

COVID-19 MATTERS

SUMMARY REPORT | January 2022



Independent
Review Office

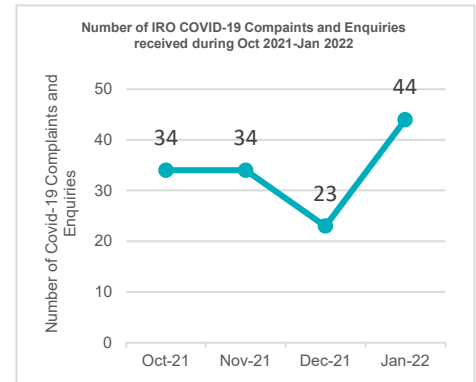
COVID-19 Complaints and Enquiries received

Matter Type	December 2021	January 2022	1 March 2020 – 31 January 2022
Complaints	10	5	220
Enquiries	13	39	324
Total	23	44	544

COVID-19 ILARS Funding Applications received

	January 2022	1 March 2020 - 31 January 2022
Applications for funding - ILARS	21	204

Trend in COVID-19 Complaints and Enquiries



COVID-19 Issue; Complaints and Enquiries

COVID-19 Issues; Complaints and Enquiries	January 2022	1 March 2020 – 31 January 2022	% COVID-19 matters to date
Issues attending medical treatment/appointment	2	176	32%
Seeking general claims information	5	131	24%
Concerns about suitable duties		86	16%
Claiming compensation while in isolation or contracting COVID	26	80	15%
Related to COVID vaccines	11	71	13%

COVID-19 Case Studies

Case study 1- Enquiry – Adverse reaction to COVID-19 vaccine

A worker was required by their employer to be vaccinated in order to continue attending the workplace. They subsequently suffered an adverse reaction to the vaccine. The worker enquired about eligibility to make a claim for compensation through the Australian Government's COVID-19 vaccine claims scheme, or through workers compensation.

IRO provided information about how to lodge a claim for workers compensation and confirmed it was a matter for the insurer to determine whether to accept liability. IRO also provided information about how to contact the Australian Government's COVID-19 vaccine claims scheme for clarification about the entitlements and claims procedure.

Case study 2 – Enquiry – Attending medical examination whilst unvaccinated

A worker who had suffered an injury and was in receipt of compensation payments was required to attend a medical examination by the insurer as part of its ongoing management of the claim. The doctor appointed by the insurer informed the worker they would need to be fully vaccinated in order to attend the assessment. The worker was not able to comply with this condition and did not attend. The worker lodged an enquiry with IRO, asking if they could be compelled to undergo vaccination in order to attend a medical assessment arranged by the insurer.

IRO confirmed to the worker that the insurer could not compel them to have the vaccination, but the potential consequences may range from delay in access to some benefits to suspension of weekly payments for failing to attend a medical assessment. The worker was informed that suspension of benefits was unlikely provided they were willing to attend an appointment. IRO recommended the worker to contact the insurer about whether an appointment could be arranged with a doctor who was prepared to accept alternative arrangements, for example rapid antigen testing immediately prior to attendance or a video assessment.

Case study 3 - Application for funding – disease injury

An Approved Lawyer sought a grant of funding for a worker who claimed to have contracted COVID-19 in the workplace. The worker believed their employer failed to implement safe work practices and as a result the worker was exposed to COVID-19 in the course of their duties. IRO granted funding for the Approved Lawyer to conduct preliminary inquiries and to provide legal advice.