



Speech by

BRUCE DAVIDSON

MEMBER FOR NOOSA

Hansard 27 August 1998

WORKPLACE RELATIONS AMENDMENT BILL

Mr DAVIDSON (Noosa—LP) (12.54 p.m.): On 26 November 1996 we heralded an exciting new era in Queensland industrial relations for it was the day on which the former Minister for Industrial Relations, the honourable member for Clayfield, Santo Santoro, introduced the Workplace Relations Bill, which established the framework of Queensland to compete and thrive into the 21st century. In introducing the Bill, the Minister stated—

"We must take the necessary steps to meet the economic and workplace challenges of the future. Queensland's coalition Government is committed to providing the State's businesses, particularly small businesses, with the best industrial relations system possible to meet the economic challenges of the future."

Today we are debating amendments to the Act which firmly turn back the clock and set Queensland's industrial relations regime firmly in the hands of the union movement. The essential package of the coalition Government's industrial relations reforms, that is, choice of agreement-making options, flexibility in the workplace, freedom of association and enterprise focus have all been removed. It is a smack in the face for business in this State.

The disadvantages of the Labor Government amendments are many. The amendment Bill is anti-jobs. It will discourage job creation and it will pose a threat to existing jobs because it is anti-business. It will encourage jurisdiction hopping to Federal awards and, therefore, make industrial relations more expensive and bureaucratic for Queensland business. It is a back-to-the-future approach because it reverts back to an emphasis on awards—a one-size-fits-all approach rather than an enterprise-based approach.

The motivational factors behind the Labor Government's amendments is union domination of the Labor Party, union demands of the Labor Party for payback and union determination to put themselves back into every agreement-making option in Queensland workplace agreements that could be entered into without union involvement. It is a winner takes all attitude or, as John Thompson, the Queensland Secretary of the Australian Council of Trade Unions stated, "To the victors the spoils."

The Workplace Relations Amendment Bill is not only anti-jobs and anti-business but also anti-economic growth. In understanding why the amendments should be opposed strenuously, honourable members need to revisit the original intention of the favourably accepted Workplace Relations Act. The Workplace Relations Act encouraged more harmonious relations between employers and employees by stressing cooperation and common goals rather than conflict. The Workplace Relations Act enabled people to work more productively while enjoying greater job satisfaction and higher standards of living. The Workplace Relations Act provided the flexibility that business required to be efficient and innovative in order to respond effectively to changing customer demands and increased competition. The Workplace Relations Act ensured genuine safety net protection and provided a fair go all round, underpinning greater flexibility for employers and employees alike. The Workplace Relations Act promoted sustainable economic growth, job and training opportunities and national and international competitiveness. Queensland workers had the freedom to choose whether or not to join a union. Compulsory unionism is anti-democratic, anti-Australian and strikes at the heart of the basic freedoms and rights of every Australian worker.

The industrial relations reforms introduced by the Borbidge coalition Government reduced industrial disputation to a record low. Prior to the introduction of the Workplace Relations Act, Queensland's strike rate was the highest in Australia. Queensland was regarded as the strike capital of Australia. In September 1996, the Queensland figure for working days lost per 1,000 employees to the 12 months ended was higher than the Australian strike rate: Queensland was 167 days per 1,000 days and Australia was 138 days per 1,000 days. During the 12 months prior to that, industrial action cost Queensland an estimated \$7.5m in lost wages for workers and \$20m in lost production.

Clearly, reckless industrial action by the trade union movement damages Queensland's economy and Queensland's ability to create employment. Employees and employers alike are looking for stability and good industrial relations law as the two essential ingredients for business confidence and economic growth.

In the past, Labor's industrial relations laws failed and will fail again in the future to seriously tackle the issue of unemployment, which steadily worsened during the past 10 years of Labor Government across Australia. The coalition Government's industrial relations reforms were fair in that they supported individual rights and freedom of choice while at the same time protected those most vulnerable in the work force. The coalition Government's consultative approach provided an arena of goodwill and a spirit of cooperation. A feature of the coalition's industrial relations policies was the extensive consultation process conducted under the direction of the former Minister for Industrial Relations, the Honourable Santo Santoro. That consultation program is in marked contrast to the attitude and actions of the Labor Government.

