
Queensland Government response to the
2026 Review of the *Industrial Relations Act 2016* and
Workers' Compensation and Rehabilitation Act 2003

Foreword

The Crisafulli Government is delivering a fairer industrial relations system that supports workers, protects small and family businesses, and addresses union violence and misconduct, helping ensure timely outcomes and a fairer deal for taxpayers, employers and workers.

As a Government, we will ensure Queensland workers have adequate protections and fair conditions in their employment while safe at their workplace and paid competitively.

While the former Labor Government turned a blind eye to mounting concerns, small and family businesses, workers and taxpayers were left to pay the price.

Delayed industrial disputes and protracted bargaining can delay projects, disrupt essential services and impact productivity. Queensland cannot afford an industrial relations system where warnings go unheeded, violence and misconduct goes unchallenged and support for workers is delayed or denied.



Jarrod Bleijie MP

Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations

Background

The *Industrial Relations Act 2016* (IR Act) and the *Workers' Compensation and Rehabilitation Act 2003* (WCR Act) collectively have a key role in setting the employment related legislative scheme for workers in Queensland, including for the public sector and local government.

It was timely to review these Acts in response to emerging workplace and workers' compensation scheme trends; to support productivity and a fair, balanced and sustainable workers' compensation scheme; and to honour the Crisafulli Government's commitment to ensuring the Queensland Government is an employer of choice, with a clear focus on respecting taxpayers' money.

The 2026 independent review report makes 104 recommendations in total with 62 in relation to industrial relations and 42 in relation to workers' compensation. The Queensland Government has accepted 75 recommendations (and a further 14 in principle) out of 104 recommendations from the independent review conducted by Mr Glenn Ferguson AM and former Queensland Industrial Relations Commissioner Mr Gary Black.

The following responses have been used:

- Accept: Government will implement the recommendation
- Accept-in-principle: Government accepts the recommendation although the implementation approach may vary from the original recommendation
- Note: Government acknowledges the recommendation
- Not Accept: Government will not implement the recommendation.

Industrial relations

Across industrial relations, the response promotes a modern and effective system that maintains strong worker protections while improving transparency, accountability and efficiency. The Government accepts recommendations that support cracking down on union violence and misconduct, including by the CFMEU, strengthening protections for whistleblowers, stronger governance of registered organisations, and ensuring union officials are fit and proper to hold their positions. Queensland worksites should be places where people can turn up, do their jobs safely and get home to their families without intimidation, fear or disruption.

The response is also intended to improve the efficiency of collective bargaining, support timely agreement making, provide clearer rules around industrial action and align key elements of Queensland's framework with the well-established Fair Work jurisdiction.

Fixing the former Labor Government's broken bargaining framework to be fair and efficient, providing faster wage outcomes for workers in a cost of living crisis and certainty for Queenslanders with access to essential services. The former Labor Government's bargaining framework favoured protracted industrial dispute, not fair outcomes for workers.

At the same time, the Government is committed to being an employer of choice and that all workers, including our public servants, continue to be paid fairly and have fair employment conditions. Importantly, this means a number of recommendations were not accepted as they were not consistent with our policy objectives. The recommendations not accepted relate to proposed changes involving enterprise bargaining, temporary absence dismissal protections, flexible work request arrangements, high-income unfair dismissal thresholds, interim arbitration wage increases and changes to the primary wage-setting mechanisms.

The response also includes significant improvements to the operation of Queensland's industrial tribunals and courts. Measures to expand access to legal representation, improve dispute resolution processes, strengthen tribunal powers, reduce unnecessary delays and enhance operational efficiency are intended to ensure faster, fairer and more effective outcomes for all parties. The Government has also supported reviews of tribunal structures and resourcing to ensure institutions remain fit for purpose and responsive to future demands.

Workers' compensation

In workers' compensation, the Government's response focuses on preserving one of Australia's leading compensation schemes while ensuring it remains sustainable for future generations. Without reform, the scheme is at risk and premiums would rise substantially. Independent actuarial modelling provided to the review indicate that without reform, the average premium rate would increase by 26% over the next five years. In dollar terms, this premium trajectory could result in Queensland employers (including small and family businesses and the Queensland Government as an employer) paying an estimated \$1.46 billion more in annual premiums in 2035 than in the current year. Reforms relating to psychological injuries are designed to improve consistency, transparency and decision making, while maintaining fair access to support injured workers. A new code of practice, strengthened insurer capability, enhanced medical expertise and independent reviews will support better outcomes across the scheme.

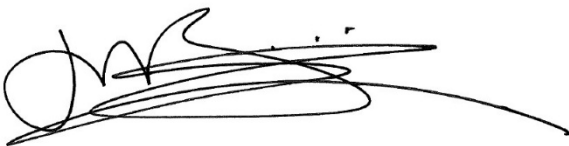
The Government has also endorsed stronger measures to protect scheme integrity through improved fraud prevention, enforcement and compliance mechanisms. These changes are intended to safeguard resources for workers who genuinely need support and reinforce public confidence in the scheme. Alongside these initiatives, the Government supports improved rehabilitation and return-to-work arrangements, recognising that helping injured workers safely return to work remains a central objective of the workers' compensation framework.

Accepting the recommendations will support small and family businesses facing mounting Commonwealth taxes and fees, while ensuring injured workers receive the treatment and rehabilitation they need to recover sooner and resume their daily lives.

Other recommendations will drive insurer accountability and performance, strengthen regulatory oversight, modernise administrative processes and improve transparency across the scheme. The Government has also committed to extending presumptive coverage to Queensland Parks and Wildlife Service firefighters, improving governance of independent medical assessors and undertaking targeted reviews to ensure policy and operational practices remain contemporary and effective.

Our response

The Queensland Government welcomes the recommendations from the 2026 independent review, and our response demonstrates the Government's commitment to delivering a modern, productive and fair industrial relations and workers' compensation system. By embracing reform while retaining important worker protections, the Government aims to support economic growth, strengthen public confidence in our schemes, minimise disruption to essential public service delivery and ensure Queensland's legislative frameworks continue to meet the needs of workers, employers and the community into the future.



The Honourable Jarrod Bleijie MP

Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations

Industrial relations recommendations

Rec	Recommendation	Position	Response
Queensland Employment Standards			
1	Consideration of NES Inquiry outcomes That outcomes of the federal inquiry into the operation and adequacy of the National Employment Standards (NES) inform later consideration of the adequacy of the Queensland Employment Standards (QES) under the IR Act.	Accept in-principle	When the House of Representatives Standing Committee on Employment, Workplace Relations, Skills and Training concludes its National Employment Standards (NES) inquiry, it is proposed that the Queensland Government consider this matter further and the need to align NES with the Queensland Employment Standards (QES).
2	Alignment of QES entitlements with federal jurisdiction That the Government consider aligning the entitlements in the QES to mirror those in the NES as a priority.	Accept in-principle	As above.
3	Continuous service – eligibility for long service leave That, on conclusion of the federal inquiry into the National Employment Standards, the Queensland Government consider if any amendments should be made to the long service leave provisions of the IR Act.	Accept in-principle	As above.
4	Termination of employment arising from temporary absence That the Government consider the interaction of the IR Act and WCR Act provisions in relation to temporary absence due to illness or injury to ensure sufficient and consistent protections across the legislative schemes. Any supplementary changes to the <i>Industrial Relations Regulation 2018</i> should be made to ensure consistency.	Not Accept	The Queensland Government does not accept the recommendation to terminate employment due to a temporary absence. The Queensland Government believes that workers should feel safe and secure in their employment, particularly during times of sickness and injury.
5	Parental leave interactions That, on conclusion of the NES Inquiry, the Government review the interaction of particular parental leave provisions of the IR Act, namely sections 73 and 87B.	Noted	The Queensland Government notes the review commentary and recommendation in relation to the operation of these sections. When the House of Representatives Standing Committee on Employment, Workplace Relations, Skills and Training concludes its NES inquiry it is proposed to consider this matter further.

