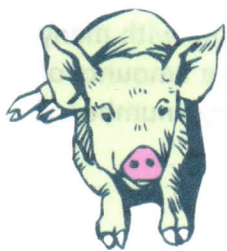


BFUE NEWSLETTER



December 2016

No. 252



www.bfue.org.au



AROUND THE SHEDS 2016

General

In early 2016 the Union introduced a direct debit system for members. This was put in place mainly to be able to have members where we did not have an agreement with employers to collect fees from payroll. We have found that some members prefer to have the direct debit rather than payroll deductions. We now have direct debit members at Hans, Sunpork Services, C.G. Recruitment, Labour Hire Solutions and Biogiene. I expect this method of membership to keep growing. We are now able to accept membership from anyone who works in the meat industry or smallgoods industry anywhere in Queensland.

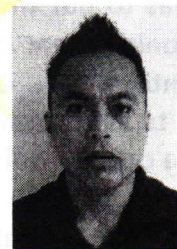
Elections were held and completed in late October. For the first time they were conducted by the Australian Electoral Commission. In the past they have been conducted by the Queensland Electoral Commission.

For the next three years the BFUEQ officials are:

General President – Warren Bray
General Secretary – Darryl Burgess
State Councillor (Warwick) – Katrina Barden
State Councillor (Hans) – Noel Abay-Abay
State Councillor (Kingaroy) – Neal Costello
Treasurer – Noel Abay-Abay



Steve Vaughan, Darryl Burgess, Neal Costello, Katrina Barden, Warren Bray



Noel Abay-Abay
New State Councillor
– Hans and Treasurer

New Organiser From January 2017 the Union will employ a new Organiser, his name is Steven Vaughan. Steve has been our State Councillor and Treasurer from Hans for the past six years. Before that he worked at A.M.H Beaudesert as an onsite official for many years. When he starts members will see a full-time officer far more regularly. Like most of us he doesn't know everything but he will find out and get back to you, so ask him some questions and get to know him.



Steve Vaughan – New
Organiser from January 2017

HANS

The Union had a very busy year with Hans, we started negotiating the EBA last November. While negotiations were complete by the 9th April, the committee then had to put the agreement together. Members of both Unions and others voted in favour of the agreement 97% for and 3% against. Fair Work had the agreement for seven weeks before asking the Company and both Unions to respond to four clauses in the agreement. Fair Work eventually accepted the agreement and the payment of 2.5% took effect from 19 November 2016. Fortunately we had an agreed start date of 9 April 2016. Back-pay was paid from that date – just in time for the Christmas shopping.

However, the company decided to freeze some member's rates because the company claim they have been getting paid at higher levels than the tasks they have been doing. 20 of these were a mistake and

were fixed the following day. The BFUE has received a further 17 letters of which 8 seem to be able to be fixed, the remaining 9 will be a little harder. However, we will give it our best shot and see where we will take it from there.

WARWICK During the last 12 months the beef industry has had a tough time with many stand-downs and shift reductions. However, Warwick in the main avoided having large amounts of stand-downs with only three or four days for the whole year. This was due to having a large number of service kill.

Enterprise bargaining will commence at Warwick from the 31 March next year.

In the last 18 months the outcomes of EB increases have been modest, Dinmore have been negotiating for the past 18 months and there is still no increase on the table. The BFUE intends to get as much as possible including some more money from the bonus into the base rate.

Some members have been claiming that they have been bullied when they go in to see the personnel manager concerning WorkCover claims or requesting an RDO to be able to keep appointments. It's near on impossible to claim bullying if you go in on your own. All we will have is a 'he said – she said'. If members go in with their union delegate the greeting is different all together even if you are in the wrong there will be no hint of bullying.

KINGAROY Negotiations for the next EBA were completed on 31 October 2016. The plan was to put the proposed agreement out to the workforce the day after the fire that destroyed the boning room and the vote was to take place the following week. However, that has been put on hold until about mid-December. The main thing right was to let management do what they are doing, that is to keep their customers happy so that all the jobs can be maintained. By mid-December the kill will be close to full speed and the camp at Ipswich should be underway.

The Agreement, if voted up, will take effect from 19 December 2016. The wage increases are 2% each year over 4 years plus 1.6% of the bonus to be put into base rates when Fair Work approves the Agreement.

