

Stress management – “the cookbook”

RMIA

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Content of the Presentation

- What is stress?
- A risk managers view of stress
- Stress claims and the law
- How to manage stress claims

Defining Stress

Defining Stress (WHO 2004)

*“Work-related stress is the reaction people may have when presented with **work demands** and pressures that are **not matched** to their knowledge and ability to cope. Stress occurs in a wide range of work environments but is often made worse when employees feel **they have little support from supervisors and colleagues** and where they have **little control** over work or how they can cope with its demands and pressures. “*

Figure 1. Workers' compensation claims - stress and other injury types

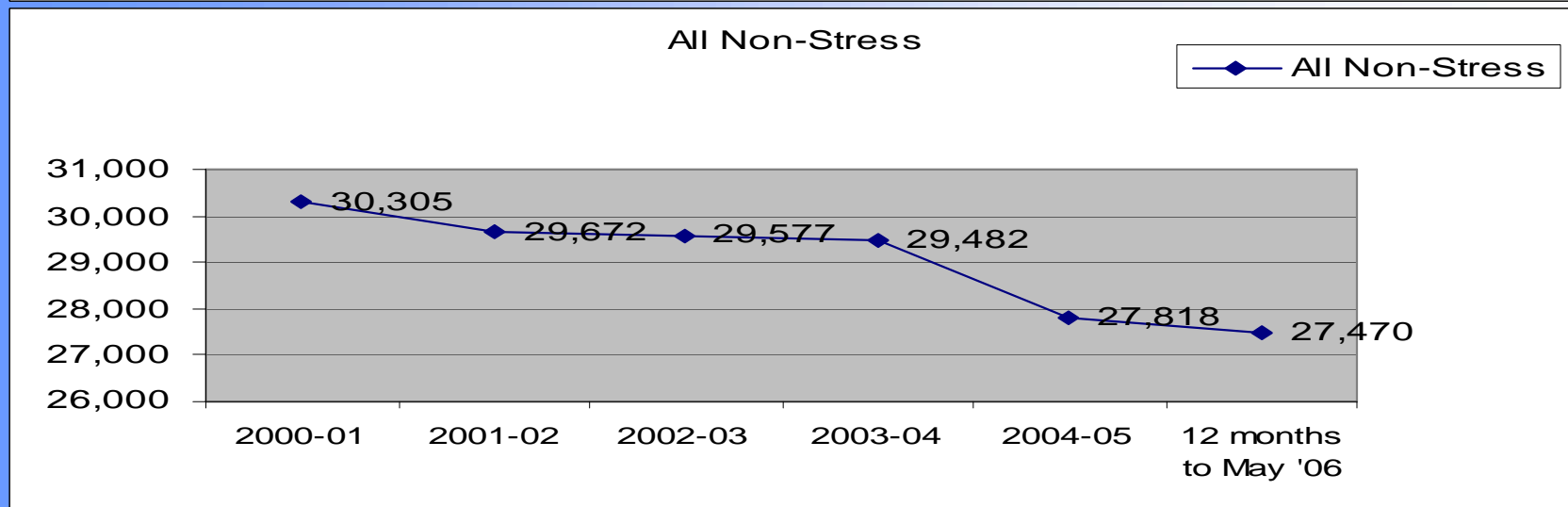
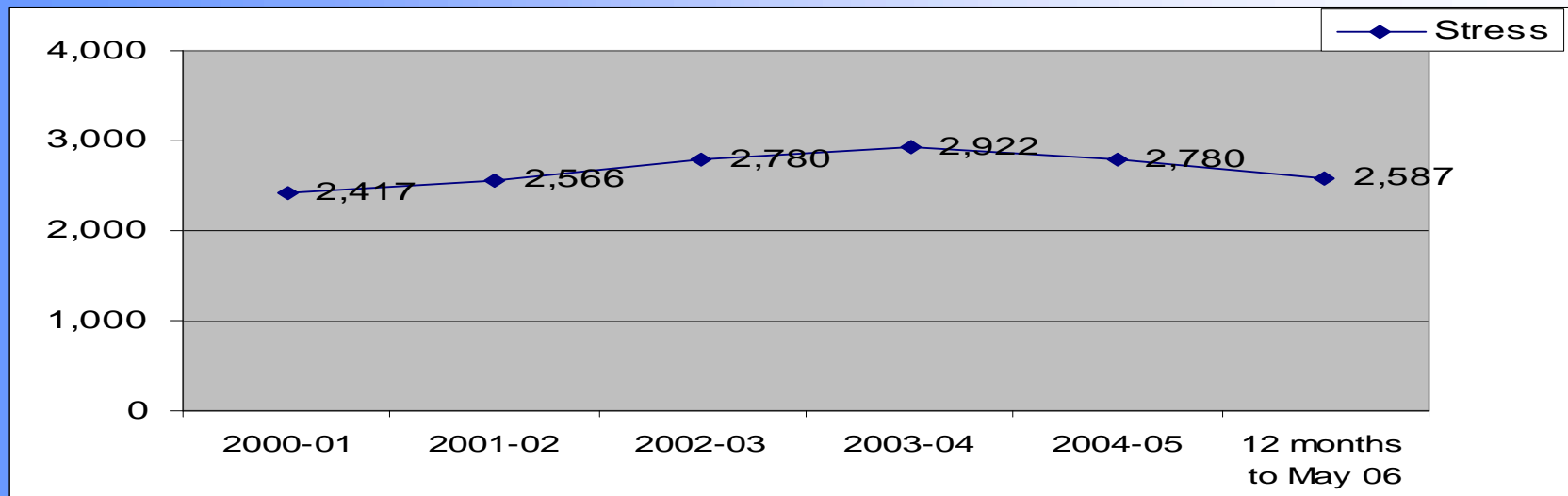
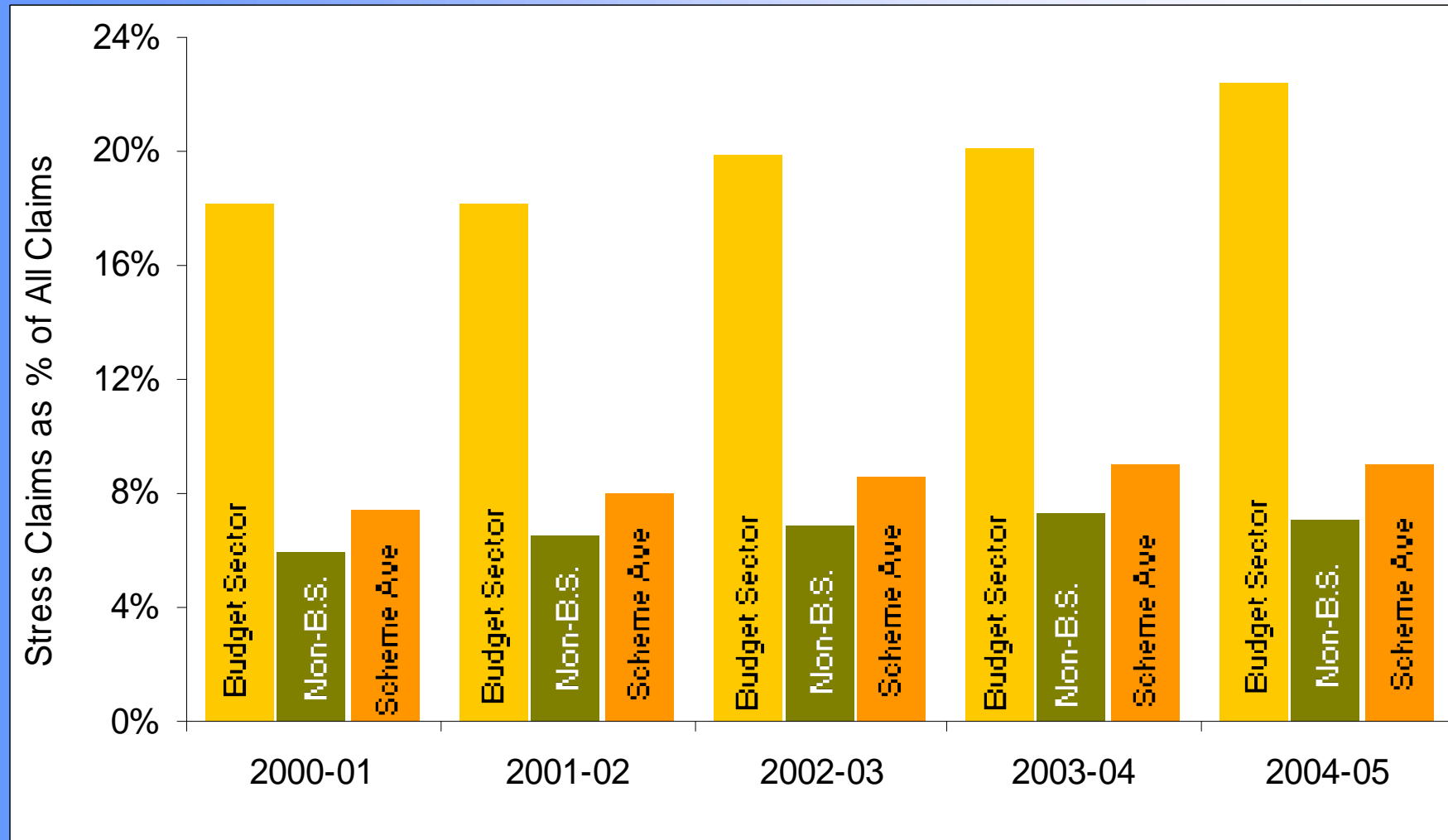
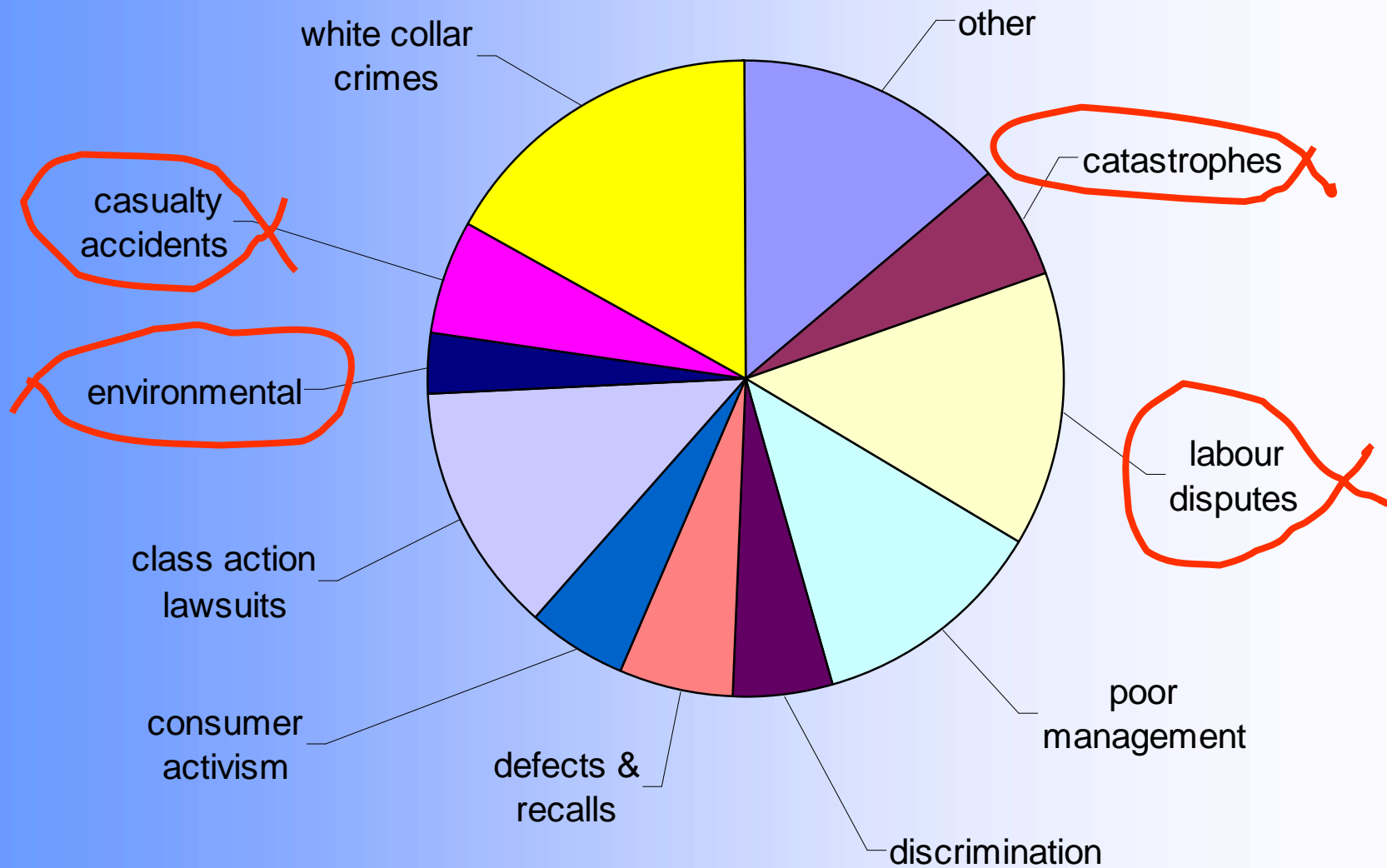


