The Hon. Ben Carroll MP

Deputy Premier
Minister for Education
Minister for WorkSafe and the TAC
Minister for Medical Research

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CMIN – 260600086

Robert McDonald
Clerk of the Legislative Council
Legislative Council

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Rob,

Dear Mr McDonald

RE: PETITION NO. 715 TABLED IN LEGISLATIVE COUNCIL

Thank you for your correspondence, notifying me of the petition presented in the Legislative Council on 2 June 2026 by Aiv Puglielli, Member for the North-Eastern Metropolitan Region. I note that the petition requests that the Legislative Council call on the Government to change the current laws and establish a comprehensive, trauma-informed and publicly managed workers' compensation system that includes:

- statutory recognition of the right to worker wellbeing, safety and recovery;
- free, independent advocacy and peer-support services for all injured workers;
- integrated physical and psychological rehabilitation with safe, graduated return-to-work plans;
- stronger enforcement of employer compliance with workplace health and safety laws; and
- transparent reporting and clear accountability for all claims management decisions.

The Allan Labor Government acknowledges the concerns and perspectives raised through the petition and remains committed to ensuring that Victoria has a strong and effective workplace health and safety regulator and workers compensation system that focusses on reducing workplace harm and improving outcomes for injured workers.

In 2024, modernisation reforms were implemented to support the long-term sustainability of Victoria's workers' compensation scheme. To provide certainty for workers, employers and scheme participants, the Government considers it important to maintain a stable legislative environment until the impact of these reforms has stabilised and is more fully understood.

As committed to, and legislated alongside the modernisation reforms, an independent review of the operation and effectiveness of the reforms will be conducted in 2027 which will provide insights into the need for further reforms.

In this context, further information on the matters raised in the petition, and the key measures that address them, is provided below.

Your details will be dealt with in accordance with the *Public Records Act 1973* and the *Privacy and Data Protection Act 2014*. Should you have any queries or wish to gain access to your personal information held by this department please contact our Privacy Officer at the above address.

Statutory recognition of the right to worker wellbeing, safety and recovery

The health, safety and welfare of workers and other persons at work is recognised in the *Occupation Health and Safety Act 2004* (OHS Act) and is supported by regulations. This includes the Occupational Health and Safety (Psychological Health) Regulations 2025, which commenced in December 2025, to better protect psychological health and safety in the workplace. These regulations create specific obligations for Victorian employers to identify and control psychosocial hazards in the workplace, including bullying, sexual harassment, high job demands, aggression or violence, and exposure to traumatic events.

The recovery of workers is recognised in the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC Act) which requires the Scheme to fund a range of services to support recovery and return to work. These services extend to provisional payments for reasonable treatment and services for mental injuries while claim eligibility is being determined. Furthermore, even where a claim is not accepted, provisional payments may continue for up to 13 weeks. These arrangements provide early access to support and treatment regardless of the claim outcome.

The Allan Labor Government acknowledges the right for workers to be treated with dignity and respect. To ensure this, the Government committed to developing a Code of Claimants' Rights (the Code) and, in 2025, delivered the required legislative amendments to enable this Code.

WorkSafe has engaged with key stakeholders in developing the draft Code, including unions, industry representatives, and the Workplace Incidents Consultative Committee (WICC), the legislated lived experience committee for health and safety and workers compensation matters. In addition, the draft Code was released for public comment from 29 April to 27 May 2026 with a significant number of submissions received during this period. WorkSafe is carefully reviewing all feedback received with the final version of the Code expected later this year.

Free, independent advocacy and peer-support services

WorkSafe funds a range of free, independent advocacy and peer-support services for injured workers to:

- navigate the WorkCover system;
- understand recovery and return to work supports available to them; and
- support resolution of disputes where these may arise.

These services include Union Assist, delivered by the Victorian Trades Hall Council, providing free advice and support; and WorkCover Assist offering guidance and assistance to help simplify the dispute resolution process.

A range of supports and services are also made available to injured workers who are no longer entitled to compensation from the WorkCover Scheme. This support, which includes job seeking and social services, is provided through a variety of occupational rehabilitation services and can be tailored to an individual's specific needs. Further information on these, and other services, are available on WorkSafe's website.

Integrated physical and psychological rehabilitation with safe, graduated return-to-work plans

Under the WIRC Act, injured workers are able to access payments for reasonable treatment and services for both physical and mental injuries (including provisional payments while claim eligibility is being determined). Employers also have a legal obligation under the WIRC Act to provide suitable or pre-injury employment to an injured worker following a work-related injury or illness. Employers must also plan for a worker's return to work, including assessing and proposing suitable or pre-injury employment opportunities.

Furthermore, Return to Work Victoria is investing $50 million over three years into a program of pilots, grants and projects designed to support organisations to trial new approaches to improving recovery and return to work outcomes for workers with both physical and psychological injuries.

Stronger enforcement of employer compliance with workplace health and safety laws
WorkSafe aims to reduce workplace deaths by 30 per cent and injuries by 20 per cent by 2030. To support this goal, WorkSafe has published the *2025–26 Statement of Regulatory Intent*, which outlines its regulatory approach and priorities and provides greater transparency about how it is working to reduce workplace harm.

WorkSafe continues to promote the safest possible working environments, backed by strong enforcement to hold employers accountable where they fail to protect workers. In 2024-25, WorkSafe conducted 57,087 workplace visits, up 13.8 per cent on 2023–24 and issued 14,766 improvement notices. WorkSafe commenced 137 OHS prosecutions, with $12,436,550 in fines imposed, up 10 per cent on the previous year.

Transparent reporting and clear accountability for all claims management decisions
WorkSafe requires its authorised agents to make decisions that are fair, evidence-based and consistent with the legislation. Agents are supported by clear operational guidance provided through WorkSafe's Online Claims Manual.

WorkSafe regularly monitors and assesses agent performance through a range of measures, including quality decision making and return to work outcomes metrics. WorkSafe also conducts independent surveys of injured workers claims experience. Injured workers have several available avenues to raise concerns about the management of their claim, including their agent, WorkSafe Advisory, the Victorian Ombudsman or their union.

I thank the Member for sponsoring this petition and trust this information is of assistance to the petitioners.

Yours sincerely

The Hon. Ben Carroll MP
Deputy Premier
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/6/ 2026

cc: Hon. Jaclyn Symes MLC, Treasurer

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