



Speech by

Mr P. PURCELL

MEMBER FOR BULIMBA

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WORKERS COMPENSATION

Mr PURCELL (Bulimba—ALP) (6.15 p.m.): It gives me great pleasure to second the Minister's amendment to the motion and to speak to it. I cannot do that without commenting on what two of the previous speakers have said. The previous Minister took a no-fault workers compensation scheme, which was probably the best workers compensation scheme in Australia and perhaps the best in the world, and destroyed it. He did that by changing the definitions of "injury" and "worker" and, in so doing, he disfranchised people who were previously covered. This workers' friend, as he likes to call himself, took 90% of the people in the building industry out of the scheme by excluding those workers who are not PAYE taxpayers. He disfranchised more than half of the scheme's members.

The former Minister talks about what Kennedy said and how he complied with the Kennedy report, but one of the major planks of that report was the compliance by the employers with the scheme. The scheme was not being complied with at all. The Minister did not want to do anything about that; he did not try to get the employers to comply. After all, as the member for Moggill said, the scheme is essentially an insurance scheme: you pay your money and you get your insurance but, if you do not pay your money, you should not get the insurance. For years the insurance scheme—the workers compensation scheme—had been picking up the liability for 100% of workers in this State because it was compulsory for employers to be in it. However, some employers were not paying their way and the previous Government did nothing about collecting those premiums—not one dot! It let the scheme go down the chute. All it did was attack the people at the end of the scheme who, through no fault of their own, were injured on a site. They had no coverage of wages and no access to common law at all.

The previous Government was not even looking after employers. When employers in the building industry found out what the former Government had done, they nearly died. Opposition members have forgotten why the no-fault provision came in and why the insurance was there; it was to protect builders and the employers as much as it was to assist employees. The Opposition's actions had the effect of tipping employers out into the street and taking their houses off them when injured employees sued employers under common law when they were at fault. It would not matter what the former Government said about the employee; if it said that he is not covered because he is not a PAYE taxpayer, that does not stop him from suing the employer. If the employer is at fault, he cops the bill. The previous Government left employers without any insurance.

The employers nearly died. The Master Builders Association, the MTIA and those sorts of employer organisations certainly got hold of the unions very quickly. They sat down with them and came up with a scheme which they called CAP, which gave coverage for all of those PPS workers. They recognised that just because they were being paid PPS it did not mean that they were not employees.

The former Minister knows as well as I do that, under the tax Act, PPS provisions are not being properly policed and that a lot of employees are getting paid PPS, which is illegal. The former Minister and his Government continued to assist employers to get out of their obligations to employees. They adopted the lowest common denominator. The former Government allowed employers to get out of their safety obligations, resulting in more people being injured at work. Those employers who have cut their safety obligations and who do not pay workers compensation premiums will win the jobs because they can drive the prices down. The former Minister is trying to perpetuate a society where the people

who can least afford it—workers who are injured—are kept at the bottom of the heap and receive no assistance at all when it comes to——

An Opposition member interjected.

Mr PURCELL: I do know that it is true. The phone in my office nearly rang off the hook when this legislation first went through. First of all I had employers ringing up because they did not know where to go or what to do. Over the past two years I have had employees continually ringing up.

Time expired.