Industrial relations recommendations

Rec	Recommendation	Position	Response
6	Flexible work requests That the Government consider amending the IR Act's provisions relating to flexible work requests to align with the Fair Work framework.	Not Accept	The Queensland Government is committed to being an employer of choice, ensuring workers have adequate protections and fair conditions in their employment. The Government will not make any changes to the Industrial Relations Act 2016 (IR Act) flexible work arrangements, retaining the opportunity that currently exists.
7	High income threshold That the IR Act be amended to exclude access to unfair dismissal protections for employees earning over the high-income threshold and covered by an award or agreement.	Not Accept	The Queensland Government does not accept the proposed changes to the threshold for access to unfair dismissal proceedings. Regardless of income, all workers covered by an industrial instrument should have adequate protections against unfair dismissal.
8	Continuous service – casual employees That the IR Act be amended to clarify what is "continuous service" when calculating long service leave entitlements. In particular, it should be expressly clarified that a casual employee's continuous service is broken for the purposes of calculating long service leave where there is a period of more than three months between the end of one casual engagement and the commencement of the next casual engagement.	Not Accept	To ensure the Queensland Government remains an employer of choice, it is not proposed to amend the IR Act to provide for this recommendation. The Queensland Government supports measures to ensure workers have adequate protections and fair conditions under the IR Act, particularly for those workers engaged in casual employment.
Freedom of association			
9	Registered organisations framework The IR Act's registered organisations framework should be reviewed.	Accept	The Queensland Governments accepts this recommendation. A review has already been completed by the Office of Industrial Relations and there are no proposed changes to the Registered Organisations Framework.
10	Consideration of COI outcomes That the Queensland Government consider outcomes of the Commission of Inquiry (COI) into the CFMEU and Misconduct in the Construction Industry on its completion. The government should consider any amendments to the IR Act to support the findings of the COI at this point in time.	Accept in-principle	The Queensland Government will consider the findings and all recommendations of the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry, ensuring that workers' rights are represented by their chosen representatives, and preventing ongoing violent disputes on job sites, including against other union members.

Industrial relations recommendations

Rec	Recommendation	Position	Response
11	Whistleblower protections That the Government consider amending the IR Act to include protections for whistleblowers based on the protections in the <i>Fair Work (Registered Organisations) Act 2009</i> (Cth).	Accept	The Queensland Government supports introducing appropriate protections for union whistleblowers based on those in the Commonwealth's <i>Fair Work (Registered Organisations) Act 2009</i> (FW Act) to promote the transparent conduct of registered organisation officials. This will support the reporting of any misconduct claims, as seen in witness testimony in the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry.
12	Review of 2022 amendments That the Government review the operation of the amendments made to the IR Act by the <i>Industrial Relations and Other Legislation Amendment Act 2022</i> . This should include consideration of the IR Act's treatment of incorporated entities with an industrial purpose, and the current definition of "industrial activities".	Accept	The Queensland Governments accepts this recommendation and will seek feedback from workers and all stakeholders during the Parliamentary Committee examination of legislation, when it is introduced to deal with the other review recommendations.
13	Union Encouragement Policy That the Government review its Union Encouragement Policy.	Accept in-principle	The Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry has exposed details of threats from one union against other unions, putting workers in unsafe environments. The Queensland Government supports workers being members of their chosen union. A review of the Union Encouragement Policy will also ensure the freedom of choice for workers on who represents them.

Registered organisations

14	Industrial organisations to represent eligible members Amend the relevant IR Act provisions to clarify that industrial organisations may only represent the interests of individuals who are members or eligible to be members of the industrial organisation. This change would reduce the prospect of demarcation disputes and would clarify the operation of right of entry provisions, rights to inspect employee records, and other provisions of the IR Act.	Accept	The Queensland Government supports measures to ensure union officials appropriately exercise their statutory rights in the workplace, and only represent workers that fall within their responsibilities. This will ensure that workers' rights are represented by their chosen representatives, and prevent ongoing violent disputes on job sites, including against other union members, as evidenced by the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry.
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Industrial relations recommendations

Rec	Recommendation	Position	Response
15	Publication of union rules That the IR Act be amended to provide that the rules of all organisations registered under the IR Act must be publicly accessible (on the Queensland Industrial Relations Commission (QIRC) website). The QIRC should maintain a publicly accessible register of all organisations registered under the IR Act and the rules of each organisation.	Accept	The Queensland Government supports alignment with the Commonwealth's Fair Work Act for the publication of union rules to promote transparency and ethical conduct.
16	Fit and proper person test That, as included in the FW Act, the IR Act be amended to provide that union officials must comply with a robust 'fit and proper person' test which requires them to act lawfully and in their members' best interests, in order to exercise lawful right of entry powers.	Accept	The Queensland Government supports the alignment of lawful right of entry powers under the IR Act consistent with those in the Commonwealth's Fair Work Act. This will ensure union members that are removed or terminated for misconduct are not able to gain right of entry powers elsewhere without first going through a 'fit and proper' person test. This approach will ensure the ongoing integrity of officials of registered organisations and will prevent repeated misconduct that puts worker safety at risk. This will prevent ongoing violent disputes on job sites, including against other union members, as evidenced by the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry.

Industrial relations recommendations

Rec	Recommendation	Position	Response
17	Right of entry – time and wages That the IR Act be amended to align the requirements for an exercise of an authorised officer's right of entry with those in the FW Act. In particular, the following is to be required: • The authorised officer must have notified the employer or employer's representative of an intention to enter the workplace; • The authorised officer must give the employer or employer's representative written notice of intention to enter the workplace; • Such notice must be provided during working hours and at least 24 hours, but not more than 14 days, before the entry; and • The notice must contain relevant particulars, including: the premises proposed for entry, the day of the entry, the name of the authorised officer and the employing organisation, and the provision of the IR Act under which entry is sought.	Accept	The Queensland Government supports this recommendation to align with the Commonwealth's Fair Work Act. It aims to ensure the appropriate use of this particular right of entry power, without it being abused for unrelated reasons.
18	Bargaining parties behaviour That the Government consider if measures should be provided for to bolster good faith bargaining requirements.	Accept in-principle	The Queensland Government supports amendments to the good faith bargaining provisions to 'bolster' good faith bargaining and to better reflect the Queensland industrial relations jurisdiction.
19	Additional transparency measures That the Government consider introducing further measures to boost transparency in relation to public reporting obligations on registered organisations, including reporting obligations in relation to expenditure.	Accept	The Queensland Government supports introducing further reporting obligations for registered organisations to increase transparency and encourage more ethical behaviour in the conduct of registered organisations. The Queensland Government notes that these measures align with the Commonwealth's Fair Work Act requirement for additional transparency from registered organisations.

