

**1. For individuals, please explain your experience of the workers' compensation scheme if any.**

- I submitted a claim to [redacted]'s [employer, name redacted] insurer, [redacted] [agent, name redacted], in October 20[redacted].
- My claim number is [redacted]
- My injury is PTSD.
- The causation of my injury is from working in Palliative Care (caring for dying patients, supporting patients, supporting families, verifying patient deaths, preparing patients after death, taking patients to the morgue etc.). I had not been coping for a couple of years and had taken sick leave to manage particularly after the deaths of young people. I believe I was targeted by management for taking sick leave and the unsupportive management/bullying has exacerbated my PTSD to the point I am unable to return to work at [redacted] [employer, name redacted].
- I work on a combined Rehabilitation and Palliative Care Ward. I absolutely love working in Rehabilitation and did so (without issue) at [redacted] [employer, name redacted] for close to 10 years. I moved to [redacted] [employer, name redacted] when I met my wife.
- I participated in an Independent Medical Examination who confirmed my injury (PTSD).
- I was not in a fit state to participate in a workplace investigation, which was organised by [redacted]'s [employer, name redacted] insurer, [redacted] [agent, name redacted]. I felt that this may not be impartial and with recent experience of unfair treatment, I felt extremely anxious about participating in this process.
- My claim was rejected based on 'reasonable management action undertaken in a reasonable manner'.
- I am suggesting where reasonable management action carried out in a reasonable manner is used to reject a claim, a truly independent body (independent of the employer and insurer) investigates these claims. Management action could constitute workplace bullying and I believe in my case it has. Investigators need to be qualified in HR practice and what is reasonable action and a reasonable manner. Worksafe themselves are in the best position to do this given they have powers to request documentation, however their inspectors need to be trained in HR practice to ensure the best outcome for both parties.

I believe [redacted]'s [agent, name redacted] investigation was not impartial and was inappropriately influenced by the Executive Director of Human Resources, [redacted] who has an obvious conflict of interest regarding myself:

- There was evidence in the conciliation documents [redacted] [employer, name redacted] provided of a file note written by my former manager (a few years prior to me lodging the claim) where I had expressed discomfort/distress working in the Palliative Care section of the ward. This file note was ignored by [redacted]'s [agent, name redacted] investigator.
- There was never any follow up support offered to me to build resilience in this area (and as a result [redacted] [employer, name redacted] cannot provide any evidence of doing so/this was not included in the conciliation documents). There was never any counselling particularly after the deaths of young people.
- On my claim form I expressed that I had been on the receiving end of unfair treatment and 12 months prior to my claim I had submitted a detailed grievance regarding [redacted] Executive Director of Human Resources, [redacted] the Executive Director of Nursing and [redacted] the Nurse Unit Manager.

- All three are well known for operating in a triad that is not impartial and using human resource procedures to target people to get them out of the organisation rather than to support them to be better. These women have a conflict of interest with relation to myself due to the grievance I lodged about them however have continued to alternate between each other to target me. [REDACTED] in particular was able to make statements to the investigator about me without feeling any need to substantiate them and [REDACTED]'s [agent, name redacted] investigator believed her word and did not consider she had a conflict of interest despite having access to the grievance I had lodged.
- In my grievance which I directed to the CEO, I detailed where I had been subjected to silent treatment, unfair rostering, withdrawn from lead roles within the team, had rostering and access to rostering tools withdrawn and in general I had been minimised. This grievance, lodged 12 months before my workcover claim, was the only way I could report an issue that was having a significant impact on me. I did not feel safe to convey they I was not coping with the palliative ward to my current manager. I find her quite immature. She often called staff names in my presence like [REDACTED] is a retard' and 'Mad [REDACTED]'. I was not prepared to use [REDACTED]'s [employer, name redacted] incident reporting system since this is not private. This grievance was completely ignored by [REDACTED]'s [agent, name redacted] investigator.
- In the conciliation documents there was an email from the Acting Executive Director of Human Resources, [REDACTED] to the CEO, [REDACTED], [REDACTED] and [REDACTED] saying he was going to be meeting with me. This was after I had requested a *discrete* meeting with him. After the meeting he wrote an email to all three saying that '*it was just one last gasp*'. I find this offensive and am disappointed that this did not trigger any interest in [REDACTED]'s [agent, name redacted] investigator, it definitely indicates a shaming unsupportive culture stemming from the top.
- I don't believe [REDACTED]'s [agent, name redacted] investigator understands what reasonable management action conducted in a reasonable manner is. Sometimes management action can be bullying particularly when it is conducted by people whom the person has complained about (intent to seek revenge) and it is repeated. The management action I was subjected to includes: I didn't get my police check renewed on time. I received a written warning for this. I am the only staff member out of 850 who has received a written warning for this. The police check policy was applied to me but the practice across the organisation is vastly different, other staff were allowed to continue working. It was at the meeting where I was required to respond to the police check that I said that I felt that [REDACTED] the Nurse Unit Manager, was treating me poorly. After that meeting [REDACTED] went on a muck racking exercise. I attended the next meeting where I was issued with a warning for not renewing my police check, at this meeting I was issued a new letter with four allegations where I had been inappropriate that I had to attend another meeting to respond to. Up to this time I had not been given any feedback regarding my communication skills and there is no evidence of informal feedback provided to [REDACTED]'s [agent, name redacted] investigator. In all my career I had never received feedback like this. I never had an issue at [REDACTED] [employer, name redacted]. My AMNF Rep advised me not to say too much in my response to the four allegations because they obviously didn't want to receive any feedback regarding their behaviours and my ANMF rep felt the path of least resistance was best. I attended a meeting to respond to the four allegations I was then invited to attend another meeting where I was provided with the outcome of the four allegations. I was then issued with another letter regarding the sick leave I had taken and suggesting I drop hours or stand down from my role. I never responded to this. In the conciliation documents there was an email from [REDACTED] suggesting it was time to take action regarding the sick leave I had

taken. The intensity of letter after letter caused my health to deteriorate. I went on Long Service Leave shortly after. [redacted]'s [agent, name redacted] investigator did not find that letter after letter was being unreasonable.