Figure 2. Stress claims- budget v. non - budget sector as % of all injury claims



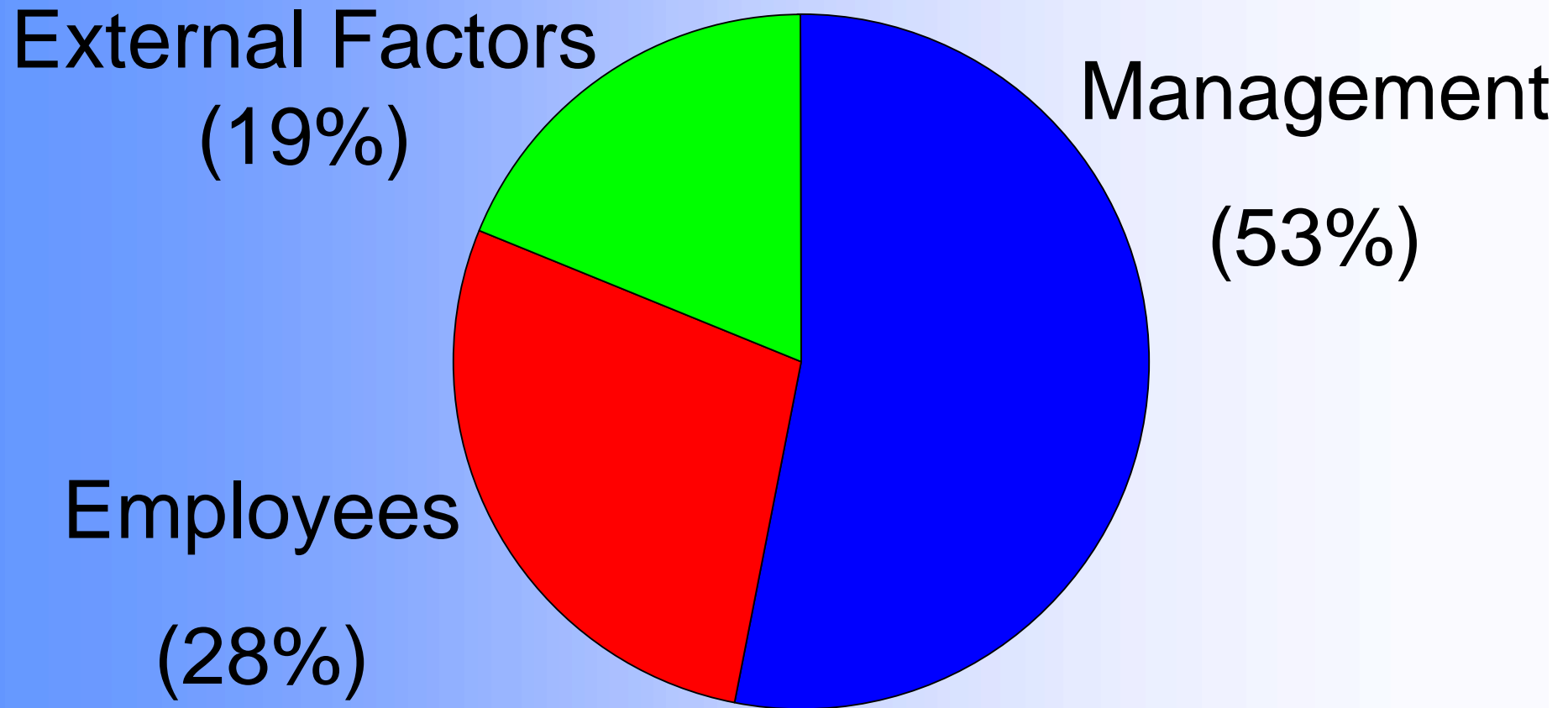
Stress from a Risk Management perspective

2004 Crisis Categories



Source: ICM data May 2005

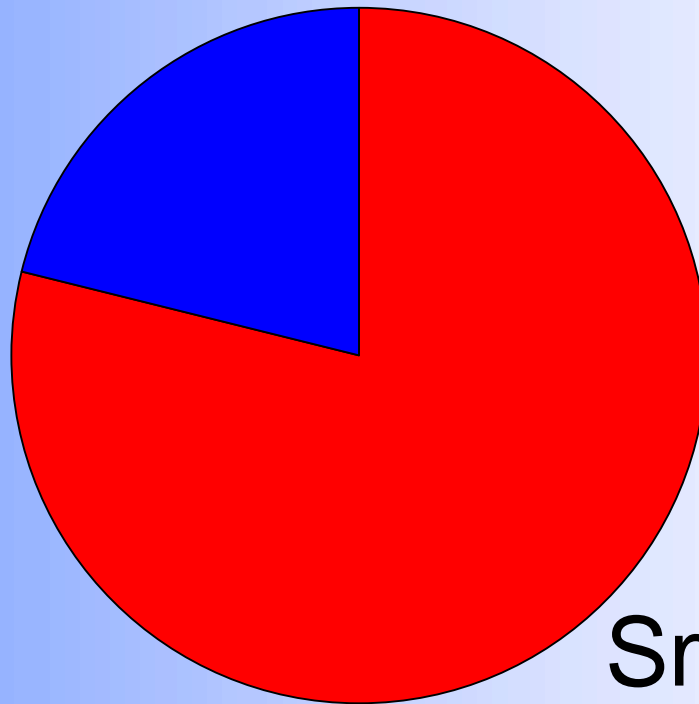
Origins of a Crisis



Source: ICM data May 2005

Sudden versus smouldering crisis

Sudden
(21%)



Smouldering
(79%)

Source: ICM data May 2005

Stress claims and the law

Assessing a claim - Sec 82

- WorkCover Act is a **no fault** system
- Section 82 is the only section of the Act which provides exclusions
- S.82(3) Invalidates a claim if it was deliberately or wilfully self-inflicted
- S.82.(4) Invalidates a claim if it is attributable to the worker's serious and wilful misconduct