Industrial relations recommendations

Rec	Recommendation	Position	Response
20	Conduct of industrial ballots That the IR Act be amended to provide for the Electoral Commission of Queensland to conduct all industrial ballots.	Accept	The Queensland Government supports requiring the Electoral Commission of Queensland (ECQ), as an independent authority, to facilitate any required or requested industrial ballots to ensure independent oversight on key democratic industrial relations decisions. The ECQ will conduct these ballots via a full cost recovery model to ensure no extra burden will be placed on the taxpayer. This means the entity requesting the ballot will be required to pay the full cost of the ballot.
21	Balloting methods That the IR Act be amended to allow for the use of postal, electronic or other appropriate voting methods in the conduct of union elections to improve flexibility, efficiency and engagement.	Accept in-principle	The Queensland Government supports enabling modern digital solutions where possible and appropriate across legislation generally, and in this case, as a means to improve balloting efficiency.
22	Time and wages records Clarify the policy intent underlying the broad right for an authorised officer to be provided access to time and wages records to ensure it is not used as a means of subverting existing mechanisms for access to information such as legal discovery processes.	Accept	The Queensland Government supports this recommendation to ensure that access to private workers information such as time and wages records are not used to subvert existing methods for gaining access to other information.

Collective Bargaining

23	Balloting – ability to direct ballot employees That, similar to the FW Act, the IR Act be amended to provide that where an application for certification of a negotiated agreement is made to the Commission, the agreement may be put to employee ballot without obtaining in-principle agreement from the union(s) party to the agreement. The ability to ballot employees in absence of in-principle agreement from the union/s party should be enlivened on conclusion of the peace obligation period. Parties should not be required to attend conciliation prior to balloting employees, but any ballot must occur prior to a decision being made to refer the negotiations to arbitration.	Accept	The Queensland Government accepts this recommendation to provide for direct ballot of employees where at least one other bargaining party agrees. This measure would help with protracted negotiations which delay wage increases, and to provide for worker engagement where a majority of workers support the agreement. This would also align the IR Act with the Commonwealth's Fair Work Act.
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Industrial relations recommendations

Rec	Recommendation	Position	Response
24	Protected Industrial Action: Increased notice period That, similar to the FW Act, the IR Act be amended to require that a person intending to take protected industrial action must give written notice of the intention to all of the negotiating parties for the proposed bargaining instrument at least three working days before the action is taken, where the industrial action is responding to or occurring after industrial action taken by another party to the proposed bargaining instrument.	Accept	The Queensland Government supports aligning with the Commonwealth's Fair Work Act by requiring a three-day notice period before any instance of protected action being taken to allow bargaining parties to take steps to mitigate any adverse impacts of the industrial action on the public, the employer and other bargaining parties.
25	Consequences of protected industrial action That the Government consider harmonising the consequences of protected industrial action in the IR Act with the FW Act provisions, which mandate deductions of pay arising from the taking of protected industrial action (where labour is not fully withdrawn e.g. limited duties).	Accept	The Queensland Government supports amendments to align with the Commonwealth's Fair Work Act that there is no entitlement to pay for a full strike and to make clear that an employer may reduce pay (including down to zero) for a partial work ban or restricted duties, however a notice must be provided in these instances.
26	Payment for strikes That the Government consider amending the IR Act to provide that an employer must not pay an employee for a period where an employee engages in a strike consisting of a full withdrawal of labour.	Accept	The Queensland Government supports amendments to align with the Commonwealth's Fair Work Act that there is no entitlement to pay for a full strike and to make clear that an employer may reduce pay (including down to zero) for a partial work ban or restricted duties, however a notice must be provided in these instances.

Industrial relations recommendations

Rec	Recommendation	Position	Response
27	Protected Industrial Action: Ministerial declaration terminating industrial action That amendments to the IR Act be considered, similar to the FW Act, to enable the Minister to make a written declaration terminating protected industrial action for a proposed enterprise agreement if the Minister is satisfied that: (a) the industrial action is being engaged in, or is threatened, impending or probable; and (b) the industrial action is threatening, or would threaten to either endanger the life, the personal safety or health, or the welfare of the population or part of it; or to cause damage to the Queensland economy or an important part of it; or would be otherwise contrary to the public interest; or (c) that it is in the public interest that protected industrial action taken by frontline or critical service delivery workers be terminated on the basis of concerns about service delivery impacts on the population or part of it. The declaration will come into operation on the day that it is made.	Accept	The Queensland Government supports amendments which align with the Commonwealth's Fair Work Act by including a power within the IR Act which would allow the Minister for Industrial Relations to terminate protected industrial action in certain circumstances.
28	Applications for suspension or termination of protected industrial action That the IR Act be amended to reduce the burden on employer applicants and facilitate the granting of applications by the Commission for suspension or termination of protected industrial action for a proposed bargaining instrument, where the commission is satisfied the action is or may cause significant economic harm to an employer covered by the proposed instrument. Consideration should be given to lowering the threshold for imminent harm and protracted industrial action.	Accept	The Queensland Government supports the recommendation to amend the IR Act to provide for a different threshold for the suspension or termination of protected industrial action. This would ensure that the critical delivery of public services to the Queensland community can be maintained.

Industrial relations recommendations

Rec	Recommendation	Position	Response
29	Protected Industrial Action in conciliation That the IR Act be amended to disallow negotiating parties to take protected industrial action in relation to a bargain once an application for conciliation has been made.	Accept in-principle	The Queensland Government supports that protected industrial action should not be available during conciliation. A 28-day period will be provided for following the nominal expiry date of the agreement, before conciliation can occur. This will provide the opportunity for wage increases to be realised sooner.
30	Scope orders That the IR Act be amended to require, similar to the FW Act, that the Commission consider the impacts of a proposed scope order on an employer when considering whether to make such an order. Specifically, the Commission must be satisfied that the order will not adversely impact the business or operational needs of the employer, with regard given to the nature of the work performed, any budgetary consideration, and considerations on productivity.	Accept	The Queensland Government supports this recommendation which would improve consistency with the Commonwealth's Fair Work Act and allow the Queensland Industrial Relations Commission to consider potential business or operational impacts of making a proposed scope order.
31	Interim wage increases in arbitration That the IR Act be amended to remove the ability for a party to apply for an interim wage increase in arbitration proceedings.	Not Accept	In its commitment to being an employer of choice, the Queensland Government does not accept the recommendation to remove a worker's ability to receive a wage increase during arbitration proceedings.

32 **Matters considered in making arbitration determination**

Accept

That the IR Act be amended to require the Commission to consider particular matters when making an arbitration determination in proceedings for a negotiated agreement. The matters the Commission must have regard to should align with the factors taken into account by the Fair Work Commission in making a workplace determination under the *Fair Work Act 2009* (Cth).

These include:

- (a) the merits of the case;
- (b) the interests of the employers and employees who will be covered by the proposed negotiated agreement;
- (c) the significance of any arrangements or benefits in a certified agreement to the parties covered by it;
- (d) the public interest;
- (e) how productivity might be improved in the enterprise or enterprises concerned;
- (f) the extent of which the conduct of the bargaining representatives for the proposed enterprise agreement concerned was reasonable during bargaining for the agreement;
- (g) the extent to which the bargaining representatives for the proposed enterprise agreement have complied with good faith bargaining requirements; and
- (h) incentives to bargain at a later time.

In the alternative, that the Queensland Government consider amending the IR Act to require the Commission to consider the following matters when making an arbitration determination:

- (a) the fiscal position and strategy of the State of Queensland as employer and the impact of the decision on employment;
- (b) the need to support workplace productivity;
- (c) opportunities for mutual gains;

The Queensland Government accepts the recommendation that the Queensland Industrial Relations Commission is to consider additional factors, as outlined in the Commonwealth's Fair Work Act, when making determinations during arbitration.

