



Speech by

## Miss FIONA SIMPSON

MEMBER FOR MAROOCHYDORE

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Hansard 10 June 1999

### INDUSTRIAL RELATIONS BILL

**Miss SIMPSON** (Maroochydore—NPA) (9.20 p.m.): Boy, that was a short speech by the former member for Nicklin! It was a little bit like the speech that he gave in relation to the acquisition of land. That speech went for about 30 seconds, despite the fact that the rights of property owners in this State were ripped away.

In speaking to the Industrial Relations Bill, I would like to raise a few facts in relation to the need for flexible workplace agreements for families. That was something that the coalition was doing with its workplace agreements. I would also like to talk about the union movement and what this Government has done with its legislation. We know who are the mates of this Government.

In his 29-page second-reading speech to the Parliament on this Bill, the Minister said absolutely nothing about what the Government planned to do about organisations. Why? Because even he was starting to realise that trade unions, in terms of membership, were becoming irrelevant in the community; or were some of them becoming an embarrassment to the Government; or— worse still—were some becoming a nuisance to the Government? It may have been all of these, but there is a stronger possibility: the Minister, the Government and the unions have decided to lessen the legislative controls over unions to make them less accountable to their members and the community. What better way to do this than by the use of stealth—say nothing and hope that no-one will notice. What better method of stealth could there be than to coyly drop provisions from the legislation. Once one removes the requirement for unions to hold annual meetings, and once one removes the requirement for the members to pass resolutions binding the executive body of the union, one has thrown democracy out the door.

The ability of members to speak at an annual meeting of an organisation, and to have their decisions implemented, is the very cornerstone of democratic unionism. As the number of members of unions rapidly declines, do union hierarchies think that members are irrelevant? Is it any wonder that workers do not want to join unions when they have no right of speech? Is this the reason why members are leaving unions in droves?

That brings me to the first little change that the Minister has wrought. I say "little" because the Minister has changed a figure 1 into a figure 2 in clause 540 of the Bill. This clause provides for a person's membership of a union. If the subscription is unpaid for two years—

**Mr SLACK:** I rise to a point of order. I draw your attention to the state of the House.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! The decision of the Chair is that a quorum has already been called on this Bill and there are enough members interested in the Bill to make it unnecessary to call a quorum. The Clerk's advice is that Standing Order 30 says this—

"When a Quorum has once been formed under the provisions of the foregoing rules, and attention is drawn again by any Member to the fact that a Quorum is not present, it shall be in the discretion of the Speaker or the Chairman of Committees, as the case may be, to proceed with the business or to count the House or committee."

**Miss SIMPSON:** This clause provides that a person's membership of a union ends if their subscription is unpaid for two years. Under existing legislation, membership ended when a subscription was unpaid for one year.

Over a period of many years, many unions have been reluctant to allow members to resign or to declare that membership has ended. Some years ago, it was not unusual for unions to pursue former members in the Industrial Magistrates Court for outstanding membership fees for seven years' arrears or more. In some cases, a union would pursue a so-called member for arrears even though the worker had not even joined the union. In these cases, the worker's employer had paid the membership fees under threat of strikes or boycotts.

It took conservative Governments to bring in legislation to regulate the situation and provide a measure of protection for workers who were being hounded by unions and being prevented from resigning their membership. The present legislation gives unions ample time—12 months—to pursue their members if they are interested. Any union with proper accounting and membership records would easily be able to contact a member and, if necessary, commence proceedings within the time period.

The new legislation which increases the period to two years is grossly unfair to members of unions. This is a typical example of unions refusing to let go of members who have shown no desire to retain membership or who wish to have nothing to do with the union. Surely a union purporting to represent its members' interests should not be permitted to harass a worker who has no desire to retain membership for two years.

Let us look at another membership matter—spending membership fees and other funds of the union to support the Labor Party.

**Mr Lucas:** Good idea.

**Miss SIMPSON:** "Good idea" I heard from up the back. That tells us what those opposite are about. They simply want to support their political ambitions within the Labor Party. So much for union members; so much for looking after the interests of the worker!

**Mr Johnson:** The AWU members don't like this.

**Miss SIMPSON:** That is correct, the AWU members do not like this and they have expressed their concerns. That brings me to a matter that I will deal with a little later in relation to Wolston Park.

The coalition Government reintroduced Division 8 of Part 12 into the Industrial Organisations Act 1997. This Division provided for a political objects fund. The legislation states that if an organisation—a union— spends money on political objects, as defined, it may have a political objects fund. The fund must be separate and distinct from its other funds. Money spent on political objects must come only from the fund. Introducing the legislation on 26 November 1996, the Minister, Mr Santoro, advised Parliament as follows—

"This Bill will not prevent industrial organisations from making donations to political parties. It will simply ensure that those donations will be decided by the membership, not officials. If an industrial organisation spends money on political objects, it must establish a separate political objects fund. Members may voluntarily direct subscriptions to this fund. The right of members to decide which parties receive political donations will be protected. This protection is twofold. Firstly, a member of an industrial organisation may give written direction on what political objects the member's contribution is to be spent. Secondly, money from other sources must not be spent from the political objects fund unless consent has been given by the State Council of the industrial organisation or what the Chief Commissioner considers to be an equivalent body.

Similar provisions were in place in Queensland under the Industrial Conciliation and Arbitration Act 1961-1989. These provisions were examined by the Hanger Inquiry which recommended that they be retained. This Act was repealed by the former Labor Government."

Now this Government has quietly omitted this provision from the Bill before this House.

