

Queensland



Council of Unions

Honorary President: **Rohan Webb**    General Secretary: **Ros McLennan**    Assistant General Secretary: **Michael Clifford**

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The Research Director  
 Legal Affairs and Community Safety Committee  
 Parliament House  
 Brisbane QLD 4000  
 By email [lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)

Dear Ms Watson

### Human Rights Inquiry

The Queensland Council of Unions (QCU) makes this brief submission in support of a Human Rights Act in Queensland.

In making this submission, the QCU is cognisant of a number of instances where Queensland Governments have introduced legislation that breached what would usually be considered to be basic human rights. One of the major concerns raised by opponents of the recent four-year term referendum was Queensland's unicameral parliamentary system. It was suggested by opponents of four-year terms that the unicameral system is in some way connected to abuse of process and the potential denial of human rights.

The particular interest of the QCU is in relation to human rights associated with freedom of association and collective bargaining. There are a number of International Labour Organisation conventions that are intended to provide workers with basic rights such as:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- Equal Remuneration Convention, 1951 (No. 100);
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111); and
- Labour Inspection Convention, 1947 (No. 81)

The Newman Government, in particular, was able to pass legislation that impinged upon such basic human rights. The Newman Government introduced amendments to the *Industrial Relations Act 1999* that impinged upon workers' basic rights such as:

- Forcing certain employees on to individual contracts thereby denying them the benefits of collective bargaining;
- Making the threshold for the Minister to order the cessation of protected industrial action ridiculously low and then limiting the matters that could be arbitrated once protected action was ceased; and
- Removing the obligation on government to discuss major workplace change with employees and their representatives.

It is hoped that a Human Rights Act might provide for some protection against future governments denying its citizens, and in particular its employees, their fundamental human rights.

We also note that similar legislation has been in place in Victoria and the Australian Capital Territory. In this regard the suggestion for a Human Rights Act does not break new ground or propose any radical departure from existing laws. The experiences of those jurisdictions could also be instructive in the development of Queensland legislation.

Please contact Research and Policy Officer John Martin on telephone number [REDACTED] [REDACTED] for any further information or assistance.

Yours Faithfully,

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**Ros McLennan**  
**General Secretary**