- 31 Heavy and Civil Engineering Construction

### **P Education and Training**

- 82 Adult, Community and Other Education
- 80 Preschool and School Education
- 81 Tertiary Education

### **D Electricity, Gas, Water and Waste Services**

- 26 Electricity Supply
- 27 Gas Supply
- 29 Waste Collection, Treatment and Disposal Services
- 28 Water Supply, Sewerage and Drainage Services

### **K Financial and Insurance Services**

- 64 Auxiliary Finance and Insurance Services
- 62 Finance
- 63 Insurance and Superannuation Funds

### **Q Health Care and Social Assistance**

- 84 Hospitals
- 85 Medical and Other Health Care Services
- 86 Residential Care Services
- 87 Social Assistance Services

### **J Information Media and Telecommunications**

- 56 Broadcasting (except Internet)
- 57 Internet Publishing and Broadcasting
- 59 Internet Service Providers, Web Search Portals and Data Processing Services
- 60 Library and Other Information Services
- 55 Motion Picture and Sound Recording Activities
- 54 Publishing (except Internet and Music Publishing)
- 58 Telecommunications Services

### **C Manufacturing**

- 18 Basic Chemical and Chemical Product Manufacturing
- 12 Beverage and Tobacco Product Manufacturing
- 22 Fabricated Metal Product Manufacturing
- 11 Food Product Manufacturing
- 25 Furniture and Other Manufacturing
- 24 Machinery and Equipment Manufacturing
- 20 Non-Metallic Mineral Product Manufacturing
- 17 Petroleum and Coal Product Manufacturing
- 19 Polymer Product and Rubber Product Manufacturing
- 21 Primary Metal and Metal Product Manufacturing
- 16 Printing (including the Reproduction of Recorded Media)
- 15 Pulp, Paper and Converted Paper Product Manufacturing
- 13 Textile, Leather, Clothing and Footwear Manufacturing
- 23 Transport Equipment Manufacturing
- 14 Wood Product Manufacturing

### **B Mining**

- 06 Coal Mining
- 10 Exploration and Other Mining Support Services
- 08 Metal Ore Mining
- 09 Non-Metallic Mineral Mining and Quarrying
- 07 Oil and Gas Extraction

### **S Other Services**

- 95 Personal and Other Services
- 96 Private Households Employing Staff and Undifferentiated Goods-and Service-Producing Activities of Households for Own Use
- 94 Repair and Maintenance

### **M Professional, Scientific and Technical Services**

- 70 Computer System Design and Related Services
- 69 Professional, Scientific and Technical Services (Except Computer System Design and Related Services)

**O Public Administration and Safety**

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- 76 Defence
- 75 Public Administration
- 77 Public Order, Safety and Regulatory Services

**L Rental, Hiring and Real Estate Services**

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- 67 Property Operators and Real Estate Services
- 66 Rental and Hiring Services (except Real Estate)

**G Retail Trade**

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- 41 Food Retailing
- 40 Fuel Retailing
- 39 Motor Vehicle and Motor Vehicle Parts Retailing
- 43 Non-Store Retailing and Retail Commission-Based Buying and/or Selling
- 42 Other Store-Based Retailing

**I Transport, Postal and Warehousing**

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- 49 Air and Space Transport
- 50 Other Transport
- 51 Postal and Courier Pick-up and Delivery Services
- 47 Rail Transport
- 46 Road Transport
- 52 Transport Support Services
- 53 Warehousing and Storage Services
- 48 Water Transport

**F Wholesale Trade**

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- 33 Basic Material Wholesaling
- 38 Commission-Based Wholesaling
- 36 Grocery, Liquor and Tobacco Product Wholesaling
- 34 Machinery and Equipment Wholesaling
- 35 Motor Vehicle and Motor Vehicle Parts Wholesaling
- 37 Other Goods Wholesaling

# Appendix 3: Critical events history

## Pre-1997

1. Irrevocable election to access common law was introduced by *Workers' Compensation Amendment Act (no 2) 1995*—provisions commenced 1 Jan 1996.
2. Interest on general damages (i.e. for pain and suffering and loss of impairment of the enjoyments of the amenities of life) was abolished.
3. Gratuitous care awards (*Griffiths v Kerkmeyer*) were abolished as a head of damage at common law and provision was made that a statutory lump sum payment of a maximum of \$150,000 be awarded (in lieu of gratuitous care awards in common law).
4. It was introduced that the courts must give consideration to the steps that have been taken by the injured worker to mitigate their damages.
5. Introduction of interest to be paid on heads of damages due to unreasonable delay.

