Speech by

JEFF SEENEY

MEMBER FOR CALLIDE

Hansard 27 August 1998

WORKPLACE RELATIONS AMENDMENT BILL

Mr SEENEY (Callide—NPA) (5.52 p.m.): I am pleased to rise and make a contribution to this debate. Over the past two days, I have listened with interest to the debate. At the outset, I have to say that the repetitive speeches delivered by the members opposite can be summed up in four words: sanctimonious, condescending, patronising rubbish. We have been treated to repetition after repetition of sanctimonious, condescending, patronising rubbish. We have been told over and over that Queensland workers are incapable of determining their own destiny. We have been told over and over that Queensland workers have no right to bargain for themselves. We have been told over and over and over that Queensland workers have no right to determine their own working conditions. What sanctimonious, condescending, patronising rubbish! What absolute arrogance!

What right do the members opposite have to tell workers that they cannot negotiate with their employer to arrive at an agreement that suits both parties—an agreement that is flexible enough to accommodate the particular circumstances in which they work? What right do the used-up union hacks opposite have to tell us that we do not have the ability or the judgment to determine our own employment conditions? I say "we" very deliberately, because I have worked out there in those concreting gangs and I have worked out there in those stock camps and I have an affinity with and an understanding of the people who are still out there working today. It is a background different from that of the union hacks who sit on that side opposite.

Mr Purcell: How much did you work for?

Mr SEENEY: The member should just wait a while. I will get to that. I have an affinity with the people whom those silvertail socialists opposite are trying to tell this House do not have the ability to negotiate their own workplace agreements. Let me say to this House that I reject totally this patronising, sanctimonious, condescending rubbish. I reject totally the suggestion that unless a union is involved, I and my contemporaries are going to be exploited by employers who, without exception, are going to rip us off. What arrogant nonsense! Let me tell those silvertail socialists who sit opposite that we have been standing up for ourselves for 20 years.

Members opposite should prepare themselves for a shock. Twenty years ago, my contemporaries and I negotiated our own work conditions when working for a multinational company. That was 20 years before QWAs were heard of. We were working in isolated situations that union reps never visited because it was too far from the end of the bitumen, and the knowledge of industrial awards was pretty sketchy. We came to our own arrangements through mutual agreements. Today, that trend continues and it is now formalised in legislation.

More and more workers are deciding that the union bureaucrats have nothing to offer. They are voting with their feet and opting to look after themselves. That is what this legislation is all about. Despite the sanctimonious, patronising, condescending rubbish that we have heard from the ex-union officials opposite, this legislation has nothing to do with any real concern for the workers out there in the road gangs, the factories and the stock camps; this legislation is designed to protect and guarantee the future of the union movement. This legislation is about trying to reverse the decline of an organisation that for years has been losing relevance and losing members. That is what this legislation is about. It is about trying to entrench the role of an organisation that is a major financial contributor to the Labor Party. It is about trying to ensure the survival of the union movement that is the prep school for the Labor Party members of Parliament.

This legislation is about guaranteeing the survival and the relevance of a prep school from where most of the members of the Government have graduated. The union movement is the prep school for Labor politicians. For most of the members who made those sanctimonious, patronising, condescending speeches in favour of this legislation, it is a matter of protecting the old school. It is a matter of paying the piper. It is a matter of paying back the organisation that groomed them and provided them with the career path that has brought them to this place.

For the workers out there in the real world, this legislation is an insult. It is an insult for this Labor Government to suggest that we have no right and that we have no ability to negotiate our own destinies. It is an insult to tell us that without the dubious services of the union mates of the members opposite, without their unwanted intervention, we will inevitably be exploited. It is insulting for this Labor Government to suggest that only its union mates can negotiate a reasonable agreement for our workplaces.

