



Speech by

Mrs D. PRATT

MEMBER FOR BARAMBAH

Hansard 10 June 1999

INDUSTRIAL RELATIONS BILL

Mrs PRATT (Barambah—IND) (12 a.m.): I rise tonight to speak on the Industrial Relations Bill 1999. I approach the Bill from the angle of the everyday Queenslanders and the effects that this Industrial Relations Bill will have upon them. To do this I must take counsel from other sources so, therefore, I will be quoting from letters and so on.

I have a press release issued by the Housing Industry Association Limited which alone throws the objective outlined in the first paragraph of the Explanatory Notes out the window. The Explanatory Notes state—

"The principal objective of this Bill is to provide a framework for industrial relations that supports economic prosperity and social justice ..."

The press release that was issued by the Housing Industry Association Limited on 1 June states—

"HIA's Queensland director, Mr Warwick Temby said the State Government's plan to rope in contractors as employees would seriously damage housing affordability by adding up to 20 per cent to the cost of an average new home. This 20% from changes to the definition of 'worker'. Add to that the proposed workcover levy and the introduction of the Goods and Services Tax and there is a very real potential for the Queensland Building Industry to be thrown into chaos."

A representative of the Housing Industry Association is saying that the industry will be in chaos. Chaos is not exactly conducive to economic prosperity. Mr Temby stated—

"To have contractors deemed as employees will mean that many Queenslanders will not be able to afford to build their dream home. The employment outlook in the building and construction industry will plummet overnight with thousands of jobs at risk."

Where is the social justice in that?

I have often heard the members from the other side of the House stating that they are looking after the workers and that they have to protect the workers. I have no problem with that and I would commend them for that stance. However, I ask them to be fair and look after all workers, because to date there is a section of the work force that they do not look after. I put it to the members opposite that they are, in fact, discriminating against the most dedicated workers in the State—workers who put in 18 hour days, seven days a week; workers who do not take overtime, sick leave or holidays; workers who risk everything they own to build a business in the hope that they can earn enough to retire on without being a burden on Government. Those workers are the most productive and, it would appear, the least valued by members opposite. Members opposite call those workers employers. In their endeavour to protect the employee, Governments have swung the pendulum too far, and the employer has been subjected to fees and charges until there is no point in being in business because the total charges no longer allow the business to be viable.

A prime example of how these fees and charges can force a business to the wall is presented by what has happened on this very day to the South Burnett meatworks at Murgon, which has appointed administrators because it is in severe difficulties. On 17 May I faxed a letter to the Premier and two other Ministers regarding the situation at the meatworks. I began the letter with the following words, "I write to you on an urgent matter regarding the South Burnett Meatworks, Swickers Meatworks

and Kilcoy Meatworks." My letter further stated, "... the worst case scenario for the South Burnett Meatworks is that they will be forced to close their business due to the high premium increase." Those premiums are WorkCover fees.

If the Government is interested in saving workers and their jobs, the businesses have to be protected as well. The Deputy Premier stated today that a task force was on its way to Murgon. Why did it take so long? Why did the appropriate Ministers or the Premier not respond to my faxes, which stated that it was an urgent matter as this business would be forced to close? I also stated in my two and a half page fax that the small towns of Murgon, Wondai and Goomeri rely heavily on the meatworks as their main employer and that those towns will be absolutely devastated to lose it. Those faxes were sent on 17 May.

The 415 workers that the Government so badly wants to look after have been waiting for some action from the Ministers and the Premier. They have been waiting for them to show an interest in this situation. A staff member of the Premier's Office and a staff member from one of the Minister's offices replied with the usual form letter. The other Minister's office is still to reply. Neither the Premier nor the Ministers have contacted me. It is not as if I bombard them with paperwork. How can they justify their disregard of this urgent request? This matter threatens the jobs of 415 of the very people whom the Government says it wants to protect. All the industrial relations Bills in the world will be worthless if there are no jobs. If the Government does not respond to an urgent matter, when will it respond? In my dictionary, "urgent" means requiring immediate attention. Mr Braddy has let the meatworkers down in the worst possible way and Mr Beattie's jobs, jobs, jobs is a fairytale, too.

Let us have another look at how industrial relations have affected other hardworking Queenslanders. I will not disclose the name of the man involved, but I will read a letter that he sent to Mr Beattie because it states very clearly the problems that many employers face. It shows why the pendulum, which has swung too far both ways, must be brought to rest equally between worker and employer. The letter, dated 12 April 1999, states—

"Dear Mr Beattie,

I am writing this letter in an attempt to restore a measure of sanity and trust to the somewhat fragile employer/employee relationships that often prevail today. I have been an employer for over two decades and I know that my trust has been shaken and I question the sanity of legislation, which so blatantly discriminates against employers.

I will be as brief as possible however it is necessary for you to be acquainted with the details. Be assured that the story outlined is in no way an exaggeration of the facts. It is the absolute truth. I can only hope that you will be fair-minded enough to appreciate that there has been an alarming disregard for the facts, the truth and the principle involved here.

Firstly a little about my business—I have owned and operated a mechanical repair shop ... for the last 22 years and for most of that time I have employed both senior and junior staff and I have also trained a number of apprentices.

