

## Queensland Productivity Commission Bill 2024

**Submission No:** 11  
**Submitted by:** Master Plumbers' Association of Queensland  
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**Submitter Comments:**



9 December 2024

Governance, Energy and Finance Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

To whom it may concern,

Thank you for the opportunity to provide a submission on behalf of the Master Plumbers' Association of Queensland (MPAQ) regarding the Queensland Productivity Commission Bill 2024 (the 'Bill').

MPAQ is the peak industry body representing plumbing and gas contractors throughout Queensland, from sole operators through to medium sized plumbing and gas businesses and large contracting firms. Operating since 1900, MPAQ is one of Queensland's most influential trade associations, providing the industry with specialised training, advice, and services to effectively strengthen and grow the businesses of our members.

MPAQ supports the re-establishment of the Productivity Commission in Queensland under an LNP Government. We are committed to fostering strong, collaborative relationships with all industry stakeholders, including government bodies and unions, to advance the sector's interests and ensure a productive and sustainable industry.

This submission outlines our considerations and questions regarding the provisions of the "Bill":

### **Part 1 – Queries relating to the Bill**

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*Part 2 – Queensland Productivity Commission*

*Division 6 Miscellaneous*

- **Section 31 – Committees**

- Subsection 1

- *The commission may establish committees to assist in the performance of the commission's functions.*

- **Questions:**

- How will the Committees be formed?
- Will committees be adapted to specific circumstances or will it remain as one committee for all circumstances?

- Subsection 2

- *The commission may decide the membership and functions of the committee it establishes.*

- **Questions:**

- What criteria will the Commission use to decide the committee's membership?
- Will committees adopt a tripartite structure (e.g., representation from employers, unions, and government), similar to Best Practice Principles, or will their composition be more flexible?
- Will committee memberships remain consistent across inquiries and research, or will they be adapted to the specific circumstances?



## **Part 2 – Key Industry productivity issues and Questions**

### **1. Organised Retaliations:**

Subcontractors can face risks of isolation and targeted union actions if they resist demands or challenge interpretations of Enterprise Bargaining Agreement (EBA) Clauses. Without robust complaint mechanisms or oversight, subcontractors often yield to pressures, absorbing inefficiencies and increased costs.

- **Question:**

- Will the Productivity Commission provide a mechanism for individual businesses to address disputes over EBA interpretations without the delays that can occur with Fair Work Commission proceedings?

### **2. Safety Incidents and Committees:**

Unionised safety committees can often implement measures that lead to significant delays, such as project-wide stoppages or prolonged inspections. Additionally, Health and Safety Representatives (HSRs) of principal builders may wield disproportionate influence in enforcing shutdowns. MPAQ recognises the importance of prioritising onsite safety as a vital step in protecting workers and sustaining a productive work environment, through a collaborative approach.

- **Questions:**

- Will the Productivity Commission have the authority to resolve safety-related disputes that significantly impact productivity?
- Can oversight mechanisms be introduced to ensure decisions about safety incidents are not reliant on a single HSR's judgment?

### **3. Inclement Weather Policies**

Rigid policies and inconsistent interpretations of EBAs on weather-related stoppages lead to unnecessary downtime and cost burdens. For example, union interpretations of heat clauses vary significantly between regions within Queensland.

- **Question:**

- Will the Productivity Commission enforce consistent statewide approaches to inclement weather procedures?

### **4. Overtime and Workforce Management:**

Certain unions discourage overtime, compelling subcontractors to hire additional workers to meet deadlines, increasing operational costs and logistical challenges.

### **5. Prequalification Criteria for BPICs**

While prequalification provides opportunities for non-EBA subcontractors, discrepancies between EBA and award rates create uneven competition.

- **Questions:**

- Will the Productivity Commission define prequalification criteria for subcontractors working on Queensland Health sites?
- For example:
  - Will ISO WHS certification be mandatory?
  - Can subcontractors operate under the relevant award, or will an active EBA be required?



**6. Workforce split between BPICs and EBA work**

The suspension of Best Practice Industry Conditions (BPICs) has created payroll complexities for businesses balancing BPICs and EBA work. Workers moving between these systems face inconsistent entitlements and allowances.

- **Question:**
  - How will the Productivity Commission support businesses navigating workforce management challenges under these conditions?

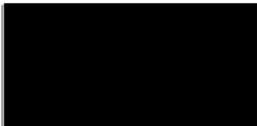
**7. Tendering for BPICs work**

Since the pause on BPICs policies, uncertainty remains especially if the tender for early works was accepted and finalised, however the main hydraulic contract (plumbing specific) was not finalised prior to the pause. This has led to inefficiencies and re-tendering under the BPICs regime and the subcontractors relevant EBA.

- **Question:**
  - Will the Productivity Commission provide clarity on tendering processes for projects initially tendered under BPICs policies?

MPAQ appreciates the opportunity to contribute to this important legislative process and remains available for further discussions to address these industry challenges.

Kind regards



Penny Cornah  
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Master Plumbers' Association of Queensland