Stress claims and the law

- Significant Contributing Factor:
 - Not the most significant
 - >De Minimus & < De Maximus
(Supreme Court)

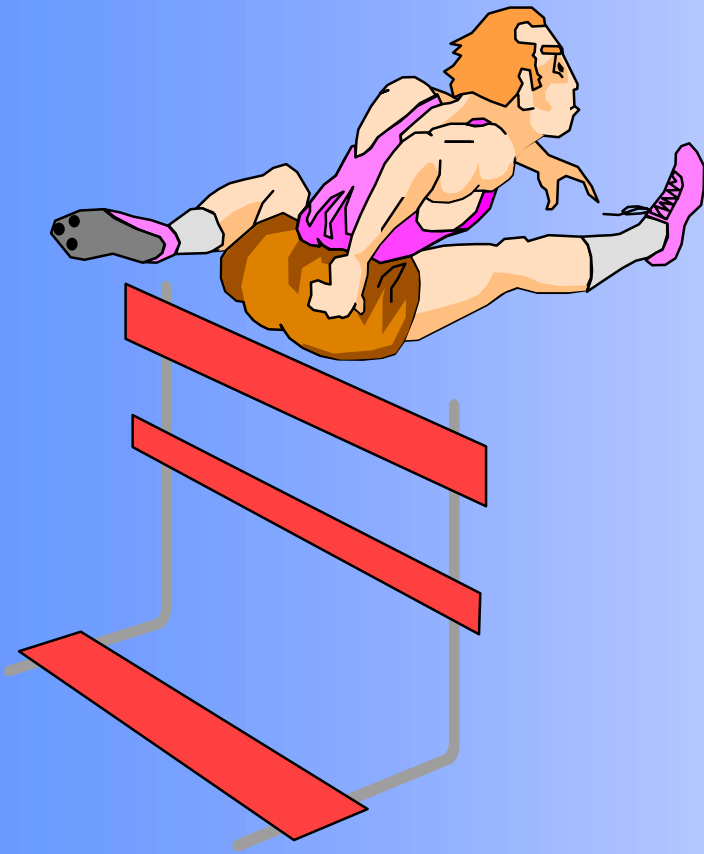
Stress claims and the law

- Section 82(2A) :
- **Wholly or predominantly cause of injury**
- **Reasonable action**
- **Reasonable manner (reasonable man concept)**
- **Investigation not discipline**

Assessing a claim - Sec 82

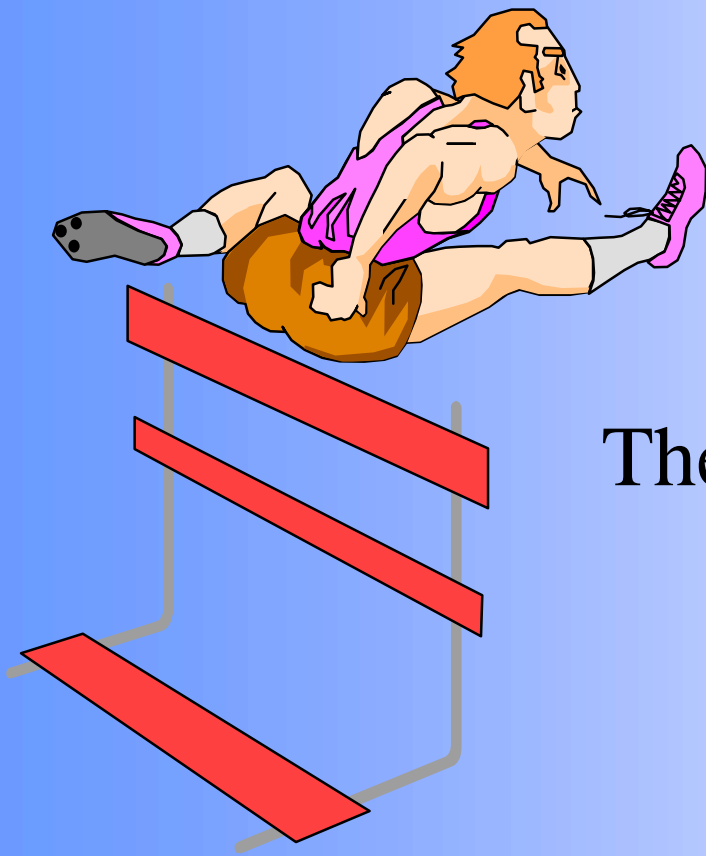
- S82(2)(A) is the most commonly used reason for the rejection of a claim
- Most attempt to reject a claim on this basis are unsuccessful

Section 82(2) exemptions apply if the stress injury was:



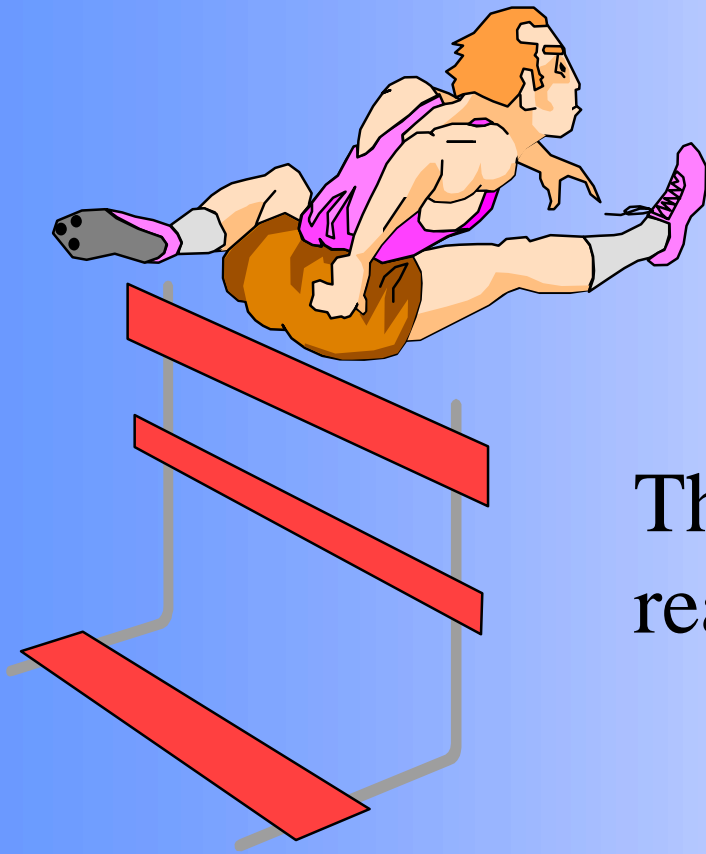
Caused wholly or
predominantly
(medical opinion).

Section 82(2) exemptions apply if the stress injury was:



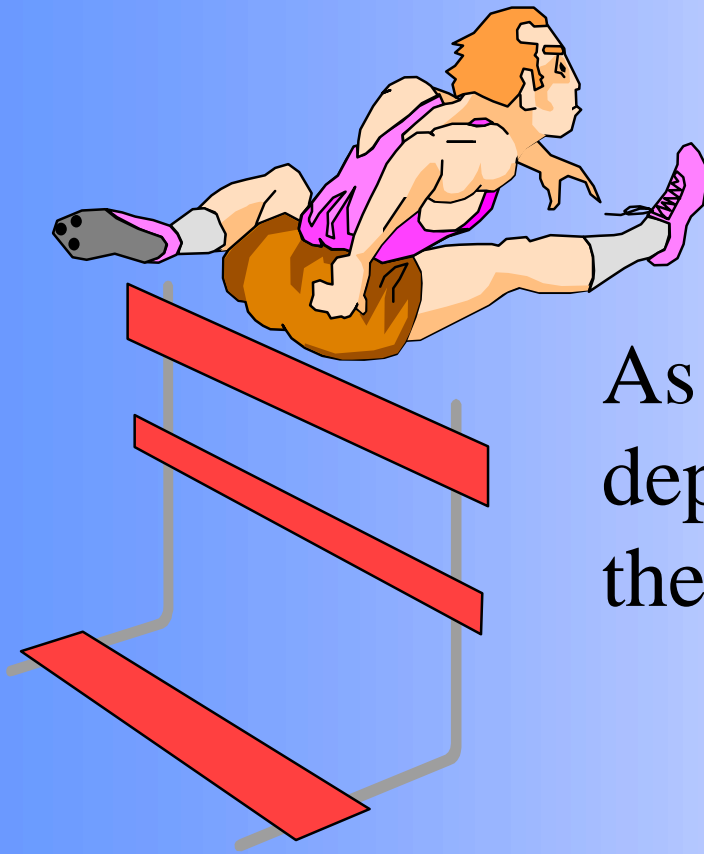
The action was reasonable

Section 82(2) exemptions apply if the stress injury was:



The action was done in a
reasonable manner.

Section 82(2) exemptions apply if the stress injury was:



As a result of discipline re-
deployment (etc) actions on
the behalf of the employer.

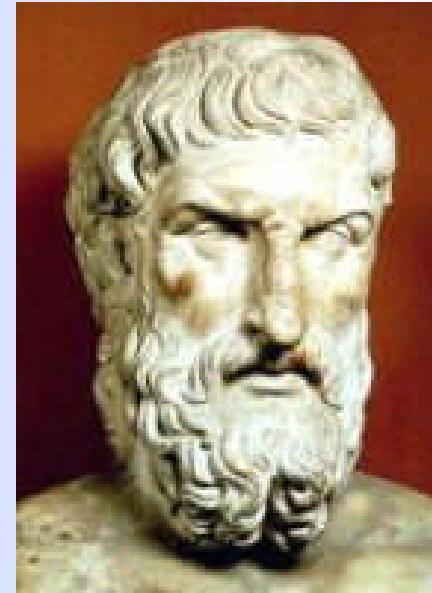
Other possible defences

- Stress is not an injury under the act – (a psychological injury is)
- Historical link (Bourke v Commonwealth)
- Normal fortitude (Morgan v Tame, Koehler v Cerebros)

Litigation is not the answer

- Dispute minimisation
 - non-adversarial approach to claims assessing
 - resources freed from both your organisation and your claims agent to pursue return to work options
- Concentrate on Barriers to RTW
 - manage non-participation

Managing Stress Claims



Epictetus 50 - 135 AD

"What concerns me is not the way things are, but rather the way people think things are."