## 1 Jul 1997: *WorkCover Queensland Act 1996*

6. Changed the definition of worker—went from anybody working under a contract of service to a PAYE taxpayer.
7. Changed the definition of injury—went from employment must be a 'significant contributing factor' to employment must be 'the major contributing factor'.
8. Provision for large employers to self-insure.

## 1 Jul 1999: *WorkCover Queensland Amendment Act 1999*

9. Changed the definition of worker—went from PAYE taxpayer to anybody working under a contract of service.
10. Changed definition of an injury—went from employment being 'the major significant factor' to 'a significant contributing factor'.
11. Further diminution of industrial deafness claims reduced from five per cent to one per cent hearing loss.
12. The 'reasonable person' and 'ordinary susceptibility' tests for stress claims were removed.
13. Claims must be decided in three months not six months.
14. Establishment of a Review Unit.

## 1 Jul 2001: *WorkCover Queensland Amendment Act 2001*

15. Increased statutory benefits. Specifically, lump sum increased to \$250,000; maximum statutory benefits increased to \$150,000; increased the amount available for dependents of those fatally injured; reduced criteria required to access statutory gratuitous care.
16. Amended contributory negligence and mitigating loss provisions.
17. Amended interest on general damages and other heads of damages.
18. Introduction of the common law only process.

## 16 Jun 2002: Restrictions of advertising from plaintiff lawyers

19. *Personal Injuries Proceedings Act 2002* (Qld) places a restriction on lawyers advertising in Queensland. Specifically, it prohibits a lawyer from: advertising personal injury services except by means of a statement that includes only the lawyer's

name and contact details, together with information as to any areas of practice or speciality of the lawyer that is published by an 'allowable publication method'. An example of advertising that is restricted is advertising personal injury services on a 'no win, no fee' or other speculative basis.

## 6 Jun 2003: *Karanfilov v Inghams Enterprises P/L QCA 242*

20. The decision in the case of *Karanfilov v Inghams Enterprises P/L* allowed the gratuitous care damages payment.

## 1 Jul 2003: *Workers' Compensation and Rehabilitation Act 2003*

21. Established Q-COMP as the workers' compensation regulatory authority.
22. Changed the definition of worker—introduced a 'results test' for determining whether an injured person met the criteria for 'worker'.
23. Legislation amendments that affected liability and quantum.

## 27 Aug 2004: *Sheridan v Warrina Community Co-Operative Ltd and Anor QCA 308*

24. The decision in the *Sheridan* provision eliminated all financial risk for unsuccessful plaintiffs in common law, thereby removing a notable barrier to claims that may previously have been speculative.

## 1 Nov 2005: *Workers' Compensation and Rehabilitation and Other Acts Amendment Act 2005*

25. Increased injured worker benefits by extending the step down in benefits from 39 to 52 weeks.
26. Introduced a new lump sum amount payable to workers with terminal latent onset conditions.
27. Introduced a greater obligation on employers to take all reasonable steps to assist or provide rehabilitation and suitable duties to injured workers.

## 1 Jul 2006: *Dr Fax Fee*

28. WorkCover Queensland introduced the doctor fax fee, a small financial incentive to encourage doctors to submit claim information quicker.

## 1 Jan 2008: *Workers' Compensation and Rehabilitation and Other Acts Amendment Bill 2007*

29. Reduced the statutory claim decision timeframe to 20 days.
30. Removed the one and two year step down of benefits entitlements (increasing the benefit to 75 per cent of normal weekly earnings and 70 per cent of Queensland ordinary time earnings for 26 weeks to five years).
31. Increased maximum lump sum compensation payable to \$218,000 and improved access to additional lump sum compensation by reducing the work related impairment threshold from 50 per cent to 30 per cent.
32. Unassessed injuries claimed in relation to a common law claim cannot be assessed for PI.