These factors will also consider the dual role of the Queensland Government as both an employer and a provider of public services.

Industrial relations recommendations

Rec	Recommendation	Position	Response
	(d) incentives to continue bargaining at a later time; (e) The impact of any proposed change on government service delivery, particularly the delivery of essential services.		
33	Conciliation That the IR Act be amended to clarify that the date conciliation began is taken to be the day a negotiating party asks the Commission to help the parties reach agreement.	Accept	The Queensland Government supports amendments to the IR Act for clarity and certainty as needed. This will clarify that the 'day' conciliation begins is taken to be the day a negotiating party asks the Queensland Industrial Relations Commission to help the parties reach agreement.
34	Referral to arbitration That the IR Act be amended to provide that the conciliating member in a matter may refer the matter to arbitration either: (a) three months from the nominal expiry date of certified agreement or bargaining award that applies to the parties; or (b) If satisfied that the parties are unlikely to reach agreement, at any time from the day conciliation of the matter started.	Accept	The Queensland Government supports measures to promote the timely resolution of negotiations where there are no reasonable prospects of agreement being reached without arbitration, empowering the independence of the Queensland Industrial Relations Commission. This will help ensure that a fair outcome is reached for all parties in a timely manner.
35	Procedure for agreement certification That the IR Act be amended to reduce the burden on the parties in an application for certification or termination of an agreement by allowing the Commission to be satisfied that the requirements for deciding an application to certify or terminate an agreement have been met, in circumstances where no submission has been made that the requirements have not been met. In drafting for this, consideration should be given to treatment to restore limited coverage or provide transitional coverage to employees if it is later identified that there were still employees reliant on the terminated agreement.	Accept in-principle	The intent to reduce the burden on parties is acknowledged, however, the Queensland Government intends to apply this recommendation to the simplified certification component only at this time. This will help ensure the timely outcomes of decisions so that workers receive wage increases sooner.

Industrial relations recommendations

Rec	Recommendation	Position	Response
Wage-setting mechanisms			
36	Award variation and agreement rates That the Government consider amendments to the Act to: (a) provide that the Commission must not make an award variation where it proposes to incorporate certified agreement rates into the parent award; (b) omit the ability of a party to apply to the Commission for the inclusion of provisions from a directive into an award, despite current or prior application of the directive to the parties to the award.	Accept	The Queensland Government accepts this recommendation and supports amending the IR Act empowering the independent Queensland Industrial Relations Commission to determine award rates.
37	Interactions between awards and agreements That the IR Act be amended to: (a) Include in its main purpose to ensure productive workplaces and adequate protections and fair conditions for employees; (b) Reflect that the main purpose of the Act is to be achieved by ensuring productive workplaces and providing adequate protections and fair conditions for employees; (c) Reflect that awards are a safety net rather than prevailing standards to clarify the interactions of awards and agreements. Recommendations 39 and 40 should be considered in making these amendments.	Accept in-principle	The Queensland Government supports amending the IR Act to provide for elements of this recommendation, including the importance of ensuring workplace productivity and providing fair conditions in the purpose of the IR Act.
38	Adopt outcome of Annual Wage Review The IR Act should be amended to allow the Full Bench of the Commission to adopt the outcome of the AWR in the SWC without receiving evidence or submissions or conducting a hearing, in the absence of an objection from an interested party. If a party objects, the Commission should hear the matter <i>de novo</i>.	Accept	The Queensland Government supports amendments to enable the Commission to adopt the outcomes of the Annual Wage Review in the State Wage Case. This amendment will reduce red tape and ensure a more efficient outcome of proceedings.

Industrial relations recommendations

Rec	Recommendation	Position	Response
39	State Wage Case increases in awards and agreements (a) That the Government consider repealing <i>Directive No. 12/12: State Wage Case and Certified Agreements</i>, noting it is inconsistent with the wage-setting model proposed in this Review. (b) That the Queensland Government consult with the Office of Industrial Relations and key stakeholders in relation to an appropriate time to repeal this directive.	Not Accept	The Queensland Government does not accept this recommendation. The Queensland Government is committed to being an employer of choice and supports fair wages for all groups of workers.
40	Primary wage setting mechanism 1. That the Government consult with interested parties to explore interactions of the wage setting mechanisms in the Queensland industrial relations jurisdiction, with a view to identifying the most appropriate primary wage setting mechanism. This should occur on conclusion of the current bargaining cycle and may include consideration of the continuing need for both an Award and an Agreement, as well as Independent Remuneration Tribunals and Expert Wage Setting Panels. 2. That, in the interim the Government consider: (a) Ensuring the State Wage Case continues to set wages for workers who are genuinely reliant on either award wages or the Queensland Minimum Wage; and (b) Amending the IR Act such that, after 1 September 2026, award wages for Queensland state public sector workers covered by a certified agreement are not increased as a result of the State Wage Case, despite any provision in certified agreements and Ministerial Directives. Such amendments may include providing that the General Ruling made for the State Wage Case will specify the wage rates that increase for those reliant on Award wages or the Queensland Minimum Wage, and not vary the award rates relevant to public sector workers covered by certified agreements.	Not Accept	The Queensland Government notes the issues around the 'dual wage setting mechanism' raised by the Review, however it does not accept the recommendation to alter the current wage setting mechanism. The Queensland Government is committed to being an employer of choice and that all workers continue to be paid well and have fair conditions in their employment.

Industrial relations recommendations

Rec	Recommendation	Position	Response
Operation of the Industrial Court and Commission			
41	Legal representation in the Commission That the IR Act be amended to provide for legal representation in any proceeding before the Commission including promoting freedom of choice by restoring a worker's ability to choose their legal representative in proceedings and allowing a worker to choose to be represented by a private lawyer, a lawyer acting for the worker's union, or a lawyer acting for another association or entity.	Accept	The Queensland Government supports restoring parties' ability to engage external legal representation in matters before the Queensland Industrial Relations Commission. This amendment will also promote freedom of choice by allowing workers to choose their own legal representative in proceedings. A worker may choose to be represented by a private lawyer, a lawyer acting for the employee's union, or a lawyer acting for another association or entity.
42	Appeal from a Full Bench of the Commission That the Government consider amending the IR Act so that an appeal from a Full Bench of the Commission where at least one of the members is a presidential member lies directly to the Court of Appeal.	Accept in-principle	The Queensland Government supports the policy intent of this recommendation and that the IR Act be amended to provide for this because it will align Queensland with other States by allowing an appeal to be heard by a superior court.
43	Exercise of powers by Industrial Court and Commission – Decisions That the IR Act be amended to extend to the entire jurisdiction of the Court and Commission to have the power, either on application or acting on its own volition, to dismiss a matter, or refrain from hearing a matter, further hearing, or deciding the matter, if the Court or Commission considers that further proceedings by the Court or Commission are not necessary or desirable in the public interest.	Accept	The Queensland Government supports that the Queensland Industrial Court and Queensland Industrial Relations Commission be empowered to flexibly deal with matters including to dispose of matters where further proceedings would not be in the public interest. This will improve the efficient operation and independence of the Queensland Industrial Court and Queensland Industrial Relations Commission.
44	Recommendation to deal with vexatious litigants That the IR Act be amended to empower the Queensland Industrial Relations Commission to make orders to deal with vexatious litigants and improve efficiencies in relation to these matters.	Accept	The Queensland Government accepts the recommendation giving the Queensland Industrial Relations Commission the ability to make orders to deal with vexatious litigants which draw the resources of the Commission away from dealing with legitimate applications made by Queensland workers and other parties.

