



Speech by
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BEANLAND**

MEMBER FOR INDOOROOPILLY

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INDUSTRIAL RELATIONS BILL

Mr BEANLAND (Indooroopilly—LP) (1.05 a.m.): I wish to touch briefly on a few points contained in this legislation. This legislation is about going back to the future. It is about turning back the clock. It is about being yesterday's Government. This legislation is not about assisting the workers, it is not about assisting business, particularly small business; this legislation is about helping the union bosses keep their jobs through keeping up union membership. It is about paying off Labor's union mates. It is about settling scores with the Australian Workers Union. It is certainly not about good industrial relations nor job creation. I want to emphasise that.

To the year ending February 1997 in Queensland, some 201 days were lost per 1,000 working days. To the year ended February 1998, there was a drop down to 91 days lost per 1,000 working days. To the year ended February 1999, the drop continued down to 49.9 days lost per 1,000 days. That shows that there has been a considerable drop in the number of days lost through strike action. There is a greater harmony in the workplace and people have been able to get on with their jobs.

Yet we have before this House legislation that is anything but harmonious. I think that it is fair to say that the former National/Liberal coalition Government's legislation substantially reduced those numbers of working days lost. Indeed, it was a substantial reduction—from 201 days lost per 1,000 working days to the year ended February 1997 down to 49.9 days lost per 1,000 working days in the year ended February 1999. That figure must be a record low. Yet on the back of that, this legislation has been introduced.

Clearly, as the union bosses have said, the unions are back in charge of this Labor Government and back in charge of this State. In recent days, we have watched that interesting sideshow between the Australian Workers Union and the CFMEU. Both of those union heavyweights are fighting it out in the marketplace to the detriment of small business and the employees. I notice that the latest unemployment figures reveal a one half of 1% increase in unemployment in this State. Yet this figure comes at a time when we hear a great deal from this Government about creating jobs. However, the jobless queues are increasing and, under this draconian legislation, the jobless queues are going to increase even more. More people are now unemployed than there were last year when this Beattie Labor Government took office. That is the fact of life. That increase in unemployment has been brought about by the Beattie Labor Government's draconian changes to WorkCover and it is going to be made worse with these industrial relation laws. Already, the changes that the Government has made to industrial relations in respect of Queensland workplace agreements have contributed greatly in giving the unions more power, having more say, and playing a central role. Of course, added to that is this legislation.

The former National/Liberal coalition Government inherited from the Goss Government an unemployment rate of 11.2% and delivered the lowest unemployment levels in Queensland in eight years. With 17% of the national population, the coalition Government was generating some 40% of the nation's new jobs. Yet in the short period since the Labor Government has taken office, which is almost 12 months, the State unemployment figures have increased. In just over two years under the former

National/Liberal coalition Government, unemployment dropped by more than 2.75%. Under this Government, we already find that more people are now unemployed than when it came to office.

This Bill will do nothing to generate the confidence and flexibility in business and the workplace that the community needs if business is to create jobs. Of course, it is only through business, both large and small, that long-term jobs are created. It is not the tooth fairy, as I am sure the Minister for Employment, Training and Industrial Relations believes, that creates jobs. I often listen to the Minister's comments and I really think that he must believe in the tooth fairy to carry on with such mumbo jumbo. He certainly does not believe that small business and business generally create jobs in this State, although I do not know who he thinks creates them if they do not. The truth of the matter is that he does not have a clue. When one listens to members opposite, one could be forgiven for thinking that it was the union movement that generated jobs. How wrong can one be.

This legislation will be the final nail in the coffin for generating jobs in this State. After this legislation is passed by the House, opportunity and flexibility will go out the door. If one looks around the world—even at the United Kingdom—flexibility and opportunity are keynote aspects of generating jobs, that is, everywhere but Queensland. Even mother Russia has made the big change and taken the big stride, but not Queensland. This Labor Government has turned the clock back. It is yesterday's Government.

A few days ago this was backed up by figures from the Yellow Pages survey——

Mr Santoro interjected.

Mr DEPUTY SPEAKER (Mr Reeves): Order! The member for Clayfield is making statements like, "Listen to this." People want to listen to the debate, but they cannot because he keeps interjecting.

Mr BEANLAND: The Yellow Pages survey recorded its biggest downturn in three years, reflecting plunging sales, profitability and jobs. Business confidence has fallen to just 44%, which is well below the national average and in sharp contrast to New South Wales, which recorded a significant increase in sales, jobs and prospects. Those findings heighten concerns raised previously by the CPA survey that was published a few days earlier and that showed that business confidence in Brisbane was now at the lowest of any mainland capital, with just 18% of small business expecting to employ extra staff before Christmas. That claim has been backed up by the latest unemployment figures.

Mr Santoro: It is a very bad signal.

Mr BEANLAND: It is a dreadful signal for the people who are being conned by the Labor Government. Small business is the engine room of job creation. If these surveys turn out to be right, and they certainly have been so far, the Premier and the Minister can forget about their 5% unemployment target. They will be flat out holding it under 8%. That is a fact of life.