SUNPORK SERVICES The plan when the Union went to Sunpork, Eagle Farm was to do an agreement as soon as possible; however the business was restructured last December. The work has been picking up through the year and I am not sure how much the Swickers fire has affected them. However, the plan remains the same, as soon as possible we want to do an EBA.

Finally I would like to thank the State Council and Tricia, my Administration Manager for all their assistance during the year.

To the members and their families, have a Merry and safe Christmas and a Happy New Year.



Best Wishes

A handwritten signature in cursive script that reads "D Burgess".

Darryl Burgess
General Secretary



WORKERS' COMPENSATION GUIDE

Worker sustains a work-related injury or illness

If a worker is injured at work or while performing duties connected to their employment, the injured worker should:

- **seek medical treatment from their treating doctor or seek appropriate medical assistance as soon as possible**
- **report the incident to the employer or tell someone at work as soon as possible even if the event is minor.**

The injured worker has the right to seek treatment from their own treating doctor and is under no obligation to receive treatment from the employer's doctor.

When attending their doctor for treatment, it is beneficial if the injured worker:

- explains to the doctor the circumstances of how they were injured and the connection between the injury and their work; and
- obtain a Workers' Compensation Medical Certificate with the doctor's opinion recorded on the certificate of the relationship between the worker's employment and their injury or illness.

To make a claim, an injured worker can obtain a claim form from the relevant insurer - WorkCover. Claims may also be made online. Claims must be lodged with the relevant insurer and accompanied by the Workers' Compensation Medical Certificate.

The claim is to be lodged with WorkCover, the claim form and Workers' Compensation Medical Certificate can be lodged direct from the doctor's surgery to WorkCover. In some cases claims may also be lodged via the telephone.

An injured worker can give their claim form to their employer to lodge with the relevant insurer on their behalf. However if they do not feel comfortable doing this they should lodge the claim directly with the insurer.

Workers' Compensation Medical Certificates are issued in quadruplicate, with copies marked for the insurer, employer, injured worker and the medical or dental practitioner issuing the medical certificate.

It is the responsibility of the injured worker's to provide their employer with a current Workers' Compensation Medical Certificate.

When an employer is notified of a worker sustaining a work-related injury, they are required to send an employer's report to WorkCover within **8 business days** of being notified. *Refer Section 133 of the Act*

Claim Forms

Claim forms are available from the relevant insurer - WorkCover website www.workcoverqld.com.au or the worker can contact WorkCover on 1300 362 128.

WorkCover claims can also be lodged from most doctors' surgeries with the facility to fax an injured worker's Workers' Compensation Medical Certificate direct to WorkCover at the time of the consultation. If the doctor is using an updated workers' compensation medical certificate this will automatically commence the claims process.

If the doctor is not using an updated workers' compensation medical certificate the injured worker will need to complete a claim form which can be faxed with the medical certificate from the doctor's surgery direct to WorkCover.

A completed claim form can be given to the employer, however to ensure there are no delays in the assessment of the claim it is best to lodge the claim and the Workers' Compensation Medical Certificate direct with the relevant insurer.

Completing the claim form - physical injury

A claim form should be completed in accordance with the circumstances of the injury or illness.

It is important the claim form is supported by medical opinion that the injury is work-related. This information should be recorded by the doctor on the Workers' Compensation Medical Certificate.

When the injured worker is attending the doctor they should explain the circumstances of how they were injured and the connection with their work.

If the doctor is of the opinion that the injury occurred over a period of time this information should be recorded on the medical certificate. The doctor should also refer to the specific work duties or activities they consider has caused the injury.

It is preferable this information is provided when the claim is lodged to avoid unnecessary delays in the assessment of the claim by the insurer.

If the injured worker did not complete an incident report or the employer denies the injury is work-related, the insurer will rely on the medical opinion of whether the injury is consistent with the stated mechanism when determining whether to accept or reject the claim.

If this has not been sufficiently detailed on the Workers' Compensation Medical Certificate the injured worker may need to provide the insurer with further medical opinion which supports their injury is work-related.

This could be in the form of a specialist report detailing the connection between the injury and the stated work-related mechanism, witness statement from colleague confirming the event occurred or confirming specific duties performed by the worker and connected to the work-related injury.

