



Speech by

**HARRY BLACK**

**MEMBER FOR WHITSUNDAY**

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Hansard 26 August 1998

**WORKPLACE RELATIONS AMENDMENT BILL**

**Mr BLACK** (Whitsunday—ONP) (5.25 p.m.): Pauline Hanson's One Nation forum is completely opposed to this Bill in its entirety. The principal goal of this Bill is to outlaw the very workable Queensland workplace agreements as well as amend the existing Act by deleting references to "allowable award matters" where this appears in the Act.

Pauline Hanson's One Nation vigorously supports QWAs and their continued existence as part of the industrial laws of Queensland. Surely it is only by the direct involvement of employees in the development of working arrangements that enterprise will be able to grow and succeed. If businesses, especially small businesses, cannot succeed and prosper, there is little likelihood that they can be induced to employ more people. Small businesses are the backbone of this economy. Indeed, it is only through industrial arrangements such as QWAs that small business can be encouraged to expand and employ more people.

**Mr Roberts:** Exploit workers.

**Mr BLACK:** That is the honourable member's story. One Nation has great respect for the aims and aspirations of small business and the need for responsible unions. We will do everything we can to ensure their prosperity, because in so doing we guarantee the prosperity of Queensland and jobs, jobs, jobs for Queensland workers. The Premier and his Cabinet do not understand that point. If they did they would not be promoting this Bill. Theirs is a party of takers and it has done precious little to generate wealth in this nation.

Under the existing legislation there is a no disadvantage test. This provides that an agreement can only be approved by the Enterprise Commissioner where on balance it does not result in a reduction in the overall employment condition of employees. The Minister declared in his second-reading speech that he had adopted the position that QWAs have the potential to create inferior wages and conditions, but that is nothing short of arrant nonsense.

The present legislation has substantial safeguards to protect employees. The current legislation even provides that a QWA can be negotiated although a certified agreement exists in the workplace covering those employees. In these circumstances, the employees will be protected as the no disadvantage test is applied against entitlements under the certified agreement. Sometimes I wonder if the Minister even understands his own legislation. He should know that the concept of individual QWAs and their coverage of industrial worker employment relationships with their employers is a development trend in Australian industrial relations.

A comparatively recent study by the Australian Centre for Industrial Relations Research and Training shows that 25% of workplaces employ non-managerial staff on individual contracts. These QWAs have provided significant protection for employees under individual contracts as well as providing both large and small business with the opportunity to achieve greater flexibility in their operations. The House should note that in his second-reading speech the Minister declared that a major failing of QWAs is that they do not recognise the unequal bargaining power which exists in the workplace. His remarks show appalling ignorance of his own legislation. One must seriously question just where the Minister is getting his advice. His attitude is not in accordance with the facts of life.

Surely the Minister must know that under current legislation a QWA must be entered into freely and that the Enterprise Commissioner must be satisfied that an employee has genuinely consented to its terms and conditions before it is approved. Under current laws both employees and employers are able to negotiate a QWA with each other and use a bargaining agent. At present an industrial organisation of employees can assist its members as a bargaining agent in the negotiation process but the industrial organisation cannot be a party to the QWA.

That is what this Bill is all about. Not only do Labor union powerbrokers want to get their noses back into the negotiating process but they also want an ongoing controlling role. This is why we have the Bill. This Bill is not about employee/employer relationships; it is about union bosses trying to make a job for themselves so that they, too, do not become redundant. I see no rationale and no good purpose in this Bill. It must be opposed and defeated in the interests of better employee/employer relations. I oppose the Bill.

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