

To/ The Committee, EEWorkplaceBullying (REPS)

26th September 2012

Dear Sir/Madam,

Further to my first submission and as requested in your letter dated 17th Sept 2012, I again write on behalf of my wife with some detail of her experiences.

had been a child care worker for 17 years and had never experienced the treatment she received whilst working at owned and operated by (Centres Director)

Since nervous breakdown in February this year due to long term bullying and harassment in her workplace, we have found the largest obstacle in the way of her recovery is the *lack of importance placed on her injuries by current workplace legislation itself*.

Work cover and our subsequent appeal to Q-comp, rejected claim sighting the reasons for doing so was *the very legislation under the work cover act pertaining to psychological injuries and its extremely restrictive terms*.

Q-Comp, upon their review, found that:

had indeed suffered a personal injury at her work place and due to her work place actions but because 1 or more of her stressors (or causes of her injury) were deemed 'reasonable action' taken by management her claim was rejected and subsequently no legal firm will represent case all saying: *'these cases are to difficult to win under the present legislation parameters and they would not pursue action unless funds her own legal fees'*.

This still does not negate the fact that was indeed injured at work and due to actions of fellow staff and that of management, but it seems, she has no recourse.

Had this been a *physical* injury rather than psychological then she would have clearly been covered by work cover. This seems to indicate that legislation is extremely discriminative and biased *against psychological injuries* which, for the most part, are the result of workplace bullying and harassment and in case totally due to the treatment she endured. *Therefore present legislation favors the perpetrators rather than the victims.*

Q-Comp **did** find that some management actions were deemed 'unreasonable'. Others that they deemed as 'reasonable actions' were based on *incorrect and/or misunderstood or overlooked facts of the facts presented*. To appeal or attempt to highlight these faults in the conclusions by Q-Comp without legal support is simply impossible for us and this in and of itself has had a further

negative impact on health as she feels the law itself supports the bullies and has left her to suffer alone with her future in Child care left in tatters and now feeling she can never return to that industry again.

has in hand over 60 documented weekly reports to management where she highlights her overworked conditions, lack of assistance, deliberate manipulation of her rosters and enrollment figures, RSI condition, including government workplace procedures that were not being followed with respect to the daycare children under her care and within the centre. *All of which were simply signed by management and then ignored.* Her RSI condition she ultimately had surgery for with her own funding.

was *intentionally and deliberately* left alone with maximum workloads day after day and her children roster numbers were *intentionally manipulated on a daily basis to ensure her workload remained at the maximum level without any assistance.* Assistants allocated to her were on a daily basis *reallocated* to other staff members (the bullies themselves) so as to reduce their workload to minimum.

1 example of an error in Q Comps assessment follows: (many such errors were present in Q-Comps conclusions)

Q- Comp stated that changes of rostering and not allocating an assistant to was to 'save the Centre extra staffing costs' thus a 'reasonable action'.

The fact of the matter was that the assistant allocated to was (as above) removed from and *still allocated to another staff member* so as to reduce *their* workload to a minimum therefore the resultant saving to the Centre was nil. Unlike the conclusion of Q-Comp.

On 2 occasions was subjected to letters of accusations of child abuse and other wide ranging allegations by the centre's complicit staff and management.

Upon objection to these letters and subsequent investigation by in Brisbane both letters were retracted and apologised for. No disciplinary action was taken by against bullying staff involved in the drafting of these letters, including the Centre Director who was complicit as well. In fact one of the perpetrators was shortly thereafter, *promoted*.

Q-comp concluded because the letters were retracted that therefore no damage had been done and the actions of management was somehow then 'reasonable'. Further adding insult and damage. It should be noted that made no attempt to interview throughout their investigation only speaking with the perpetrators.

Rostering always manipulated staff so as to disadvantage and alone within the entire Child care Centre. All of her objections were ignored and in fact the bullying and neglect only increased.

In February this year was handed her roster for 2012. The roster assigned her to yet another full year of working conditions as she had just endured for the 2 years prior. In fact, the roster handed her was even more punishing. She was allocated the biggest room in the Centre (24 children 3-4 yr olds) with the only assistance offered her *being a choice* of either a 17 month pregnant woman **or** a physically restricted staff member, both incapable of carrying out full duties. All other rooms were fully staffed. Here again Q- Comp concluded that had 2 (two) assistants allocated her and that was 'reasonable'.

This assumption by Q-Comp, as outlined previously, was again, incorrect.

The prospect of this deliberate treatment continuing for yet another year simply broke her emotionally and she suffered a severe nervous breakdown. To this day, still suffers the

effects daily and remains under my care, care of her psychologist, GP and medication. She now also suffers the side effects of her medication.

When carefully assessed, (over 100 pages of documents available on request) the details of abuse over almost a 2 year period are staggering and were executed in an extremely deliberate and subtle way so as to **mask** the intention as 'reasonable actions', again, an intention Q-Comp simply overlooked or did not understand.

The tactics these bullies used to bring to her breaking point are clear and the evidence overwhelming. It is extremely frustrating and detrimental to recovery that there is no avenue to pursue justice for those like us who cannot afford the lawyers costs.

We simply do not have the law on her side and she is a victim 3 times over, by her employer, Q-Comp's flawed conclusions and current legislation.

Thankyou for your consideration.

Kind Regards