Industrial relations recommendations

Rec	Recommendation	Position	Response
45	Paying out long service leave That consideration be given to amending the IR Act, which permits the payment of long service leave instead of taking leave, to provide that if no industrial instrument or federal industrial instrument provides for an employee to be paid for all or part of an entitlement to long service leave (instead of taking the leave), then an employee with an entitlement to long service leave should be able to make application to his or her employer to be paid the long service leave instead of taking the leave; and that if there is a dispute, the dispute can be conciliated and arbitrated by the Commission.	Accept	The Queensland Government accepts this recommendation, allowing for a worker to receive their long service leave entitlement through their employer. This recommendation would allow for the worker to receive their payout faster and without having to be heard by the Queensland Industrial Relations Commission.
46	Public Sector Appeals That the Queensland Government consider amending the IR Act to limit the jurisdiction of the Commission to hear appeals against employment-related decisions made under the <i>Public Sector Act 2022</i> to (only) disciplinary decisions.	Not Accept	The Queensland Government acknowledges the volume of these matters and their impact on the limited resources of the Queensland Industrial Relations Commission. However, it does not accept the recommendation because the Queensland Government believe that the Queensland Industrial Relations Commission has the appropriate expertise to hear these appeals.

Status of the Industrial Court, Commission and its members

47	References to members of the Industrial Court That the IR Act be amended to clarify that the vice president or a deputy president of the Industrial Court is a judge of the Industrial Court.	Accept	The Queensland Government supports clarifying the role of the judicial members of the Queensland Industrial Court, as it would align Queensland with other jurisdictions around the country.
48	Appointments to the Industrial Court and Commission That the IR Act be amended to provide that a deputy president of the Industrial Court may be appointed by way of commission by the Governor-in-Council. If accepted, the amendments should align the qualifications for appointment as a judge of the Industrial Court to those of a judge of the Supreme and District Courts.	Accept	The Queensland Government supports clarifying the method of appointment of the Deputy President by Governor-in-Council and requisite qualifications for judicial members of the Queensland Industrial Court providing consistency with other judicial officers.

Industrial relations recommendations

Rec	Recommendation	Position	Response
49	Exercise of powers by Industrial Court - Appointment of the Vice President and a Deputy President (Court) That amendments to the IR Act be considered to clarify the conditions and qualifications for appointment for members of the Industrial Court.	Accept	The Queensland Government supports clarifying the method of appointment and requisite qualifications for judicial members of the Queensland Industrial Court providing consistency with other judicial officers.
50	Exercise of powers by Industrial Court – Acting President That the IR Act be amended to permit the Vice President to act as the president when the president is temporarily unable to perform the functions of the office.	Accept	The Queensland Government supports the recommendation to clarify that the Acting President may exercise the functions of the President when the President is unable to perform their functions to deliver the efficient operation and increased productivity of the Queensland Industrial Court and Queensland Industrial Relations Commission.
51	Exercise of powers by Industrial Court – President That the IR Act be amended to clarify who is responsible for the administration of the Commission, namely that the Vice President is responsible to the President for the administration of the Commission and ensuring the orderly and expeditious exercise of the jurisdiction and powers of the Commission.	Accept	The Queensland Government supports clarifying responsibilities for the administration of the Queensland Industrial Relations Commission to deliver operational efficiencies and increased productivity.
52	Renaming the QIRC That consideration be given to rename the Queensland Industrial Relations Commission to the Queensland Industrial Relations Court to ensure it clearly within the hierarchy of state courts and appropriately reflects the nature of its jurisdiction and the work it is now required to undertake.	Not Accept	Implementing this recommendation is not considered essential at this time. The Queensland Industrial Relations Commission is well-known by its users and a name change will have no bearing on the efficient operation of the Commission.
53	Review structure of the QIRC That consideration be given to a review of the structure of the Queensland Industrial Relations Commission including the appointment of additional commissioners to support operational efficiency.	Accept	The Queensland Government supports the review of the structure and resourcing of the Queensland Industrial Relations Commission to deliver operational efficiency and increased productivity.
54	Punishment of contempt That the IR Act be amended to empower the Commission to punish a person for contempt of the tribunal.	Accept	The Queensland Government supports the Queensland Industrial Relations Commission be given the powers necessary to deal with a person in contempt of the tribunal.

Industrial relations recommendations

Rec	Recommendation	Position	Response
55	Discretion to award costs That the IR Act be amended to broaden the discretion of the Court or Commission to award costs, including where costs were incurred due to unreasonable acts or pursuit of proceedings without reasonable prospects of success.	Accept	The Queensland Government supports that litigants be encouraged to ensure they act in a reasonable way and to resolve matters, and that the Queensland Industrial Court and Queensland Industrial Relations Commission be empowered to order costs where proceedings were pursued despite a lack of reasonable prospects of success.
Other			
56	Industrial disputes and public sector appeals That the Government consider amending the IR Act to clarify that matters that are expressly non-appealable under the PS Act cannot be subject of an industrial dispute under the IR Act.	Accept in-principle	The Queensland Government supports in principle this recommendation to address the uncertainty about the interaction of the public sector conversion appeals framework and the industrial dispute jurisdiction of the IR Act.
57	Concurrent statutory claims under related legislation That the Queensland Government consider if efficiencies can be improved in relation to the handling of concurrent or overlapping proceedings in the Commission made under multiple statutory claims, arising from the same factual matrix. In particular, consideration should be given to claims brought under the IR Act's provisions for industrial disputes (section 261), unfair dismissal (section 317) and general protections (section 309), and parallel complaints under the <i>Anti-Discrimination Act 1991</i> (AD Act), the <i>Human Rights Act 2019</i> (HR Act) and the <i>Public Sector Act 2022</i> (PS Act).	Accept	The Queensland Government supports empowering the Queensland Industrial Relations Commission with sufficient discretion to deliver improved efficiencies in relation to concurrent or overlapping proceedings in the Queensland Industrial Relations Commission.
58	Chapter 10A IR Act That the Government consider the status of Chapter 10A of the IR Act, with regard given to the outcomes of the applications for relevant minimum standards orders before the Fair Work Commission.	Noted	The Queensland Government notes that developments in the Commonwealth's Fair Work Act in relation to key minimum standards orders are ongoing. It is considered prudent to wait for these developments to settle and to consult with industry in due course. No amendments to Chapter 10A are proposed at this time.

