

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2005-2006 ADDITIONAL SENATE ESTIMATES HEARING
16 FEBRUARY 2006
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

QUESTIONS ON NOTICE

COMCARE

Question Number: W792-06

Senator Conroy asked in writing:

What would Comcare do if the employer was not complying with the SRC Act and was seeking to use the Award to deal with workplace injury claims?

Response: An employer's obligations to comply with the SRC Act begin once a claim for workers' compensation has been lodged.

If the employer is a premium payer, Comcare manages the compensation process and determines workers' compensation entitlements. The employer has obligations with respect to the rehabilitation of employees. Comcare monitors the return to work performance of employers. Employees may appeal decisions made by its employer in respect of rehabilitation under the SRC Act to Comcare.

If the employer is self insured under the SRC Act, there are a number of compliance measures available, including: issuing guidelines to the employer that must be complied with; varying the scope and/or conditions of the self-insurance licence; and suspending or revoking the licence.