Analysis of stress claim data

- stressful working conditions
- excessive workloads
- continuous shift work
- poor interaction with management
- staff shortages
- work pressure
- ineffective management
- nature of duties
- exposure to a traumatic incident
- intimidation, harassment and victimisation
- only a small amount were as a result of psychological disorders

These are some of the presenting causes of psychological hazards.

Organisational health survey findings

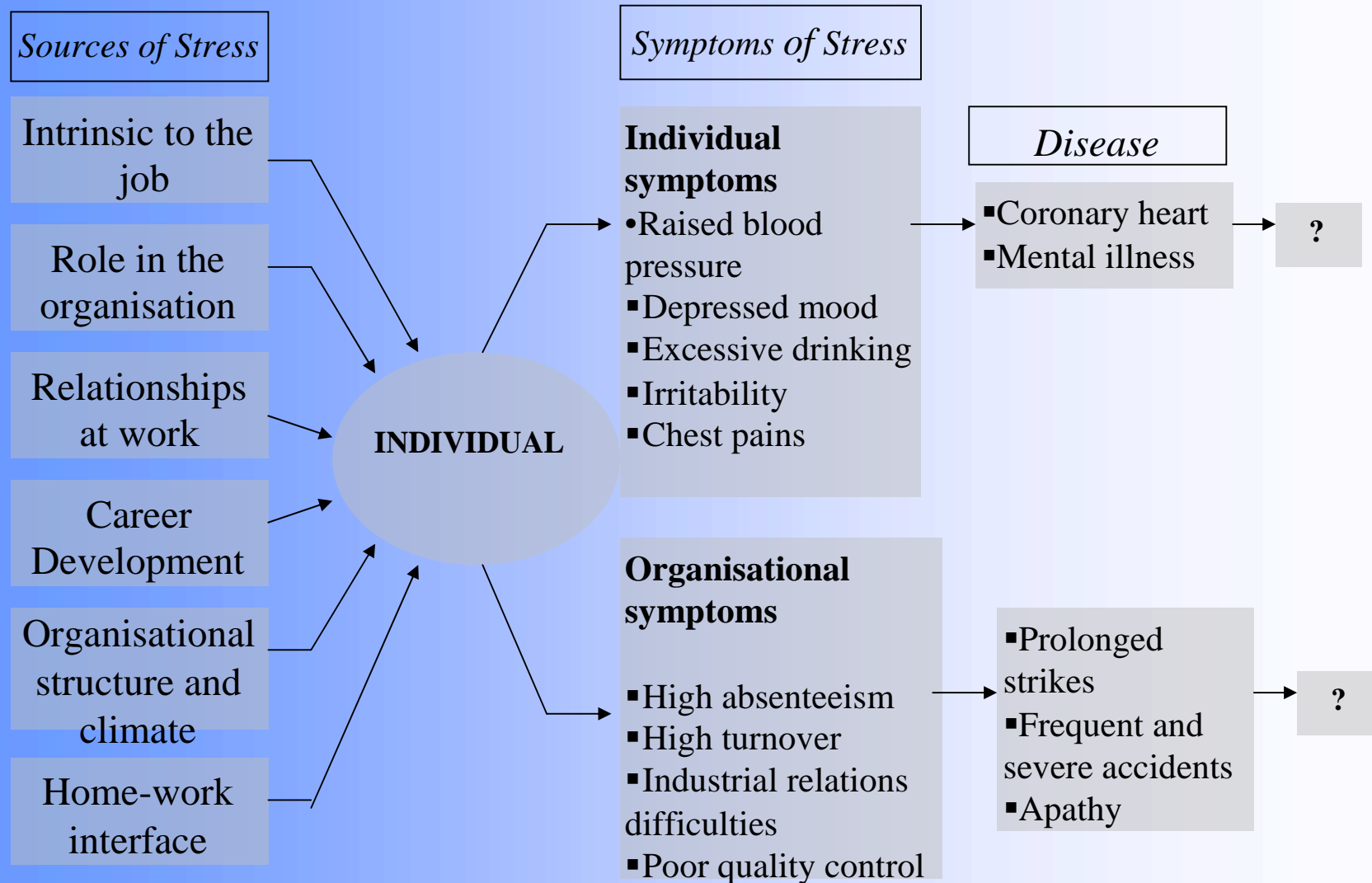
The Organisational health survey conducted within a public sector organisation recently found that the key issues for staff were (in order of importance):