Industrial relations recommendations

Rec	Recommendation	Position	Response
59	Public interest disclosures That recommendation 84 of the 2023 Final Report into the Review of the <i>Public Interest Disclosure Act 2010</i> (PID Act) be given effect by clarifying that the PID Act is an industrial law, and a public officer's eligibility to make a public interest disclosure is considered a workplace right.	Noted	The Queensland Government notes the Department of Justice is leading the work on public interest disclosures. This recommendation is noted and will be considered by the Queensland Government as part of the broader work on the Public Interest Disclosure Act 2010.
60	Public Sector Appeals – Queensland Police Service That the Queensland Government consider the most appropriate forum for determining disciplinary appeals for Queensland Police Officers. In doing so, regard is to be given to the outcomes of the 2025-26 Review of the <i>Queensland Civil and Administrative Tribunal Act 2009</i> .	Noted	The Queensland Government notes the Department of Justice is leading related work arising from the 2025-26 Review of the Queensland Civil and Administrative Tribunal Act 2009 (QCAT Act Review). In light of this, the Government notes this recommendation and that it will be considered as part of the work arising from the QCAT Act Review.
61	Remove outworkers and wages in rural mining industries divisions	Accept	The Queensland Government supports removal of these divisions as they are no longer relevant to Queensland and the statute of limitations since the referral of residual private sector jurisdiction has passed.
62	Boxed directives That the Government consider measures to address exceptional or emergency circumstances (e.g. in the case of natural disasters and response to natural disasters, the 2032 Olympic and Paralympic Games). This could include, for example, reinstating "special/boxed directives" in relation to industrial relations entitlements so certain matters could be dealt with administratively in accordance with the PS Act. If it is considered necessary to, for example, change nominal expiry dates for agreements so that bargaining is delayed during the key delivery period for the Olympics, it is noted that this may require legislative change, noting appropriate safeguards for employees would also need to be considered.	Noted	The Queensland Government notes this recommendation. It will not be progressed at this time.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
Psychological injuries			
1	Employment contribution for psychological injuries 1.1 That the WCR Act be amended to add <i>'the major'</i> as a qualifier for work's <i>'significant contribution'</i> to a psychiatric or psychological injury, to increase the connection to employment for compensable psychiatric or psychological injuries.	Accept	The Queensland Government supports legislative amendments to require employment to be the major significant contributing factor to a psychological injury. This amendment aligns Queensland with other jurisdictions such as New South Wales and Victoria, in their efforts to deal with the complex nature of psychological injuries. In dollar terms, WorkCover have advised that the current premium trajectory could result in Queensland employers, including all small and family businesses, paying an estimated \$1.46 billion more in annual premiums in 2035 than in the current year.
2	Reasonable Management Action 2.1 That the WCR Act be amended to provide greater clarity on the meaning of 'reasonable management action' by: - confirming that 'management action' need not be perfect, provided it is reasonable overall; and - confirming employer investigations of alleged misconduct are an example of a type of 'management action' which precludes entitlement. 2.2 The Workers' Compensation Regulator review guidance material on reasonable management action for workers, employers and insurers.	Accept	The Queensland Government supports legislative and administrative measures to provide greater clarity regarding the operation of the reasonable management action exclusion. These measures will support more consistent and transparent decision-making and greater certainty in the application of the exclusion across the workers' compensation scheme.
3	Code of Practice for Claims Management for insurers That the Minister make a Code of Practice for Claims Management to drive improved, consistent and timely claims decision making and management across the scheme with a focus on primary and secondary psychological injury claims.	Accept	The Queensland Government supports the development of a Code of Practice for claims management to promote consistent, transparent and accountable claims management practices across the workers' compensation scheme and establish clear expectations for insurers.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
4	Independent review of impact of recommendations for psychological injuries That the Queensland Government, in consultation with the Workers' Compensation Regulator, undertake an independent review to determine whether the implemented changes have addressed the growth and impacts of psychological injuries within the scheme.	Accept	The Queensland Government supports an independent review of recommendations one, two and three to assess whether the reforms are achieving their intended outcomes. The review will consider their impact on psychological injury claims, scheme sustainability, decision-making consistency and access to compensation, and whether any further measures may be required to support the long-term sustainability of the scheme.
5	Assessing degree of permanent impairment process for psychological injuries That the WCR Act be amended to require the degree of permanent impairment process for psychiatric or psychological injuries be aligned with the degree of permanent impairment process for physical injuries.	Accept	The Queensland Government supports legislative amendments to align the degree of permanent impairment assessment process for psychological injuries with that applying to physical injuries. The amendment will support a more consistent approach to the assessment, review and determination of permanent impairment across the workers' compensation scheme, ensuring accepted claims are processed faster and payments to injured workers can be made sooner.
6	Medical Expertise That WorkCover Queensland engage and actively utilise dedicated internal high level, centralised and specialist medical expertise (including psychiatric expertise) to strengthen claims management, clinical governance and staff capability.	Accept	The Queensland Government supports strengthening WorkCover Queensland's access to specialist medical expertise to support consistent and evidence-based claims management, particularly for psychological injury claims. This will enhance clinical governance and support the management of complex claims in the scheme.
7	Uplift in insurer capability That the Workers' Compensation Regulator consider the current practices of insurers in ensuring claims manager capability and whether guidance or a Code of Practice is required.	Accept	The Queensland Government supports the creation of a Code of Practice to support claims manager capability and promote consistent claims management practices across the scheme. Strong consistent capability frameworks will support high-quality and consistent decision-making and contribute to the effective operation of the workers' compensation scheme.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
Fraud			
8	Claims management responses where reasonable belief of fraud That the WCR Act be amended to: - Automatically stay a claim for compensation or damages on the commencement of a proceeding for fraud or attempted fraud offending under the WCR Act. - Allow the authorised person to issue a direction that payment of lump sum compensation or claim for common law be stayed where there is a reasonable belief of fraud. - Allow an authorised person to issue a direction to stop compensation where there is a reasonable belief of fraud (similar to the model used by WorkSafe Victoria).	Accept	The Queensland Government supports legislative amendments to strengthen the Workers' Compensation Regulator's ability to respond to suspected fraud and manage potential scheme losses. The amendments will allow compensation, damages and common law payments and proceedings to be stayed or stopped in appropriate circumstances where fraud is suspected, similar to the model used by WorkSafe Victoria. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims, protecting small and family businesses against illegitimate claims.
9	Commencement of proceedings for fraud and related offending That the WCR Act be amended to: - allow proceedings for fraud to be taken, at the election of the prosecution, on indictment; and - have proceedings commenced in a summary way under <i>the Justices Act 1886</i> (Qld), before a Magistrate.	Accept	The Queensland Government supports legislative amendments to ensure offences involving fraud can be dealt with in a manner that reflects their seriousness and aligns with comparable offending under other legislative frameworks. This includes providing greater flexibility in how proceedings are commenced and prosecuted, together with access to a broader range of sentencing options. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims, protecting small and family businesses against illegitimate claims.
10	Maximum penalties for fraud and related offending That the WCR Act be amended to increase the penalty for fraud offences with consideration given to greater consistency with fraud and related offending under the Queensland and Commonwealth Criminal Codes.	Accept	The Queensland Government supports legislative amendments to strengthen penalties for fraud offences and support consistency with comparable fraud and related offending under the Queensland and Commonwealth criminal law frameworks. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims, protecting small and family businesses against illegitimate claims.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
11	Notification of return to work (engaging in a calling) 11.1 That the WCR Act be amended to: - require a worker declaration in an approved form be provided to an insurer on a regular basis; and - clarify that workers are required to notify insurers of any return to work. 11.2 That the <i>State Penalties Enforcement Regulation 2014</i> be amended to allow authorised persons of the Workers' Compensation Regulator to issue an infringement notice for failure to notify of an engagement in a calling.	Accept	The Queensland Government supports measures to strengthen workers' obligations to report return to work and engaging in a calling to insurers, and to improve the accuracy and timeliness of information provided to insurers throughout the life of a claim. The Queensland Government also supports enhancing enforcement mechanisms for non-compliance with key notification requirements. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims, protecting small and family businesses against illegitimate claims.
12	Limitation period for fraud and related offending That the WCR Act be amended to extend the current timeframe to commence a proceeding: - for fraud only to regardless of when the matter of complaint arose - for other offences to one year after the commission of the offence comes to the knowledge of the Workers' Compensation Regulator.	Accept	The Queensland Government supports legislative amendments to ensure alleged offences can be investigated and prosecuted effectively, including where offending may not be identified until some time after it occurs. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims, protecting small and family businesses against illegitimate claims.
13	Formal record of convictions for fraud and related offending That the Minister engage with the Attorney-General and Minister for Justice on including convictions for workers compensation fraud and related offending as Disclosable Court Outcomes on individual National Police Certificates.	Accept	The Queensland Government supports engagement with the Attorney-General and Minister for Justice regarding the inclusion of convictions for workers' compensation fraud and related offences as Disclosable Court Outcomes on National Police Certificates. This would improve the visibility of offending and reinforce the consequences of workers' compensation fraud. This will reinforce the Queensland Government's zero-tolerance stance on fraudulent workers' compensation claims.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
Self-insurance			
14	Self-insurer licence renewal period The WCR Act be amended to extend the maximum self-insurance licence renewal period from four to five years for demonstrated very high performing insurers.	Accept	The Queensland Government supports legislative amendments to extend the maximum self-insurance licence renewal period from four years to five years for demonstrated very high-performing self-insurers, rewarding high performance and supporting a risk-based regulatory approach. This will reward those high performing self-insurers, enabling more efficient claims management and improved return to work outcomes for injured workers.
15	Self-insurer health and safety management system auditing framework That the Workers' Compensation Regulator, review the current work health and safety audit requirement and framework to evaluate its ongoing efficiency, effectiveness and alignment with scheme objectives.	Accept	The Queensland Government supports a review of the current work health and safety audit requirement and framework to ensure it remains fit for purpose, aligned with scheme objectives and effective in supporting the management of scheme and insurer risks.
16	Liabilities at time of transfer between self-insurer and WorkCover Queensland That the Workers' Compensation Regulator review the current requirements under the WCR Act and WCR Regulation for the transfer of liabilities between insurers to ensure adequacy and appropriate avenues of dispute resolution for any disagreement.	Accept	The Queensland Government supports a review of the current requirements for the transfer of liabilities between insurers to ensure the framework remains effective and provides appropriate mechanisms for resolving disputes. This will ensure requirements continue to support the financial integrity of the scheme and promote confidence in its ongoing stability.
17	Specialised Insurance That the Queensland Government, in consultation with the Workers' Compensation Regulator, conduct a feasibility study including consideration of a pilot, to evaluate the financial, operational and regulatory impact for introducing specialised insurance into the Queensland workers' compensation scheme.	Accept	The Queensland Government supports a feasibility study to evaluate the financial, operational and regulatory implications of introducing specialised insurance into the workers' compensation scheme. Given the potential impacts on scheme operations and scheme sustainability, any such reform requires careful assessment.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
18	Self-insurers as a party to reviews and appeals That the Queensland Government, in consultation with the Workers' Compensation Regulator, undertake a review to consider whether self-insurers should be a party for a review or subsequent appeal conducted by the Workers' Compensation Regulator.	Accept	The Queensland Government supports a review to consider whether self-insurers should be a party to reviews and appeals conducted by the Workers' Compensation Regulator. The review will consider whether the current administrative and legislative frameworks appropriately balances procedural fairness, the interests of affected parties, scheme integrity and worker protections.

