Speech by

Hon. P. BRADDY

MEMBER FOR KEDRON

Hansard 27 August 1998

WORKPLACE RELATIONS AMENDMENT BILL

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (11.45 p.m.), in reply: Firstly, I thank my colleagues for their valued contributions on what I regard as significant and necessary amendments to failed sections of the Act. The Workplace Relations Amendment Bill is the first step by our Government to re-establish a balance in the industrial relations landscape—a step which recognises that job security, job growth and fair wages and employment conditions are factors of real importance to all Queenslanders.

As I stated earlier, in the election lead-up the Government made a commitment to the people of Queensland to maintain a relevant and up-to-date award system and to repeal certain harsh and unfair aspects of the current legislation. The idea of pruning awards back to just 20 allowable matters was a concept not thought through by the previous Government. Awards are documents intended to cover all aspects of the employment relationship, as well as being one of the primary vehicles for determining wages and conditions. The consequence of not moving quickly to halt the award stripping process would be to substantially reduce entitlements for employees under current award arrangements. If Labor did not move swiftly with the amendment Bill, provisions contained in the Industrial Relations Act 1990 relating to hours of work, public holidays, etc., and general conditions of employment enjoyed by Queenslanders engaged under State awards or certified agreements would cease to apply from 27 September.

QWAs have been the subject of most of this debate. They are not about flexibility, job security or family-friendly policies, as the Opposition would have us believe, but about how employers can best manage their awards to accommodate their own needs. There is nothing innovative about QWAs. QWAs thumb their noses at occupational health and safety, training, career paths, multiskilling and productivity improvements. QWAs are not the way of the future.

In his address to the House, the honourable member for Clayfield pointed to dispute statistics and a decline in industrial action as apparently highlighting some form of success in his legislation. However, the decline in industrial action can be attributed to other factors, including being part of a worldwide trend, not to mention the tone set by the Accord between the Labor Government and the unions throughout the 1980s. The truth is that the current Santoro/Borbidge Act, which mirrored much of the Howard/Reith Act, has led to some of the most bitter and protracted disputes in the nation's history. The Curragh coalmine, Hunter Valley coal and the Queensland teachers dispute—not to mention the Patrick waterside fiasco, supported by the Opposition—are glaring examples of how legislation is capable of seriously hurting our nation and its workers.

The member for Clayfield and the Leader of the Opposition would have us believe that Queenslanders are happy with the current legislation. How can they say this when the State has reached unprecedented levels of job insecurity? How can they say this when the legislation has caused worker morale to plummet in Queensland? The Labor Government has never hidden its intent in regard to QWAs. We were elected on that policy, and we made it clear that that was not one of the negotiable matters that would be referred to the industrial relations task force. Many Opposition members wasted their time tonight making spurious claims in relation to that. We made it clear that there were certain non-negotiable matters, and these were some of them. This is very brief legislation, in effect. The rest of the matters are before the industrial relations task force.

How can the member for Clayfield question this Government's openness and consultation when he, as the Minister, wrote his Act following a series of informal meetings with his buddies while excluding others, including unions, from genuine input? This is the same person who, as Minister, left the tripartite industrial relations consultative committee high and dry in the development stage of the Act—and he had not met with the IRCC since the introduction of the Workplace Relations Act.

During his address, the member for Clayfield referred to collective QWAs as being an alternative to collective certified agreements. The section talks of agreements "negotiated" collectively. The truth of the QWAs is that they are not negotiated and not required to be negotiated.

The Leader of the Opposition referred to the plight of the Gympie Eldorado goldmine, an employer which has a number of employees bound to QWAs. He said that employees would lose out on pay rises and above award arrangements should QWAs be scrapped. Awards set minimum terms and conditions and employers are free to remunerate workers at above-award rates. In fact, this is common practice in a lot of workplaces. Furthermore, if the Eldorado goldmine has the support of its employees, as the Leader of the Opposition informs us, they would have little trouble attaining a valid majority to put in place a certified agreement.

One of the claims made continually by the Opposition in the course of this debate was that this legislation was about union dominance. Nowhere in this legislation does the Government seek to take away the power to have non-union agreements. They are available to the employers and employees of this State.

We have seen a recent attempt by Business Queensland to analyse the truth in relation to this matter in an article published this week. Their article is titled "QWA demise is no loss". The article states that industrial relations leaders are almost unconcerned about the demise of QWAs. The article says—

> "Experts agree with Industrial Relations Minister Paul Braddy who questioned the relevance of the measures which have attracted little interest since their introduction under the Coalition government in March 1997."

David Miller, a partner at the law form Allen Allen and Hemsley, best sums up the tone of the Business Queensland article on QWAs when he is quoted as saying—

"... if QWAs were a share issue, it would have been very undersubscribed."

The Opposition Leader, the member for Clayfield and others have referred to examples of employers who want QWAs to remain in place. However, an essential ingredient was missing from the Opposition's argument: where were the examples of employees who want QWAs to remain? The truth is that the member for Clayfield did not want to have the information placed before this Parliament about the analysis of the report. He wrote to me seeking a copy for himself; yet when I rose in this place to make a statement and table the report, he immediately sought to prevent me from doing so. What he wanted was not for this report to be distributed in the community. He wanted one for himself so he could dissect it and argue about it; but he did not want one placed in the Parliament. That was despite the fact that he could have provided analysis over the period when he was a Minister, because he had provisions in the Act to do so. He never did that. As a Minister, he never requested a report about the operation of the QWAs; yet he comes in here whining about the need for an independent analysis. There is no power for an independent analysis. There is a power for analysis under the Act, which was his legislation.

The findings presented by the department in the report are based on the facts. The facts about wage increases are based on the statistical data held by the Industrial Registrar. These are facts that the member for Clayfield could have provided to the Parliament if he wished, but he did not. Why? Because the facts indicate that QWAs have not been a success! These agreements cover only 0.2% of the Queensland work force. The Opposition continually tells us that these amendments are about ensuring that unions continue to control the bargaining process under enterprise bargaining. In saying that, they turn a blind eye to the fact that our amendments recognise the continued existence of a number of agreement types—both collective and non-union collective agreements.

There is a lot more to be said. The hour is late. I believe that there will be considerable debate at the Committee stage. I do not intend to continue as long as I otherwise would have. The Bill before the House today reaffirms this Government's commitment to establish a progressive industrial relations system aimed at stability, economic growth and the development of the Queensland economy. This Government is committed to jobs security, jobs growth and, just as importantly, fair wages and employment conditions for all Queenslanders. We inherited from the Borbidge Government industrial relations legislation aimed at reducing conditions for workers. The award simplification process coupled with QWAs is a glaring example of the harsh and unfair nature of the Workplace Relations Act 1997. I commend the Workplace Relations Amendment Bill to the House as, in the interim, a just alternative to the legislation left behind by the Borbidge Government.