Sitting suspended from 1 p.m. to 2.30 p.m.

Mr DAVIDSON: By now it must be plain to the Government that there is immense unease in the community about plans to return Queensland to the failures of the past in the area of workplace relations. Protests have been heard from business leaders, from business and industrial associations and from the media in commentaries about the bad effect ending access to Queensland workplace agreements would have on the State's working environment. It is of interest, I believe, that these criticisms are coming from all levels—not just from the top.

The Minister for Employment, Training and Industrial Relations should, even at this late hour, take proper note of the fact that what he proposes is neither in the greater interest of Queensland nor to the advantage of Queenslanders—particularly not those Queenslanders who desire the flexibility and independence of action implied by and delivered by the QWA system put in place by the coalition in Government.

The Courier-Mail today carries an editorial comment that I think puts the whole show into perspective. The House should have the benefit of hearing what it says. The comment is headed "Flexible agreements create real jobs". That is what workplace relations policy should be all about. The editorial states—

"It is understandable that trade unions will fight to keep their privileged position in society, especially if it means maintaining a steady source of income for the industrial organisations. But it is fundamentally abhorrent for unionists to argue they know best when it comes to worker conditions. Using a State Government report, trade unions have mounted a vociferous attack on Queensland Workplace Agreements, which were introduced at the beginning of 1997. The unions say that very few workers use QWAs and they provide no real benefits for workers. Queensland ACTU secretary John Thompson criticises the agreements because they allowed one worker to cash out overtime up to a certain amount of hours worked.

The problem with the organised labour argument is that it does not tell the full story and is disingenuous. Union leaders do not explain they want control of awards so they can maintain and protect their membership base, ensuring an income stream to support their own generous salaries. Also, unionists do not explain that QWAs deliver flexibility to workers so that hours and conditions can be tailored to suit individual needs."

The commentary notes that this is a pro-family policy that provides not just flexible conditions but also funds to support family needs. It goes on to state—

"QWAs are also subject to a 'no disadvantage test' which ensures that employers can not use the agreements to reduce conditions—a test that is backed by Industrial Relations Commission scrutiny. If an award provides better conditions than those proposed in a QWA, the employer is under an obligation to make up the difference.

The simple fact is, unions have no business dictating to workers what is good for them. Many workers do not need generous sick leave or other typical award conditions and would much prefer to cash out such benefits to meet today's needs. What the unions are proposing is nanny-statism at its patronising arrogant worst. The demands of the global economy require people to be more productive and that can only come about with a flexible work force.

A look at the economic growth in the United States and Britain compared with France and Italy demonstrates the tangible benefits from freeing up the labour market and allowing employees to work smarter and better. In France and Italy, unemployment is stuck at 11.8 and 12 percent respectively while Britain has a jobless rate of 6.2 percent and in the US it is 4.5 percent. If the Beattie Government really is 'obsessed' about jobs, keeping the kind of flexibility provided by QWAs should take priority over looking after their union mates."

That is the view of the Courier-Mail. It is a considered, sensible and pro-Queensland view. It is a view that, as the editorial itself suggests, should carry more weight with those opposite, who have declared themselves obsessed with employment. I agree that they should be obsessed more with employment than with doing deals with their union mates to feather their own privileged nests.

There are a number of reasons I oppose these amendments. My main opposition to this legislation stems from union involvement with the Labor Party and its interference in the workplace. The coalition's legislation provided individuals and employees the opportunity of negotiating and entering into an agreement without union interference.

People involved in QWAs, both employers and employees, want freedom of choice. Both groups want the ability to negotiate workplace agreements. Both small and big business want the ability to negotiate suitable workplace agreements. Individuals want the freedom to negotiate the best outcomes for themselves in the workplace.