## 25 Nov 2008: *Workplace Health and Safety and Other Legislation Amendment Act 2008*

33. New payment introduced for reasonable funeral expenses (two per cent of maximum death benefit).



34. New entitlement of 15 per cent maximum death benefit for dependents of an injured worker with a terminal latent onset condition.

**1 Aug 2008: Bourk v Power Serve Pty Ltd and Anor QCA 225**

35. The Court of Appeal upheld the decision that the *Workplace Health and Safety Act 1995* can provide an alternative route for common law when negligence cannot be proven. This decision was further upheld in 2009 in the decision of Parry v Woolworths Ltd.

**1 Dec 2008: Transport and Other Legislation Amendment Act 2008**

36. Enabled injured workers to lodge applications by phone.

**1 Jul 2010: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act**

37. Insurers are obliged to notify Q-COMP of injured workers who fail to return to work (Return to Work Assist).
38. Provisions introduced closely modelled on the *Civil Liabilities Act 2003*, including the regulation of damages paid to a worker, including loss of earnings, general damages determined by assigning an injury scale value, structured settlements, and indexation.

These provisions apply to injuries arising after 1 July 2010 or if the date of diagnosis of a latent onset injury is on or after 1 July 2010.

39. Allowed a court to award costs against plaintiffs whose claims are dismissed.
40. Increased the amount of employer excess to 100 per cent of Queensland Ordinary Time Earnings or one week's compensation, whichever is the lesser.
41. Amendments to increase the pre-trial obligations on third party contributors to exchange relevant documents and certify readiness for conference.
42. Amendments to expand the instances where a court must make orders as to costs to include situations where a court dismisses a worker's claim, makes no award of damages, or makes an award of damages that is equal to or less than the insurer's final written offer.
43. New provision that where a contribution claim is not settled at compulsory conference, each party must ensure that it makes a written final offer that would dispose of the contribution claim if accepted.
44. Amendments to the *Workplace Health and Safety Act 1995* reversed the Bourk v Power Serve Pty Ltd and Anor decision.

**29 Sep 2010: Cameron v Foster and Anor QSC 372**

45. The Cameron decision was significant due to the ruling that courts may make future economic loss allowances past the age of retirement, and also can make allowances for future paid services provided gratuitously by family members.

**6 Jun 2011: Work Health and Safety Act 2011**

46. Introduced a key structural review recommendation to review the workers' compensation scheme every five years.
47. Allowed for a worker to accrue leave while off work on workers' compensation.

**29 Oct 2013: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act**

48. Abolished the statutory body Q-COMP as the workers' compensation regulator. These functions are now the

responsibility of the Workers' Compensation Regulator within the Office of Industrial Relations.

49. Introduced a threshold of greater than five per cent degree of permanent impairment (DPI) to access common law damages (applicable to injuries from 15 October 2013).
50. Injuries from 15 October 2013 will be assessed using the Guide to the Evaluation of Permanent Impairment (GEPI) (which references AMA5). Injured workers will receive an offer of lump sum compensation based on their degree of permanent impairment (DPI).
51. Definition of injury change—employment is to be 'the major significant contributing factor' for psychological or psychiatric claims when determining entitlement to compensation.
52. From 29 October 2013, employers can request a prospective worker to provide them with information about pre-existing injuries or medical conditions.
53. The Office of the Workers' Compensation Regulator is to manage all fraud cases, and the penalties for these offences were increased.
54. Insurers are required to provide a mandatory accredited return to work program for common law claimants, thereby removing the need for the Q-COMP service Return to work Assist.
55. Rehabilitation and return to work coordinators are no longer required to be accredited or certified through the Workers' Compensation Regulator.
56. Clarified the entitlement to gratuitous care damages caused by Cameron v Foster and Anor.

**17 September 2015: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act**

57. Removed the common law threshold of greater than five per cent degree of permanent impairment (DPI) to access common law damages. Applicable to injuries on or after 31 January 2015.
58. Established the ability to provide additional compensation to particular workers impacted by the common law threshold, for injuries on or after 15 October 2013 and before 31 January 2015.
59. Introduced provisions for firefighters diagnosed with one of 12 specified diseases that deem their injury to be work related.
60. Removed the entitlement prospective employers had to obtain a copy of a prospective worker's compensation claims history from the Queensland Workers' Compensation Regulator.