- supportive leadership
- role clarity
- appraisal and recognition
- participative decision making
- co-worker interaction
- employee development
- goal alignment
- work demands

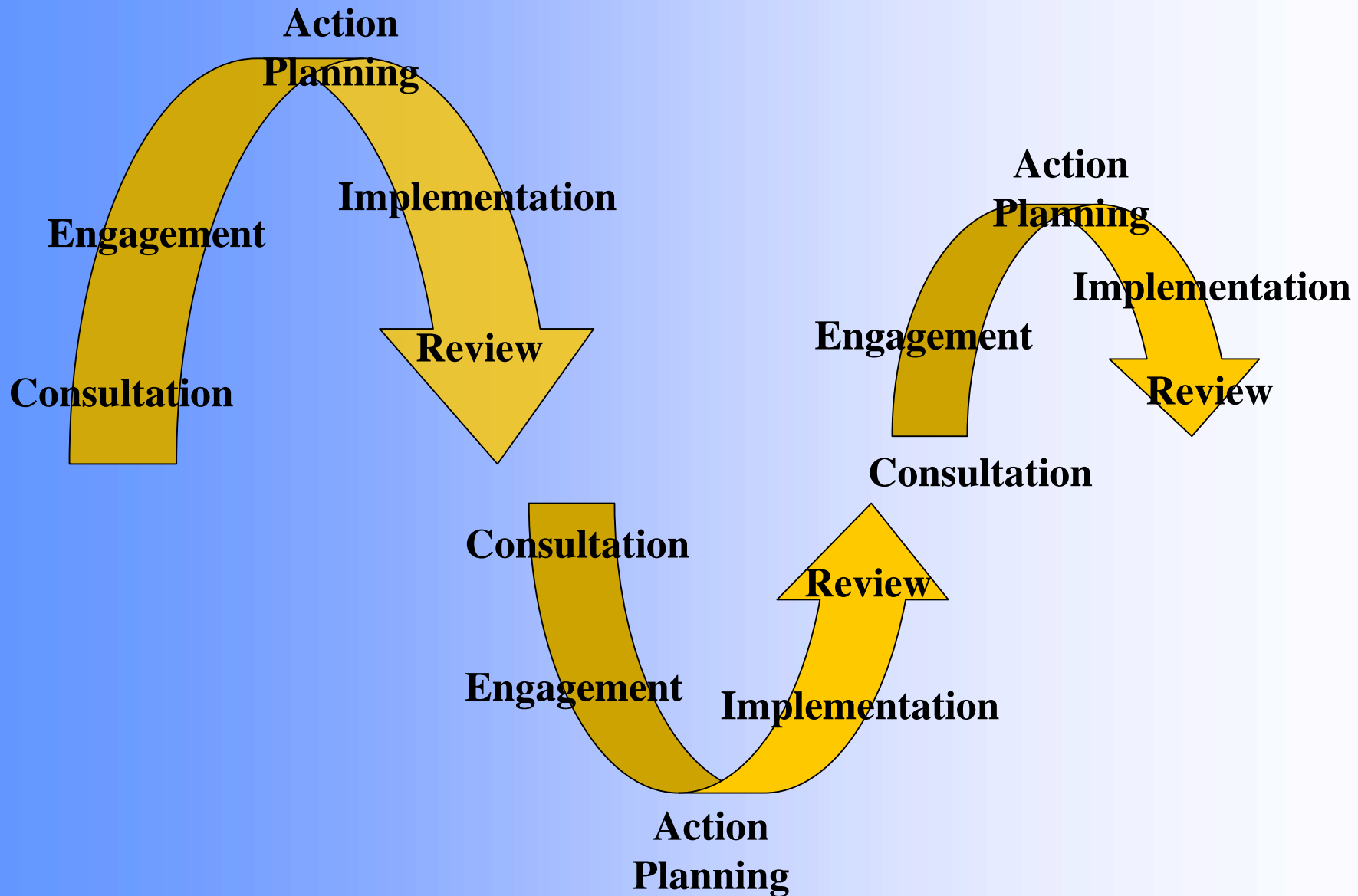
These are some of the underlying causes of psychological hazards.

Model for understanding psychological hazards

(Based on research by Cary Cooper & Judi Marshall (1975) & Peter Warr (1987))



VWA Stress prevention process



Managing factors external to the workplace

- Know your staff
- Regular monitor and observe - look for early signs
- Provide support
- Advise availability of assistance
- Where necessary provide extra support to work tasks
- Where necessary consider time/off or flexible hours
- Refocus on responsibilities

Managing psychological hazards in the workplace

- In order to manage Psychological Hazards in the workplace we need to address both the presenting issues and the underlying causes
- Managing the presenting issues is reactive as the incident has already occurred
- Managing the underlying cause is proactive as it's objective is the elimination of the cause of the hazard.