The reforms of my coalition colleague the member for Clayfield were welcomed by business and employees who had taken the opportunity to become involved in Queensland workplace agreements. People want flexibility in their working lives, to suit both their family lives and their day-to-day requirements. At a time of great change in our society, when many people consider having a job a privilege, it is workplace flexibility that will allow employers and employees to agree to work together.

In the real world today, as our industries and businesses diversify to accommodate the needs of their markets and customers, we should all accept that the workplace of many people has become a seven-day, 24-hour employment place. Long gone are the Monday to Friday eight-hour days for employees. One only has to look at the tourism industry in this State to appreciate that employment opportunities are 24 hours a day, seven days per week. The accommodation sector of the tourism industry is a classic example. Many restaurants, bistros and cafes now open by serving breakfast at 6.30 a.m. and close after serving dinner, in many cases after midnight. Hotels, bars and nightclubs in many cases are operating up to 20 hours per day. For business in the tourism industry to grow and create economic benefit through employment, employers need flexibility in their workplace agreements to ensure that the cost of providing the service is not outweighed by industrial relations practices that price their goods and services out of business.

Over the last few months we have all heard the Premier talk about his target of 5% unemployment. The real challenge this Labor Government now faces is the reduction of unemployment. Every time we receive the monthly unemployment figures, we will be concerned about increases. Increases in unemployment are a real concern not just to businesspeople in Queensland but also to all Queenslanders seeking employment.

I believe the real challenge is to keep economic growth in this State at the levels the coalition Government achieved in the two and a bit years it was in power. That was not done with union involvement; that was done by promoting Queensland as a place where all people could do business. It was done by attracting business to Queensland. Business was attracted to Queensland by the sheer fact that it had confidence in the industrial relations practices in this State. Under workplace agreements, businesses could develop and grow. I believe that the Labor Government, and particularly this Minister, is now putting at great risk the enormous growth we achieved and the economic benefit many Queenslanders have felt over the last couple of years by introducing these amendments to the industrial relations legislation of this State.

I believe that the Labor Government and Queensland workplaces will once again become dominated by trade unions. I believe that individuals who have recently had the luxury to negotiate workplace agreements with their employers will once again be threatened with the loss of their jobs or inflexibility in their working lives. As a small businessperson for 20 years before coming into Parliament, I had in place over-award arrangements with my staff, who in many cases worked 10 and 12 hours a day seven days a week. Those were arrangements that I made with my staff. I had never had a complaint from any of my staff about either the rates of pay they received or the hours they worked. Many small businesspeople right across this State and country have those sorts of arrangements in place with their employees.

It is a privilege for employers to be able negotiate working arrangements with their part-time, casual or full-time employees. It is the ability of employers to negotiate with employees that leads to extra hours of casual work being created. For example, many people in our community benefit from being able to work in a small business for either three, four, ten or more hours per week. We need that

flexibility. We do not need union domination of the workplace. We do not need a Government legislating against arrangements that have been in place for, as I said from my experience, 20 years. Many other businesspeople have enjoyed having similar working arrangements with their staff.

If the Government is fair dinkum about reducing unemployment, giving the business sector confidence, growing the economy in Queensland and attracting new business and investment in this State, it will rue the day that it brought these amendments into the House. One of the major considerations of anyone investing in a business, be it a new business investment or an expansion of an existing business, is the wages paid at the end of the day. Most employers and businesses across our State require flexible workplace arrangements with their staff. We should all appreciate that there has been an enormous investment in the manufacturing industry. Many companies and individuals are investing in technology. Because they have flexibility in their workplaces, those manufacturers are able to compete on the world stage. If we are to continue to expect those businesses to invest in technology and create jobs, they obviously need a 24-hour-a-day, seven-day working week and the flexibility to be able to make arrangements that suit both the employer and employee.

Over the next six months I will be very keen to see the employment figures as they come to hand. I believe that members opposite will be very embarrassed by the fact that business confidence will decline and employment opportunities will not be realised because of this type of legislation. They will be embarrassed by the ever-increasing number of unemployed in this State.