**1 January 2016: Change in administration process of Queensland Health**

61. Change in the administration process of Queensland Health moving to a fee for service arrangement with WorkCover Queensland in relation to public hospital payments.

**8 September 2016: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act**

62. Implemented the National Injury Insurance Scheme for work related catastrophic injuries connected with Queensland.
63. Amended the self-insurance licensing requirements to provide greater flexibility for applicants.
64. Reversed the impact of the Byrne decision and restored arrangements in relation to third party liability and prosecutions for fraud.
65. Amended the indexation method used to calculate workers' compensation benefits.

**23 August 2017: Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill 2017**

- 66. Improved the workers' compensation scheme for workers who have been diagnosed with, or suspect they may have, coal workers' pneumoconiosis, also known as CWP or 'black lung'. Changes included establishing medical examination process, introducing an additional lump sum compensation for workers with pneumoconiosis, and clarifying a worker with pneumoconiosis can access further workers' compensation entitlements if they experience disease progression.
- 67. Amended the *Industrial Relations Act 2016* to clarify that the power to grant a stay under the *Industrial Relations Act 2016* does not apply to an appeal under the *Workers' Compensation and Rehabilitation Act 2003*.

**1 December 2017: Doctor fax fee**

- 68. The doctor fax fee was discontinued by WorkCover Queensland.

**30 October 2019: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act 2019**

- 69. Amended the meaning of injury for a psychiatric or psychological disorder to remove 'the major' as a qualifier for employment's 'significant contributing factor' to the injury.
- 70. Required insurers to take all reasonable steps to provide claimants with psychiatric or psychological injuries access to reasonable support services relating to their injury during claim determination.
- 71. Exempted expressions of regret and apologies provided by employers following a workplace injury from being considered in any assessment of liability for damages brought under the *Workers' Compensation and Rehabilitation Act 2003* to align with the approach taken in the *Civil Liability Act 2003*.
- 72. Required insurers to provide ongoing rehabilitation and return to work services if the injured worker has been unable to return to work after their entitlement to weekly benefits and medical expenses ceases.
- 73. Clarified that insurers have a discretion to accept claims submitted more than six months after the injury is diagnosed, if the injured worker has lodged a claim within 20 days of developing an incapacity for work from their injury.
- 74. Clarified WorkCover Queensland's ability to fund and provide programs and incentives that support employers improving health and safety performance, after consulting with the regulator under the *Work Health and Safety Act 2011* or any other relevant health and safety regulator.

**1 July 2020: Workers' Compensation and Rehabilitation and Other Legislation Amendment Act 2019**

- 75. Required self-insured employers to report injuries and any payments made to injured workers to their insurer, aligning their obligations with the existing obligations on employers insured with WorkCover Queensland.
- 76. Extended workers' compensation coverage to unpaid interns.
- 77. Required employers to provide details of their rehabilitation and return to work coordinators to insurers.
- 78. Replaced dollar amounts in legislation with multiples/percentages of Queensland Ordinary Time Earnings.

# Appendix 4: Definitions

## Statutory definitions

**Admitted claims:** The insurer allows the application for compensation and liability continues to be accepted by the insurer (this is considered to be an initial decision on the claim).

**Average finalised claim cost:** The average statutory cost of finalised claims.

**Average finalised time lost claim cost:** The average statutory cost of finalised time lost claims, including any excess amount paid for by the employer. Claims with compensation and lump sum payments are included as time lost claims.

**Average finalised time lost claim durations:** The average workdays lost due to an injury on finalised time lost claims, includes any workdays lost paid for by the employer. Including claims with compensation payments and excludes fatality payments.

**Cancelled claims:** Claims are cancelled when they should never have been lodged (e.g. the application has already been lodged at least once on the system).

**Degree of permanent impairment (DPI):** Injuries on or after 15 October 2013 are assessed under the Guidelines to the Evaluation of Permanent Impairment (GEPI) (which references AMA5). From this assessment injured workers receive a degree of permanent impairment (DPI).

