

PUBLIC DEFENDER



with
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Better health deals sought

CALLS from cash-strapped consumers seeking to review their health insurance have tripled ahead of next month's premium hikes.

With the cost of health insurance to rise an average 5.56 per cent from April 1, iSelect spokesman Paul Cross said inquiries to the price comparison provider had soared from 3000 a day to more than 9000.

"Nobody likes price rises," Mr Cross said.

"But I think people are becoming more aware there is money to be saved."

Mr Cross said some families had saved \$1200 a year on hospital and extras policies without reducing their cover.

"That is not unusual in our experience," he said.

Raymond Clark and wife Rosemary are among those to recently switch funds.

The Sunbury pair, whose policy with MBF was set to rise to \$292 a month, will now pay just \$183 monthly with HCF come April.

Mr Clark, 56, said the couple discovered they

Wes Hosking

were unnecessarily paying for pregnancy cover.

They also opted for a \$450 initial hospital visit excess to save.

"It's about trying to make ends meet and everything else keeps going up," Mr Clark said.

"I think a lot of young families are going to either find themselves in the position of reducing their cover, looking around for a cheaper health fund or even opting out of the health fund altogether."

Canstar Cannex financial analyst Mitchell Watson said splitting hospital and extras cover between providers could also cut premiums.

"The thing to keep in mind, especially with health insurance is that it is very portable," Mr Watson said.

"If your existing policy has had waiting periods and you've met those waiting periods you do not have to start those again should you go to another health fund."



HEALTH INSURANCE TIPS

- Match your needs to a fund
- Look at increasing your excess to cut premium costs
- Only pay for extras you use
- Check policy comparison websites for a better deal
- Pay your premium for the year ahead now to avoid the price rise

Switch hit:
Raymond Clark changed health funds and cut his costs by about \$100 a month.
Picture: CRAIG BORROW

Tackling bullies at work

ANDREW DIMSEY



PRINCIPAL LAWYER,
MAURICE BLACKBURN

A STORY about a schoolboy bullied for years finally hitting back at a protagonist has attracted lots of comments in the media.

And this week the *Herald Sun* launched a "Say No to Bullying" campaign complete with a Facebook page.

People clearly not only have stories of child bullying, but there are also posts about the continued presence of workplace bullying.

Workplace bullying is not against the law.

That might come as a surprise, but the statute books do not address bullying.

Some enterprise agreements specifically forbid bullying and this at least offers a legal avenue. But for the thousands of others who endure bullying at work, there are few if any legal remedies to stop the problem.

Occupational health and safety laws impose obligations on employers to provide employees with a safe system of work.

When bullying is sufficiently serious, a complaint can be made alleging the employer has failed in its obligation and/or that the perpetrator has breached their obligations to contribute to a safe system of work.

The only other real means of redress for employees suffering workplace bullying is compensation.

Legal information is general in nature and is not to be regarded as legal advice from Maurice Blackburn.

BLOG WITH ANDREW
from noon-1pm today
heraldsun.com.au/opinion

Q MY HUSBAND and I bought a mattress last month.

At the shop we made sure we got the firmest mattress in the range.

During delivery, we noticed the colour was different from the mattress at the shop.

The labelling matched that on display, however, so we accepted delivery.

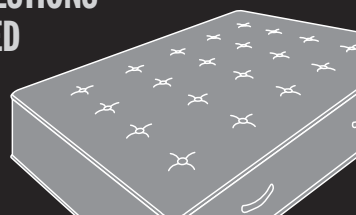
After a week, my husband and I starting having sore backs. We went back to the shop to test the mattress on display. There was a big difference in firmness.

The salesperson referred us to the manufacturer, which has refused to do anything about it. What are our rights?

Lee Tran,
Avondale Heights

qa YOUR QUESTIONS ANSWERED

MATTRESSES



A AS the mattress was purchased after January 1, the Australian Consumer Law applies. Under this law, traders automatically give certain consumer guarantees regardless of any other warranty.

Suppliers guarantee that if you buy goods based on their sample, the goods will match.

If you've bought goods

that do not match in a significant way you are entitled to demand a refund or replacement.

The fact you have accepted delivery does not affect your rights.

You could issue a letter of complaint with the trader. Or take your complaint further by contacting Consumer Affairs Victoria.

Advice supplied by Consumer Affairs Victoria.

COMPLAINT OF THE WEEK

Q I PURCHASED and installed tiles about two years ago. After six months, the tiles were noticeably worn on the edges. I have attempted to resolve the issue through correspondence, but have not had a satisfactory outcome. The store advised they would pass my complaint to the distributor. What can I do?
Cosima Aparo,
Bundoora

A UNDER the Fair Trading Act 1999, Consumer Affairs Victoria advises this transaction is covered by an implied warranty on

the product — the tiles — as well as the installation.

The implied warranty on the tiles is that they are reasonably fit for their purpose as floor tiles.

The implied warranties on the installation are that the tiling is done with due care and skill, and is reasonably fit for purpose.

You should issue the store, or the tiler, with a letter of demand and keep copies of all paperwork.

You may be able to seek free voluntary conciliation through Consumer Affairs. Otherwise you can apply to the Victorian Civil and Administrative Tribunal (VCAT) to determine.

If you have to fight the system, don't fight it on your own.

Maurice Blackburn
Lawyers

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