The injured worker should make copies of all forms, statements, documents and information they provide to the insurer.

Delays in assessing a claim

There can be delays in an insurer assessing a claim when:

- the incorrect type of medical certificate has been issued. It must be a Workers' Compensation Medical Certificate.
- the injured worker has given their application and medical certificate to the employer however the employer has not lodged them with the insurer within the required 8 business days. *Refer Section 133 of the Act.*
- the insurer is waiting to receive a doctor's report or other medical information.

Section 134(2) of the Act requires an insurer to make a decision on an Application for Workers' Compensation within 20 business days.

If something doesn't sound right, give the Union a call ASAP. I have had all sorts of issues that the employer might tell you such as – 'You are not allowed to go on WorkCover'. **Anyone can fill out a claim form; it is the insurer that makes the decision not the employer.**

If a claim is rejected you are able to do a review which the union does for you as part of our service to members. Most times I will do them myself, if they are a bit tricky I will let our Solicitor have a look and get some advice or let them do it.

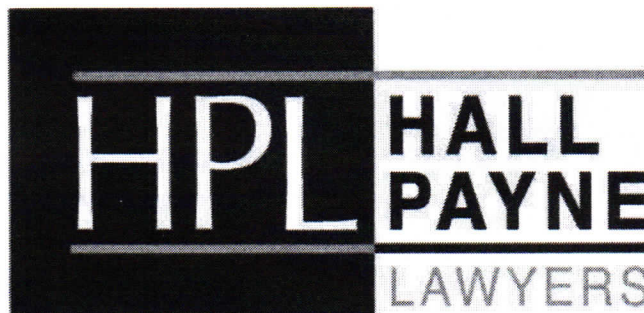
The Union also assists members at the Medical Assessment Tribunal. I have only done two this year, both were decisions made in the member's favour.

I also sit on the Queensland Council of Unions WorkCover Committee.

So if you are not sure on anything, give me a call on 0407 596 822

Darryl Burgess
General Secretary

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for over 25 years!*



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Compensation

Personal Injuries

Slip and Fall

Medical Negligence

Disability and
Superannuation



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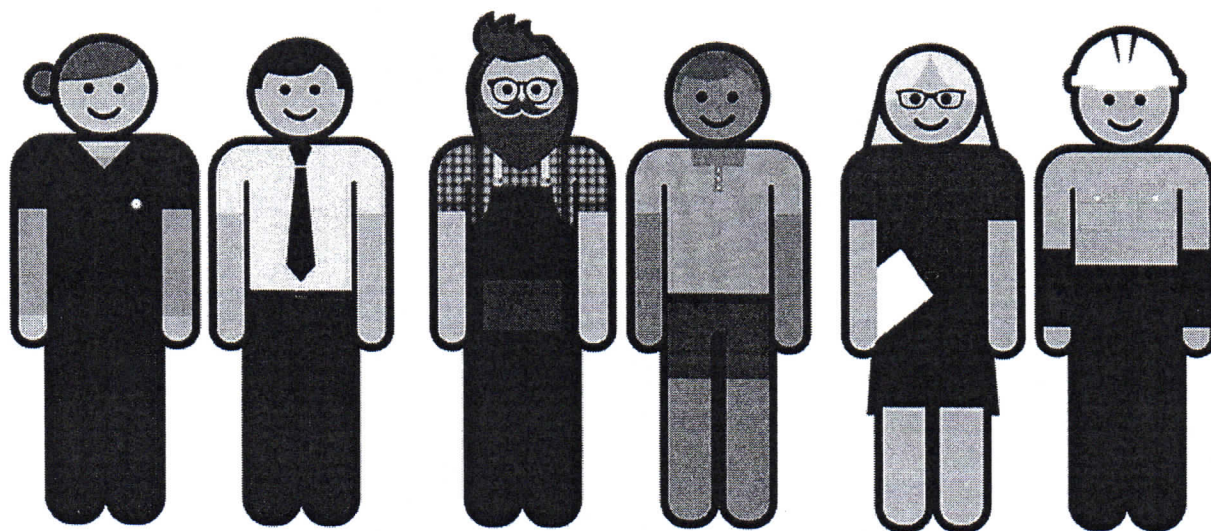


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