Of course, union membership is falling dramatically for a variety of reasons. It is little wonder that this legislation is being introduced, because I notice that between 1990 and 1997—which are the latest figures that I have—the percentage of all Queensland employees who have union membership has dropped from 38.3% to 30.9%. In the public sector that figure has dropped from 67.6% to 61.7% in the same period. Likewise, in the private sector that figure has dropped from 28.5% to 21.5%. The overall drop from 38.3% to 30.9% is a decrease of 7.4%. It is little wonder that this legislation is being introduced to prop up the union movement—to give it more teeth, more power and more say in the marketplace in an attempt to regain membership. We should not forget that that is very important to the Labor Party, because I am sure that affiliation fees, donations to the Labor Party and so on are worked out on those figures. Therefore, it is very important to the Labor Party that union membership is kept up.

I notice that the legislation proposes some changes to the role of lawyers. The only reason I raise this point is that the Labor Party has been going around the State bashing lawyers, day in and day out. It has been the greatest lawyer bashing exercise that I have seen in many a day, particularly when we were discussing the compulsory third-party insurance legislation. Lawyers were blamed for the increase in the premiums, not by one Minister but by every Minister who could get a word in on the issue. They all talked about lawyers and ambulance chasing. However, they conveniently forget that that came about because they introduced advertising for lawyers. The former Labor Premier waxed lyrical about the matter. They would not listen when they were told that once advertising for lawyers was started it would lead to other problems within the legal profession, particularly in the litigation area. That has been found to be the case in other countries and, of course, it has come about here.

In spite of all the lawyer bashing that went on with claims that the actions of lawyers would lead to increased third-party premiums, nothing was said about the increased role for lawyers in this legislation. I have heard one or two members on the other side of the House say that special conditions apply to lawyers being able to appear before the Industrial Commission. Mr Harrison of the manufacturing union has stated——

"In Queensland, the commission has always been a lay person's environment and we're fundamentally opposed to giving lawyers unfettered access."

Of course, the same has been said by the Chamber of Commerce and Industry. Both groups are opposed to having lawyers appear.

I remembered that the Minister had something to say about this some time ago. On 30 January 1997 Mr Braddy, the member for Kedron, now the Minister, indicated very clearly that one of the reasons why the industrial relations system in Queensland was more successful and far more cost effective than the equivalent systems of New South Wales and Victoria was that lawyers were kept out of a lot of its areas—areas where they were not needed. If they were not needed, why is the Government introducing this provision in the legislation?

For all the comments that I have heard from the other side, if one looks down the so-called conditions placed upon the appearance of lawyers, it is quite obvious that lawyers will represent people before the commission in most cases. The conditions are very flimsy indeed and will throw the door wide open to lawyers being able to represent people before the commission. So much for the nonsense of the current Minister who says that he does not believe that lawyers should be allowed to appear! I am sure that we will discuss the issue further when we come to that particular clause in the Committee stage of the debate. Clearly the Government has done a deal with some of the legal profession and some of the lawyers, probably before the last State election. This is another pay-off for that deal. Throughout this legislation we see deals and pay-offs. That is what this Bill is all about. Clearly, a deal has been done on this matter. For the first time lawyers will be able to appear before the Industrial Commission.

I wish to say something about small business, because this is a particularly significant area and one about which we are all vitally concerned. Recently, I heard the Premier on radio trying to beat up the fact that this legislation provides a three-month probationary period. He conveniently forgot to mention that the former Government's legislation—the current legislation—provides for a 12-month probationary period. He just brushed that aside as though it did not exist in the legislation. I know that small businesspeople would not be conned by that exercise. The Premier was trying to con people in relation to this matter.

This Government is about trying to con small businesses in this State. It is trying to pretend that something is other than what it is. What a cynical exercise it is engaging in! This Bill is anti-small business. The unfair dismissal laws are an example of that. The dismissal provisions indicate that information resources will be made available to small businesses. I ask the Minister to indicate to the Chamber in his reply how that will occur. Clearly, it is not much use just producing a lot of reading material for small businesspeople. They have a job to do. They do not have time to read pages containing the Minister's or the Premier's photograph. They are not interested in that sort of thing at all. They do not have time to relate to that. I want to know how the Minister will get the message across to small business. So far he is not getting that message across at all. They are right up to speed with what the Minister is trying to do with this piece of legislation. The Minister cannot possibly deliver on that promise.

I wish to touch on the issue of junior rates of pay, about which I have a question for the Minister. I note that the legislation retains junior wage rates and awards but states that this position will be reviewed. What does that mean? Is it in for the chop or will it be improved? What is the purpose of reviewing junior wage rates? I look forward to hearing from the Minister in relation to that issue.

In relation to union membership, interestingly, probably nowhere else would people be a member of an organisation two years after their membership expired, yet that is what we have in this legislation. In the current legislation the provision is 12 months, which is more than enough. This probably has something to do with funding for the Labor Party. If union members are retained, the unions can pay more money to the Labor Party and the Labor Party ends up being better off in terms of political donations. Unions will be able to keep unfinancial members for 23 months. What a miraculous membership gestation period! This clause, which appears on page 341 of the legislation, sets out that non-financial members can be retained for 23 months and 30 days.

This legislation also appears to eliminate the requirement for an annual general meeting. I presume that is covered in other legislation. I think the requirement for an annual general meeting was previously in this legislation, but I am sure that it will come under some other legislation. I wish to hear the Minister's comments about that. One of the great issues within the union movement is democracy. I am concerned about that issue, and I am sure even Government members would be concerned about it—although they are not concerned about much else. If there are not to be annual general meetings at which members can freely air their views, the whole democratic process falls down. I note that the political objects fund has been given the chop. Clearly, that is another very important aspect of the current legislation designed to ensure that more funds are available for Labor Party coffers.