How dare these unions insist that they have some sort of statutory right to have their hands in our pockets and live off the rewards of our labour! How dare they! We have the right to choose. We have the right to decide whether we negotiate ourselves or appoint a union or somebody else as our bargaining agent. That is the great strength of the coalition's legislation. It gives workers a choice. It allows those of us who want to bargain for ourselves the right to do so and it allows those who do not feel comfortable about doing that the right to appoint a bargaining agent.

Today, Queensland workers have a choice. They can choose to enter into a collective agreement or an individual agreement, or choose to remain with the award system—an award system that is the true safety net covering 20 core entitlements rather than a document prescribing all aspects of job regulation, an award system that allows flexibility in the workplace and encourages fair agreement making between the parties directly involved in the workplace. The Labor Government is seeking to take away that choice. It is seeking to deny Queensland workers the choice.

This collection of union prep school graduates is seeking to entrench forever the role of the unions and reverse the decline they have suffered in recent years as more and more workers have empowered themselves and taken control of their own destinies. They have broken the shackles of the union movement. This legislation is a purely selfish attempt by the Labor Party to protect its power base. That is what it is all about. It is a purely selfish attempt to guarantee the survival of the old prep school that prepared most of the members opposite for their roles in this Parliament. It is a cynical insult to the workers out there who have chosen to negotiate for themselves. It is a cynical exploitation of the workers out there who have decided that they do not want the unions' hand in their pockets any more. They do not want the unions' hands in their pockets every payday.

Mr SEENEY: Before the dinner adjournment I was saying that this legislation is a purely selfish attempt by the Labor Party to protect its power base.

Government members interjected.

Mr SEENEY: Members should keep listening; it gets better. It is a purely selfish attempt to guarantee the survival of the Labor prep school that prepares most of the members opposite for their roles in Parliament.

This legislation is a cynical insult to the workers out there who have chosen to negotiate for themselves. It is a cynical exploitation of the workers out there who have decided that they do not want to have the unions' hand in their pockets every payday. They do not want to fund the silvertail socialists who make up today's Labor Party. They do not want to fund the silvertail socialists who have hijacked what was once the workers' party.

This legislation is about removing workers' rights to make a choice. At the moment, we can choose. We cannot be forced or coerced; we can choose to enter into an agreement either individually or as a group to vary our conditions of employment in our workplaces to take into account local situations and personal needs. So what is so bad about these agreements that workers now choose to enter into? QWAs have to be approved by the Enterprise Commissioner. QWAs are approved only if the Enterprise Commissioner is satisfied that the employee is not disadvantaged by the agreement in comparison to conditions in a relevant or designated award taken as a whole. For QWAs that operate where there is an existing certified agreement, the no disadvantage test is applied to the overall entitlements in the certified agreement. QWAs may be made between an employer and an individual employee or a group. They must be entered into freely. They are binding only on the individuals who sign them. They cannot contain discriminatory provisions and, as I said, they will be approved by the Enterprise Commissioner only if he is satisfied that employees understand the agreements and are not disadvantaged. Unions may still have a role if employees wish it to be so. They can assist their members to negotiate agreements but they cannot intervene in the approval of the QWAs.

It is interesting to note that the continually repetitive speeches from the members opposite made little mention of the Employment Advocate. The Employment Advocate provides advice and assistance to employers and employees wishing to enter into Queensland workplace agreements. This

includes the production of an information sheet on QWAs which outlines what agreements must contain and how to enter into them. The Employment Advocate assists the parties in enforcing their rights under a QWA. This also includes advising employees on how to recover outstanding entitlements— and they do that better than the unions—and the investigation of complaints of duress in relation to making workplace agreements. The Employment Advocate also enforces relevant provisions concerning QWAs.

Mr Reeves: After the horse has bolted.

Mr SEENEY: I would love to take the member's interjection, but I do not have much time.

Mr Purcell: You've got nine minutes.

Mr SEENEY: I have a lot to say.

