

**SUBMISSION TO THE FINANCE AND ADMINISTRATION COMMITTEE**  
**Inquiry into the**  
***Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015***  
**18**

Attention:

Ms Deborah Jeffrey  
 Research Director  
 Finance and Administration Committee  
 Parliament House  
 George Street  
 BRISBANE QLD 4000

18] May 2015

Dear Ms Jeffrey

Re: Submission to Finance and Administration Committee  
*Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015*

Please find herewith my submission to the Finance and Administration Committee regarding the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015.

I am a Senior Medical Officer] at [REDACTED]. Following the *Industrial Relations (Fair Work Act Harmonisation Number 2) and Other Legislation Amendment Act 2013*, the rights of employees in my workplace were eroded.

This had the following deleterious impacts:

As a senior medical officer, one of the most deleterious aspects of the contracts process in 2014 was the widespread shattering of trust in Queensland Health. Many of us found it shocking and disconcerting that the contract we were under at the time was unilaterally abolished. This breach of trust took place at the highest levels of government, and therefore set a precedent of what sort of behaviour would be acceptable in the new health service districts. I would very much welcome our new government sending a strong message about what is acceptable. This would be facilitated by the restoration of basic rights that have long been championed by the Labour movement.

With increased local control in Queensland Health, there are fewer checks and balances to deal with problematic decisions at an employer level. While I do not currently have any complaints against my Townsville-based health service district, I know that changes in leadership could take place at any time. I am less certain than in the past that I would have recourse if I were either treated unfairly or if I became aware that patient safety were being put at risk and I felt compelled to put myself at risk through speaking up.

My strongest concern, therefore, is that senior doctors have been stripped of their protection to have the Queensland Industrial Relations Commission conciliate and arbitrate matters of unfair dismissal. This right needs to be restored.

This is particularly important in an organisation which continues to have a culture of bullying. This culture is prevalent and is well-documented in studies carried out at the time of Patel, as well as in yearly employee surveys. Unfair dismissals, or even the threat of unfair dismissals, can currently be used as a tool of intimidation. In the worst case, threats

of unfair dismissal could be used to silence conscientious employees who were trying to speak up when they felt that patient safety was at risk. Until this culture of bullying and intimidation is dealt with, it is important that every employee in Queensland Health have access to independent arbitration in the event of unfair dismissal.

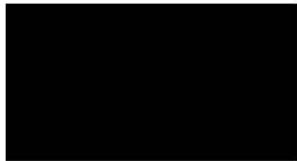
I am a member of the Queensland branch of the Australian Salaried Medical Officers Federation and support their position regarding the proposed amendments to the Industrial Relations Act 2009:

- That the Committee make a recommendation in favour of the Bill
- That the Committee consider the legislation pertaining to High Income Senior Employees (Chapter 6A) and make a recommendation to repeal this legislation
- That the deliberations of the Committee occur in a timely fashion to allow passage of the legislation to occur by June 2015.

The passage of the Bill, amended as above, will provide the following benefits to Queenslanders:

- Improved morale within the public health service
- Improved staff recruitment and retention
- Improved health service delivery
- Improved workplace safety practices
- Facilitate the restoration of trust in Queensland Health, which was seriously eroded throughout the contracts process.

Yours sincerely

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Kimberly Oman

A black rectangular box redacting the contact information of Kimberly Oman.