I have always enjoyed a good working relationship with my staff. I expect loyalty, co-operation, a good standard of workmanship and a fair day's input from employees for which they are both appreciated and well reimbursed.

Unfortunately, over the last ten years, I have encountered serious problems with several of the junior employees ... It became increasingly difficult to find young lads who displayed the qualities that experience has taught me were necessary to enable an apprentice to be moulded into a first grade mechanic.

There were, however, no shortage of those who stole money from the office: broke into the workshop and stole parts; divulged any weakness in security to friends to enable them to rob money, spare parts and car radios etc., or broke in themselves and took customers' cars for joy rides. THESE EXPERIENCES CONVINCED ME TO NEVER EMPLOY ANOTHER YOUTH AS LONG AS I DREW BREATH.

Then along came (Adam) ... I was delighted to have at last found a lad who was polite and courteous and who demonstrated old-fashioned values. Here was a teenager who enjoyed family activities—going fishing ... etc!

At that time (Adam's) role was a very minor one and the fact that he did not perform his duties as well as I would have liked presented no insurmountable problem.

He cleaned after school for twelve months until the end of his senior year at which time he wanted a full time position.

My faith somewhat restored I was considering putting on another apprentice and because he was a decent boy I was eager to give him a chance.

I suggested to him that if he could improve his performance by doing things properly during a twelve months trial period as a trades assistant—I would apprentice him.

I met with his father and outlined my proposal and with all parties in agreement (Adam) became a full time trades assistant in my workshop.

Unfortunately (he) did not improve despite every member of the staff joining with me to get him on track. It amazed me that the lad had been so well schooled in so many wholesome values and yet every aspect of work ethics had been ignored.

(Adam's) performance was very poor and had it not been for our agreement and the fact that I really wanted him to lift his game I would have dismissed him within a month.

I persevered and I would send him back repeatedly in the hope that he would do it well. I suggested that he inspect every motor part he had washed to ensure it was done properly and still they were presented dirty. So often, with patience exhausted, I would assign the job to someone else or do it myself.

It was necessary to recheck anything he did. Even to winding up the windows of vehicles in the weather when it rained— often he would miss one or two.

The office staff could not rely on him to accurately record vehicle ID numbers, odometer readings or registration numbers. I would personally show him how I wanted things done and urge him to please take the time and effort to do it right.

At the end of every month I would politely but firmly tell him that his work was nowhere near satisfactory ... But to no avail.

In due course (Adam's) 'NEAR ENOUGH IS GOOD ENOUGH' approach began to effect the efficiency of the entire workshop ...

At the end of the twelve months I had no option other than to withdraw the apprenticeship offer. And after a months termination notice (Adam) left my employ.

(Adam) asked for and received a carefully worded reference along with some sound advice. I told him that I was both sorry and disappointed with the outcome and urged him to put into practice all the things about work ethics I had endeavoured to teach him over the year.

...

When I returned from annual holidays ... I received a letter from the Dept. of Employment, Training and Industrial Relations informing me that (Adam) had lodged a formal complaint and was claiming reimbursement for unpaid overtime.

I might mention that (he) was paid 4.5 hours overtime per week over the twelve months I employed him—regardless of his lack of effort and the fact that many of us spent a great deal of time mopping up after his mistakes.

I contacted Industrial Relations and arranged an interview with one of their officers ... It was obvious from the start that the interviewing officer was not interested in recording anything negative I had to say about (Adam).

I then contacted the MTAQ solicitor only to be told that it would be futile to fight the claim because to hope for justice was wishful thinking. If this is the voice of bitter experience speaking, then surely it is time to have judgements founded on facts and not favour. Common sense must dictate that whilst this 'BOSS BASHING' attitude is embraced and promoted the dole queues will lengthen and employment opportunities will be stifled as employers opt to be cautious rather than compassionate.

...

However, I am very concerned that there is an issue involved here which needs to be addressed as it could seriously curtail the ambitions of other deserving teenagers.

Mr Beattie, at the last election you promised Queenslanders that you would achieve a 5% unemployment rate. That aim will never be achieved while Government bureaucrats persist in their anti-employer attitudes and actions.

This unpleasant, and I feel unwarranted experience will certainly influence my attitude towards employment of apprentices. In my opinion the desperate shortage of tradesmen today can be directly attributed to employer reluctance to be exposed to the cost in time and money together with the aggravation of perhaps making the wrong choice and suffering the consequences.

Yours sincerely ..."

This is one of many letters and many conversations that I have had. It reflects their frustration. The Government is not wrong to want to protect workers and the Opposition is not wrong to want to protect the employers who provide the jobs for the workers. One cannot survive without the other. They are equal partners in the ongoing process of industry and production. As in all things, there must be balance. Without it, there will be a collapse.

The member for Callide, the member for Gladstone and many others have also spoken on the provisions in the Bill relating to same sex couples. I have to endorse the views of those members, for I, too, do not believe this section of the Bill reflects the true sentiment of the general community. The balance for procreation is the union of a man and a woman, and I believe also that a family is mum, dad and the kids, whether they be married, separated or de facto.

The instances I have mentioned reflect the general concerns of the community— concerns that they want to see addressed in a balanced way. I am not convinced that this Industrial Relations Bill is a balanced Bill and, therefore, I cannot support the Government on this Bill.