**Employed people:** Employed people for Queensland is obtained from the Australian Bureau of Statistics (ABS) labour force survey Cat. no. 6291.0.55.003 - Labour Force, Queensland, Employed total, Average of May quarter to February quarter.

**Fatal claims:** All claims where an injury or disease caused the death of an injured worker, excluding cancelled or rejected claims. A claim is a fatality if the claim is indicated by the insurer as a fatality under the Act, on the individual application, taking into account the definitions of a worker, event and injury under the Act (s11, s31 and s32).

**Finalised claims:** The statutory finalisation of a claim during a financial year; identified by the date of the closure status.

**Industry:** All industry codes are based on the insurers' coding of industry to the divisions from the 'Australian and New Zealand Standard Industry Classification' (ANZSIC), Australian Bureau of Statistics (ABS), 2006.

**Injury nature:** Injury nature groupings are based on the insurers' coding of primary injury nature and location. The injury nature and location coding by the insurer is provided using the Type of Occurrence Classification System as published by Safe Work Australia.

**Lodgements:** All claims lodged with insurers, regardless of the outcome (i.e. excludes cancelled claims, includes withdrawn and report only claims).

**Medical expense only claim:** All accepted claims which have had medical treatment and rehabilitation payments, excluding those that also had weekly compensation or fatality payments.

**Mesothelioma or asbestosis:** The injury nature codes '783' and '861' from the 'Type of Occurrence Classification System', Third Edition, Revision 1 Safe Work Australia have been renamed mesothelioma or asbestosis injury in this publication.

**Permanent impairment (PI):** A permanent impairment from an injury is an impairment that is stable and stationary and not likely

to improve with further medical or surgical treatment (s38).

**Psychological or psychiatric injury:** The injury nature codes '702', '703', '704', '705', '706', '707', '718' and '719' from the 'Type of Occurrence Classification System', Third Edition, Revision 1 Safe Work Australia have been renamed psychological or psychiatric injury in this publication.

**QOTE:** The *Workers' Compensation and Rehabilitation Act 2003* describes Queensland ordinary time earnings (QOTE) for a financial year as being 'the seasonally adjusted amount of Queensland full-time adult persons ordinary time earnings as declared by the Australian Statistician in the statistician's report about average weekly earnings published immediately before the start of the financial year'. (6302.0 - Average Weekly Earnings, Australia, Australian Bureau of Statistics).

**Rejected claims:** The application for compensation is rejected as the initial decision on the claim (s134).

**Statutory claim decisions:** The first decision about the application for compensation to either allow or reject the application. Statutory decisions exclude decisions cancelled, withdrawn, report only and common law only (s134).

**Statutory claim payments:** All statutory payments made in the relevant year, including any payments for time lost made by the employer as part of the compensation period (excess) as reported by WorkCover Queensland.

**Time lost claims:** All accepted claims which have resulted in time lost from work excluding fatalities.

**Withdrawn claims:** Lodged claims are withdrawn when a notice is initiated and provided by the injured worker to the insurer to formally withdraw the application for compensation.

**Work related impairment (WRI):** The degree of work related impairment is calculated after one or more permanent impairments (PI) are assessed. WRI applies to injuries before 15 October 2013.

## Common law definitions

**Average defendant's cost:** The average defendant's cost, regardless of when payments were made, of finalised common law claims.

**Average plaintiff's cost:** The average plaintiff's cost, regardless of when payments were made, of finalised common law claims.

**Average settlement cost:** The average settlement cost, regardless of when payments were made, of finalised common law claims (excludes claims with a nil settlement).

**Average time from injury to lodgement:** The average time, in years, from injury date to common law lodgement. These are based on the lodgement year of the common law claim.

**Average time from lodgement to finalisation:** The average time, in years, from the common law claim lodgement to common law finalisation. These are based on the finalisation year of the common law claim.

**Common law claim lodgements:** All common law claims lodged with insurers, regardless of the outcome. If a common law claim is associated with more than one statutory claim, it will be counted for each statutory claim it is associated with (example: if one common law claim is associated with three statutory claims, the common law lodgement has been counted three times).