The Employment Advocate also has the power to investigate breaches of the freedom of association provisions of the Industrial Organisations Act. Breaches can include actions such as coercing employees or independent contractors to join or not to join a union, refusing to employ people because they are members or they are not members of a union and discriminating against a person because he or she is a union delegate. The Employment Advocate is also able to prosecute breaches if appropriate and is also able to provide employers or employees with the relevant advice.

As I said at the outset, I have worked out there in the concreting gangs and in the work gangs. I have worked as a labourer and I have an affinity with the people who do that type of work today. I have also been on the other side of the equation. I have served as a deputy mayor in the Monto Shire Council and I was responsible for negotiating an enterprise bargaining agreement for that council with the work force employed by it at a time when we were all under extreme pressure to compete with private enterprise. We negotiated a certified agreement without union involvement with a largely non-union work force that suited everyone and exploited no-one. It exploited no-one. That is a fairly common practice among local governments throughout the State.

I refer to a letter from the executive director of the Local Government Association. This is not some sort of multinational company hell-bent on making profits at the expense of workers; this is the Local Government Association that represents councils throughout the State—councils that are made up of people who in many cases give their time in a semi-voluntary capacity. In that letter Mr Hallam states—

> "The Association, in carrying out its role of providing human resources and industrial relations services to Councils and representing their interests in the Industrial Relations Tribunals, needs to ensure that there is maximum flexibility available to them in the development of appropriate conditions of employment for their employees.
>
> Whilst Councils have access to certified agreements with employees, the Workplace Relations Act introduced in 1997 did not provide scope to Local Government to utilise Queensland Workplace Agreements."

At the time I was involved with the Monto Shire Council and, along with many other shire councils, we wished that we had access to those QWAs. This Government should be looking at extending QWAs.

Mr Purcell: What about the workers?

Mr SEENEY: The workers wanted access to them, too. The workers wanted to enter into this type of agreement because it suited them. At that time they wanted access to these QWAs. The workers in the shire councils across the State would welcome access to these QWAs. The letter states further—

> "The non-availability of the latter"—

referring to QWAs—

> "... placed Councils at a distinct disadvantage, particularly as the Association had established through its various programs throughout the State that there was a strong view in the industry as to the benefits to be derived from the usage of that type of agreement.
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> ...
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> The scope to access all the options ... is of the utmost importance to Local Government if it is to compete with the private sector in operations such as road reform and the National Competition Policy and if this is not possible, there is a likelihood of reduced works programs. The flow on effect of this will be the loss of employment prospects and more seriously, the damage this will do to the economy and the programs especially in rural communities."

The path that the members opposite are pursuing will threaten the jobs of those people whom they purport to represent. The people who pay the way of the members opposite more often than not are being threatened by the legislation that they are pursuing. If the members of the Labor Party opposite were fair dinkum they would let Queensland workers make a choice—a choice that the

coalition's legislation guaranteed them, a choice without coercion, a choice as to whether they want to bargain themselves or to appoint a bargaining agent or bargain collectively.

I believe that it would be very wrong to take away that choice. It would be very wrong to insist that QWAs be compulsory. It would be very wrong to insist that workers have no choice and have to bargain themselves. By the same token, it is very wrong to abolish QWAs and deny workers the opportunity to bargain themselves. It is very wrong to abolish QWAs and entrench the union forever as a compulsory part of the negotiating process.

It would be a terrible mistake if the Independent members, who realistically will ultimately decide the fate of this legislation, were swayed by the sanctimonious, patronising, condescending rubbish that has been repeated endlessly by Labor members. They all repeated the same speech over and over again. Aren't word processors wonderful? Sentences and paragraphs can be cut and pasted and people can say the same things over and over again. That is what Labor Party backbenchers have done for the past two days. They have repeated the same sanctimonious, patronising, condescending rubbish over and over again.

The Labor Government is intent on repaying the trade union prep school, which has provided a career path and the financial backing for so many Labor members to reach this place. This legislation is about protecting that union structure. This legislation is about paying the piper. This legislation is about denying Queensland workers a choice, and it should be defeated by this Parliament.