Claims management and rehabilitation, and return to work

19	Guidance and Code of Practice about rehabilitation and return to work for insurers 19.1 That the Workers' Compensation Regulator review the current <i>Rehabilitation and return to work plan guideline – for insurers</i> and <i>Accredited rehabilitation and return to work program guideline – for insurers</i> to ensure that the expectations are appropriate for the stage of the claim and to ensure there is strong communication between stakeholders and quality, meaningful planning. 19.2 That the Minister make a Code of Practice for Rehabilitation and Return to Work for insurers to promote consistent, proactive and effective return to work outcomes across the scheme. This should have a focus on psychological injuries.	Accept	The Queensland Government supports a review of rehabilitation and return to work guidance for insurers and the development of a Code of Practice for Rehabilitation and Return to Work. While the existing legislative framework provides for evidence-based rehabilitation and return to work, a Code of Practice will promote more consistent, proactive and effective practice across the scheme, particularly for workers with psychological injuries, helping them get back to work sooner.
20	Guidance about rehabilitation and return to work for employers 20.1 Review the <i>Guideline for Standard for Rehabilitation</i> (Scheme Direction). 20.2 Review other current guidance and support available to employers to support them to meet their obligations for rehabilitation and return to work including consideration of the need for a Code of Practice. This should have a focus on psychological injuries.	Accept	The Queensland Government supports a review of rehabilitation and return to work guidance and support available to employers, including consideration of whether a Code of Practice is required. The review will be aimed at ensuring employers are supported to effectively fulfil their rehabilitation and return to work obligations and promote timely and sustainable return to work outcomes, particularly for psychological injury claims.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
21	Workplace Rehabilitation Service providers That the Workers' Compensation Regulator consider whether a scheme direction should be made to ensure that each provider of workplace rehabilitation services meets certain requirements for their services including competency and professional standards and service delivery.	Accept	The Queensland Government supports consideration of a scheme direction for workplace rehabilitation providers to ensure appropriate service delivery, competency and professional standards are maintained across the scheme. Consistent expectations for workplace rehabilitation services may enhance support for employers and injured workers and contribute to effective rehabilitation and return to work outcomes.
Insurer performance and compliance			
22	Issuing of compliance notices That the WCR Act be amended to ensure compliance notices can be effectively used to address and enforce systemic non-compliance by insurers.	Accept	The Queensland Government supports legislative amendments to ensure compliance notices can be effectively used to address systemic non-compliance by insurers. The amendments will address limitations in the current compliance notice framework where some forms of non-compliance that is continuing, or likely to be repeated that may not be captured.
23	Enforceable undertakings for insurers That the WCR Act be amended to introduce enforceable undertakings as a regulatory tool for insurer non-compliance.	Accept	The Queensland Government supports legislative amendments to introduce enforceable undertakings as a regulatory tool for insurer non-compliance. Enforceable undertakings will provide an alternative mechanism to address the underlying causes of non-compliance and support improvements in governance, systems and practices, while also promoting broader improvements across the workers' compensation scheme.
24	Insurer compliance with document requests That the WCR Act be amended to broaden sections 93 and 94 to apply to all insurers operating within the Queensland workers' compensation scheme.	Accept	The Queensland Government supports legislative amendments to broaden the application of sections 93 and 94 of the WCR Act. This will support a more consistent and robust regulatory framework for all insurers.
25	Prosecutions to be managed by the Workers' Compensation Regulator That the WCR Act be amended to mandate that all prosecutions within the scheme be initiated, managed and directed exclusively by the Workers' Compensation Regulator.	Accept	The Queensland Government supports legislative amendments to require that prosecutions for offences under the workers' compensation scheme are initiated, managed and directed by the Regulator. This will support a consistent, independent and scheme-wide approach to the prosecution of offences.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
26	Publication of insurer performance and regulatory action That the Workers' Compensation Regulator expand the public disclosure of insurer performance information by publishing the specific licence durations and performance assessments, conditions and regulatory or enforcement actions taken.	Accept	The Queensland Government supports expanding the public disclosure of insurer performance information. Increased transparency across the scheme aims to provide a clear incentive for insurers to maintain high standards of performance and compliance.
Compensation			
27	Modernisation of calculation of weekly compensation That the Queensland Government, in consultation with the Workers' Compensation Regulator, conduct an evidence-based review to determine whether weekly compensation calculations can be simplified and modernised.	Accept	The Queensland Government supports an evidence-based review of weekly compensation calculations to determine whether the current framework can be simplified and modernised. The review will consider opportunities to reduce administrative burden, improve the accuracy and timeliness of payments, and ensure the framework continues to appropriately balance fair worker support, return to work objectives and long-term scheme sustainability.
28	Basic weekly payments That the Queensland Government, in consultation with the Workers' Compensation Regulator, conduct an evidence-based review of basic weekly payments to ensure the payments remain reasonable and fair for workers, employers and insurers.	Accept	The Queensland Government supports an evidence-based review of basic weekly payment provisions to ensure they remain practical, reasonable and fair for workers, employers and insurers. The review will consider whether the current framework is operating as intended and identify opportunities to improve its efficiency, effectiveness and administration.
Scheme coverage			
29	Gig economy workers That the Queensland Government consider the status of section 11(1)(b), with regard given to the outcomes of the applications for relevant minimum standards orders before the Fair Work Commission.	Noted	The Queensland Government notes that developments in the Commonwealth's Fair Work Act in relation to key minimum standards orders are ongoing. It is considered prudent to wait for these developments to settle and to consult with industry in due course. No amendments are proposed at this time.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
30	Extend presumptive coverage to Queensland Parks and Wildlife Service firefighters That the WCR Act be amended to extend presumptive firefighter coverage to Queensland Parks and Wildlife Service employees who perform firefighting duties.	Accept	The Queensland Government supports legislative amendments to extend the presumptive provisions for firefighters to Queensland Parks and Wildlife Service employees who perform firefighting duties. This recognises that Queensland Parks and Wildlife Service firefighters undertake firefighting duties that are substantially similar to those performed by firefighters currently covered by the presumptive provisions, and ensures consistency in pathways to access compensation, closing the existing gap for these workers.