**Common law claim payments:** All common law payments made within the financial year.

**Defendant's costs:** Costs incurred by the defendant.

**Heads of damage:** Heads of damage consist of two distinct parts: general damages and special damages.

The legislative amendments in 2010 introduced caps on the amount of general damages that can be awarded for pain and suffering, loss of amenity, loss of expectation of life and general disfigurement. The caps align the workers' compensation scheme with the *Civil Liability Act 2003*, and limit the amount of compensation that can be awarded to an injury based on the severity of the injury, or its 'injury scale value'. Special damages consists of future economic loss, past economic loss, care and treatment and rehabilitation. This incorporates loss of past and future earnings, future medical needs and care due to the ongoing disability. The amount of future earnings loss must not exceed the amount equal to the present value of three times QOTE per week for each week of the period of loss of earnings as specified within the Act.

**Nil settlement:** A nil settlement is where a common law claim has finalised with no damages paid.

**Plaintiff's costs:** Costs incurred by the plaintiff.

**Settlement payments:** Settlement payments are calculated as the gross settlement amount less contributory negligence less contribution from third party less statutory claim payments.

## Medical assessment tribunal definitions

**Access to damages:** This is for instances where an application for statutory compensation has not been lodged and the insurer has not admitted that the worker sustained an injury. The worker is seeking common law damages.

**Application for compensation:** This reference is used when a worker has made an application for compensation (Liability has not been accepted for the injury for which the worker is claiming). The insurer is unable to determine liability for the claim due to matters of a medical nature.

**Cases determined:** All cases heard and determined by the Medical assessment tribunals.

**GMAT (Other):** General medical assessment tribunals including the medical, vascular, surgical, urology, gynaecology, thoracic and rheumatology specialties. Excludes general medical assessment tribunal—Psychiatric.

**GMAT (Psychiatric):** General medical assessment tribunal—Psychiatric.

**Ongoing capacity for work:** The insurer is asking whether the worker's ongoing incapacity for work is related to the accepted work injury.

**Other reasons for referral:** Includes level of dependency, further material deterioration etc.

**Permanent impairment (PI) assessment:** The insurer is asking the tribunal to determine whether the worker has sustained a permanent impairment. Under the legislation for psychological or psychiatric injury claims the MAT must determine the degree of permanent impairment.

**Permanent impairment (PI) assessment—disputed PI:** The insurer is asking the tribunal to determine whether the worker has sustained a permanent impairment. This reference would be used if the worker does not agree with the permanent impairment which has been independently assessed by the insurer.

**Prescribed disfigurement:** The insurer requests the tribunal to assess, by physical examination, whether the bodily scarring or facial disfigurement is severe enough to be considered prescribed disfigurement.

**Referral reasons:** The specific questions which can be asked of the Medical Assessment Tribunals are defined in the Act.

**Specialty (Other):** Medical assessment tribunals including the cardiac, dermatology, ear, nose and throat, ophthalmology and disfigurement specialties.

## Review definitions

**Confirmed:** Insurers' decision is confirmed by the Review Unit.

**Set aside:** Insurers' decision is set aside by the Review Unit and a new decision substituted.

**Varied:** Insurers' decision is varied by the Review Unit.

## Appeal definitions

**Conceded:** The regulator indicates to the parties to the appeal and the court or commission that it will not be defending the review decision.

**Decided at court:** Appeals that have been dismissed, upheld or struck out at the Queensland Industrial Relations Commission or Industrial Magistrates Court.

**Dismissed:** After hearing evidence, the Commissioner or Magistrate has dismissed the appeal and confirmed the review decision.

**Lapsed:** The QIRC determined that the appeal has not been progressed by the appellant within an appropriate timeframe and the appeal is closed.

**Settled:** The parties to the appeal have negotiated a settlement out of court.

**Struck out:** Appeals struck out by the Commissioner or Magistrate because of failure of the appellant to comply with legislative, court or Commission requirements.

**Upheld:** After hearing evidence, the Commissioner or Magistrate has upheld the appeal and set aside or varied the review decision.

**Withdrawn:** Appeals withdrawn by the appellant prior to hearing.

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