- I was diagnosed with PTSD and saw a counsellor and was medicated.
- When I returned from Long Service Leave [redacted] wouldn't talk to me. It was about two months prior to my claim I went to my GP and Psychologist and said I wasn't coping. I had my medications increased. I have file notes and witnesses regarding [redacted] ignoring me. I spoke to the Acting Director of Human Resources about this (this was the 'last gasp meeting') where he advised me that 'she' [redacted] hates me and that I should put a workcover claim in. I didn't, I persisted. There is a file note where [redacted] suggests (months after I return from Long Service Leave) that she wanted 'to make a fresh start' and she approached me... I am surprised that [redacted]'s [agent, name redacted] investigator did not find this unusual that a unit manager felt the need to 'make a fresh start' with an employee. A unit manager should be leading by example not behaving in such an immature way.
- On my claim form I mentioned difficult rostering. There is no mention of [redacted]'s [agent, name redacted] Investigator looking into this. I was rostered most weekends (which meant I couldn't go places with my family) and I was rostered late then early shifts more often than others which are very fatiguing and I was often rostered morning shifts one day after completing a night shift. This rostering practice was fatiguing and outright dangerous and definitely not aligned to Worksafe's fatigue management guidelines. [redacted] [agent, name redacted] didn't even look at the rosters. There was no mention of them looking into this in their investigation report.
- [redacted] [employer, name redacted] undertakes a People Matter Survey annually. The bullying rate is very high. I cannot disclose where [redacted] [employer, name redacted] sits in comparison to all other hospitals in Victoria but if you were to obtain this information it would demonstrate that there is a culture of bullying at [redacted] [employer, name redacted].
- I have many character references from staff to support that I am professional and a good colleague to work with.
- [redacted] (HR Director) has defamed my character in preparing allegations which are trumped up and that have an air of artificiality about them. She often includes a couple of small operational issues in the letters she prepares, these letters give staff the feeling that they have no hope in defending themselves and I suppose it helps her prove 'the balance of probability' but she does this at the cost of the staff member's health, job, career and life. The last letter I was issued I broke down and felt hopeless. At the same time I was issued my letter my work colleague who is also targeted was issued a letter and our letters had the same complainants. This gives me the feeling that there is some collusion in preparing these letters.
- I do not feel safe to work at [redacted] [employer, name redacted].
- To demonstrate how overt they are with their humiliation the picture below was circulated recently on people's email footers and apparently it was put on posters on the wall. It is to promote Code Stroke and it's a nurse called [redacted] who is anxious about calling a Code Stroke. I am the only nurse called [redacted] and I believe I am the only staff member called [redacted] (female dominated workforce). The initiative (and in-house made character) comes from [redacted] [redacted] who is personal friends of [redacted] and [redacted] and sits in the office next to [redacted]. I asked my solicitor to reach out to [redacted] [employer, name redacted] to ask them to change the name of the character and I received a terse letter back from [redacted]

█████ stating that there is no reference to me, I shouldn't be wasting their precious time and not to check my emails. The 'This is █████ campaign continued on despite my request for the name to change.



I have witness statements where █████ called me a 'fxxing idiot' in a management meeting and █████ referred to me as a useless idiot in front of a number of nurses in the Nurses station. The way I have been treated is appalling. It is difficult to shift the balance of probabilities when other staff are too frightened to speak up and I don't blame them one bit for feeling this way.

I went to conciliation in March this year and the issue couldn't be resolved. █████ openly laughed when my GP 's statement was read out. █████ also said that I was making 'wild and outlandish statements' when I said that █████ had called me a 'fxxing idiot'. She just couldn't control her ego enough to respond professionally and say she will look into my allegation. █████ down played what it is like to work in palliative care even though she has never prepared deceased body after deceased body. Just one day after I had used all my leave and was on leave without pay, █████ sent me fitness for work documents which indicated that working in palliative care is a high risk task. This contradicts her statements at the conciliation conference. I believe the fitness for work documents were the first step in terminating my employment but █████ ceased this process when she found out that I was pursuing my claim further through the court.

I now have to go to court. I have to pay a solicitor to represent me. My court date is █████. This is exactly one year after I lodged my claim. I have not been paid since Apr 20██. I have had to pay for my own treatments and my wife has covered this on her part time wage. My injury has caused significant financial strain.

The claim process has contributed to my injury and I have not been afforded an opportunity to recover.

█████ [agent, name redacted] acted as a shop front for █████'s conflict of interest.

My injury has caused significant emotional and financial strain on myself and my family.

I feel more injured as a result of the process.

I feel humiliated with my name being on a court listing.

I feel let down with no person with integrity to look into my case and correct the wrong.

In the time I have been off work not one person from [redacted]'s [employer, name redacted] management has contacted me to conduct a welfare check.

I requested my long service leave to be paid at half rate to give myself time to recover. It was for a fortnight but [redacted] found out and she sent me a letter stating that my leave would be paid at full rate and that I was to come back and face the allegations in the letter they issued me in October. There has never been any consideration or care shown to me. I feel like I have been treated like a criminal.

The one thing I do have and that I am very grateful for is my supportive family. I am so lucky I have them. I don't know where I would be if I didn't have them.