

Employment and Superannuation Issues for People with Bleeding Disorders



1 Introduction

- **Bleeding disorders afflict people during their working lives.**
- **Bleeding, blood transfusions, fatigue and stress can affect your ability to work.**
- **Bleeding disorders can cause problems with:**
 - Continuing employment,
 - Finances,
 - Stress, health
- **It is important for people with bleeding disorders to know their employment, superannuation and insurance rights.**

2 Employment

- **Disclosure – the general rule is there is no obligation to tell an existing or prospective employer about bleeding disorders.**
- **The exception is if the bleeding disorder is an occupational health and safety risk.**
- **Potential issues regarding the alteration in employment status:**
 - Full time vs part time employment,
 - Different employment duties,
 - Alterations to work conditions,
 - Absences from work.
- **Under anti-discrimination laws:**
 - An employer can't discriminate in employment unless it is reasonable to do so.
 - From August 2009, employers are obliged to make reasonable adjustments to accommodate employees' disabilities.

Employment (Cont)

- Fair Work Act 2009.
 - Remedies for unfair dismissal reinstated from July 2009.
 - General prohibition on employers taking adverse action against employees because of their disabilities

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3 Superannuation

- **Employment superannuation is a retirement benefit.**
- **Self-funded retirement – problematic for people with chronic illnesses, including bleeding disorders.**
- **“Top Up” superannuation benefits**
 - Death – lump sum benefit,
 - Total and permanent disability (TPD) – lump sum benefit,
 - Total and temporary disability (TTD) – monthly payments
- **Usually “top up” benefits are insurance benefits with automatic acceptance limits.**

Superannuation (Cont)

- **Choice of Fund**
 - Introduced in July 2005.
 - Most employees can choose their employment superannuation fund and the amount/type of insurance cover up to automatic acceptance limits.
 - Has led to a big increase in insurance cover.
- **Early access to superannuation – financial hardship, compassionate grounds, total and permanent invalidity.**

4 Insurance

- **Group insurance, employer-sponsored income protection, death and TPD benefits.**
- **Income protection – many Australians and in particular the self-employed have private policies.**
- **Many also have life insurance, trauma insurance or mortgage protection insurance policies.**
- **Disclosure obligations:**
 - Individual policies require disclosure, c/f group policies with automatic acceptance limits.
 - Genetic testing – current IFSA guidelines allow for questions about existing genetic testing results but do not allow for compulsory genetic testing.

Insurance (Cont)

- **Travel insurance:**
 - Non-medical – no restrictions for people with bleeding disorders.
 - Medical cover – general Pre-Existing Condition exclusion.
 - But you can apply for PEC cover.

5 Advice

- **Free employment, superannuation and insurance advice service for all people with bleeding disorders and their families and friends.**
- **Contact the Haemophilia Foundation in your state or Maurice Blackburn on 1800 812 810.**