Governance of independent medical examiners and assessments

31	Strengthen governance of independent medical examiners and assessors 31.1 That the WCR Act be amended to establish a register of authorised independent medical examiners and assessors able to provide services to the scheme. The register is to be managed by the Workers' Compensation Regulator. 31.2 That the Queensland Government, in consultation with the Workers' Compensation Regulator and WorkCover Queensland, consider the most effective way to transition to the new model for independent medical examiners under the scheme.	Accept	The Queensland Government supports the establishment of a centralised register of independent medical examiners and assessors for the workers' compensation scheme to be managed by the Regulator. A centralised register will support greater quality, independence and consistency in medical examinations and assessments across the scheme. The Queensland Government also supports consideration of the most effective approach to transitioning to the new model.
32	Queensland's Guidelines for evaluation of permanent impairment That the Queensland Government, in consultation with the Workers' Compensation Regulator, review whether <i>Queensland's Guidelines for evaluation of permanent impairment</i> remains the most contemporary, appropriate and evidence-based tool for assessing degrees of permanent impairment.	Accept	The Queensland Government supports a review of <i>Queensland's Guidelines for Evaluation of Permanent Impairment</i> to ensure the framework remains contemporary, appropriate and evidence-based. The review will consider whether the current approach continues to reflect contemporary clinical practice and supports the accurate assessment of permanent impairment across the workers' compensation scheme.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
33	Interstate rehabilitation and return to work coordinators and claims managers That the WCR Act be amended to remove the Queensland-based requirement for rehabilitation and return to work coordinators and for persons who perform self-insurer functions.	Accept	The Queensland Government supports legislative amendments to remove the Queensland-based requirement for rehabilitation and return to work coordinators and persons performing self-insurer functions. This will broaden access to skilled and experienced personnel, assist insurers in addressing workforce and recruitment challenges, and support greater competition and flexibility in service delivery.
Review and appeal of insurer decisions			
34	Timeframe to lodge disputes That the WCR Act be amended to update the timeframe to lodge an application for review to 20 business days and the timeframe to lodge an appeal to 30 business days.	Accept	The Queensland Government supports legislative amendments to update the timeframes for lodging review applications and appeals. The amendments will support the timely resolution of disputes and ensure review and appeal processes operate efficiently.
35	Decision making timeframes for Review Unit That the Workers' Compensation Regulator continue to focus on operational reforms to reduce the timeframes for the Workers' Compensation Review Unit to determine review applications, while maintaining procedural fairness and quality decision-making.	Accept	The Queensland Government supports the Workers' Compensation Regulator continuing to progress operational reforms to improve the timeliness and efficiency of the review process. This will support the prompt resolution of review applications while maintaining procedural fairness and the quality and integrity of review decisions.
36	Decisions to be referred to Review Unit by insurers That the WCR Act be amended to enable insurers to refer decisions to the Workers' Compensation Regulator for review within 20 business days of becoming aware there was a mistake of fact that was not reasonably available to the insurer at the time of their decision.	Accept	The Queensland Government supports legislative amendments to provide a mechanism for insurers to be able to review a workers' ongoing entitlement to compensation where there is material information that was not known or reasonably available to the insurer at the time a claim was accepted. This decision will be reviewable by the Regulator. This will support the accuracy and integrity of decision-making and address circumstances where decisions are unable to be reviewed by an insurer despite new evidence.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
37	Appeals for policy and premium matters That the WCR Act be amended to move appeals for premium and policy matters to the Queensland Industrial Relations Commission.	Accept	The Queensland Government supports legislative amendments to streamline appeal pathways by transferring appeals for workers' compensation matters to the Queensland Industrial Relations Commission. This will support a more consistent and efficient appeals framework by utilising a specialist tribunal with expertise in workplace and employment-related matters.
Other			
38	Insurer access to medical information That the Queensland Government, in consultation with the Workers' Compensation Regulator, review insurers' statutory power to access and obtain medical information.	Accept	The Queensland Government supports a review of insurers' ability to access and obtain medical information. The review will consider whether existing administrative and legislative arrangements remain fit for purpose, and the options available to insurers where relevant medical information cannot be obtained.
39	Access to worker's claims history That the WCR Act be amended to allow prospective employers to request a prospective workers' claims history summary from the Workers' Compensation Regulator for a fee.	Accept in-principle	The Queensland Government supports legislative amendments to allow prospective employers to request a high-level summary of the worker's claims history from the Regulator where there is consent of the worker and the use of the information is appropriately restricted, with penalties for any misuse. This will assist employers with workplace risk management, while ensuring appropriate protections are in place to safeguard worker privacy.
40	Use of workers' compensation documents for employment purposes That the Queensland Government, in consultation with the Workers' Compensation Regulator, review employers' permissible access and use of workers' compensation information.	Accept in-principle	The Queensland Government supports a review of employers' permissible access to and use of workers' compensation information. The review will consider if the current scope of access and use of information is appropriate and ensures adequate protections for worker privacy and use of personal information obtained for workers' compensation purposes is maintained.
41	Provision of information statements That the WCR Act be amended to remove the requirement that employers provide an information statement on commencement of employment.	Accept	The Queensland Government supports legislative amendments to remove the requirement for employers to provide an information statement on commencement of employment. Workers continue to have access to information about their rights and entitlements through other established channels when that information is most useful to them.

Workers' Compensation Recommendations

Rec	Recommendation	Position	Response
42	Collaboration between the workers' compensation scheme, Workplace Health and Safety Queensland and industry That the leadership of the Office of Industrial Relations investigate and consider the systems, practices and policies necessary to maximise coordination between workers' compensation, workplace health and safety and industry, without compromising the objectives of either system.	Accept	The Queensland Government supports opportunities to strengthen coordination between workers' compensation, work health and safety, and industry while maintaining the distinct objectives of each area. Stronger alignment between government services will deliver better results for Queensland workers and employers when they need it most.



Queensland
Government