The unions will have a free go at topping up the coffers of the Labor Party using their members' fees—or worse still, using any of the funds that management can lay its hands on. Look at this in the light of the elimination of the requirement for an annual meeting. Look at this in the light of the elimination of the ability of members at an annual meeting to pass a resolution binding on union management. Is it any wonder that members are leaving unions in droves and workers are reluctant to join? How can the legislation before this House further the object of the Act "to encourage responsible representation of employees and employers by democratically run organisations and associations"? This legislation is a return to the bad old days of undemocratic unionism.

I want to make something clear. I strongly believe in the importance of democratically run unions. When discussing people's workplace problems, I often ask whether they have union membership and access to industrial advice, because I recognise that unions which are doing their jobs have a place in society. I have seen some good work done by union representatives, particularly those who have been trying to help a number of the workers at Wolston Park Hospital in their attempts to get a fair go. This is an issue on which Premier Beattie has so far refused to offer much assistance. He personally vetoed a plan for an enhanced voluntary redundancy package for the workers. Many of

those workers are women and most of them are of an age at which retraining packages do not offer them the security that they need.

Premier Beattie has ignored the pleas of hundreds of women at the Wolston Park Hospital facing the sack. It is interesting to note that the Premier, in vetoing this redundancy package, in many ways has been wreaking his revenge upon the AWU, which is certainly the dominant union in that workplace. Once again, it is ironic because it is a site where there are many women workers, and they are the ones who perhaps are the most harshly done by because they are not in a position to relocate easily into jobs throughout other parts of Queensland. Because of their age and the type of work that they have been doing, so many of these workers, both men and women, may never work again. In November last year, Premier Beattie rejected the submission for this enhanced package. It was a package that was supported by the Health Department and DETIR, but it was rejected outright by the Premier. As I have said, a number of unions are represented on the site, but it is interesting to note that the strong presence of the AWU on the site and the predominant female work force seems to have been ignored very deliberately by the Premier. It is certainly a major concern.

I have been a member of a union myself, so I am not anti-union. My concern is that unions must be accountable to their members. They must be run democratically, or else they can do more damage than good to the rights of workers. There is no doubt that union leaders having to face members in democratic forums where members have a right to vote and have a say is a check on power. It is an accountability measure. Yet this so-called party of the battlers is ripping out an accountability measure, a way of keeping these very powerful union blocs accountable. The people who lose are the battlers, the workers. The reason the Government has gone down this track is that it is guided by the money trail. Certainly in the case of the Labor Party, money talks powerfully. The Labor Party, the so-called battlers' party, is the richest party in Queensland by a long shot. At election time, it spends more than the coalition parties in Queensland at a rate of about five to one. The amount of television advertising for the Labor Party demonstrates that fact.

The Labor Party's income source is heavily dependent upon the trade unions. Even though the membership of unions in the community is falling off, the pathway to political representation and influence in the Queensland Labor Party is still via the union movement or, in this case, the union hierarchy. I think that we need to differentiate between the workers at the grassroots and those who hold very powerful and influential positions in the union hierarchy. The great number of Labor parliamentarians with strong union affiliations is totally disproportionate to the actual membership of unions by people in the community, whom these unions purport to represent.

I return to the issue of trade union donations to the Queensland branch of the Australian Labor Party. In 1994-95, trade unions donated to the branch \$1,019,901; in 1995-96, they donated \$1,074,196; in 1996-97, they donated \$969,201.03.

**Mr Lucas** interjected.

**Mr Cooper:** If you're going to interject, interject through the chair.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): I thank the member for Crows Nest for his help, but I suggest that we try to hear the member for Maroochydore. It is very early in the evening, and that is enough interjection. At the present moment, the member for Maroochydore is not taking interjections. Unless she does, I will warn the next member under Standing Order 123A.

**Miss SIMPSON:** In 1997-98, the unions gave the Queensland branch of the Australian Labor Party \$1,907,815.80.

However, I want to address some of the issues to do with the need for a family culture in workplaces.

**Government members:** Hear, hear!

**Miss SIMPSON:** The coalition certainly worked hard to achieve and to encourage that with the implementation of Queensland workplace agreements. I hear the rousing support from the backbenchers opposite. We need a more flexible approach to the way in which people are able to work. Over the past 50 years, let alone over the past 20 years, there have been terrific changes in the workplace. Obviously, as women have sought to improve their skills and maintain their place in the work force, there has been a need for greater flexibility. We also want to see men take advantage of that increased flexibility so that parents can share their family responsibilities in terms of looking after children or looking after ageing parents.

It has been demonstrated that in situations where employers have worked with their employees to develop a family-oriented policy, there has been a great increase in productivity. Those employers who have approached workplace flexibility very positively and given employees opportunities such as job sharing, telecommuting, flexible working hours and leave arrangements such as maternity leave or paternity leave have found that they have great support from their work force and they have retained

their trained people. These days, the importance of having trained people in the workplace has grown because training people is a very, very expensive business.

The Commonwealth Bank found that it would improve its profitability and efficiency if it made the workplace more family oriented and more flexible. When that occurred, the bank reported a decline in absenteeism of more than 12%. The bank's staff were happier, they were doing a better job and the proportion of young, inexperienced staff declined from 19% to 7%. The National Roads Motorists Association, which employs more than 5,000 people—and interestingly, a very large proportion of their work force are women; some 60%—conducted a survey in relation to family friendly policies. They worked with their work force to deliver family oriented and flexible work arrangements. As a result, the NRMA found that the number of employees leaving for family reasons declined from 25.4% to 21.9% and the number of women returning from maternity leave increased from 34% to 61%, which was quite an incredible result. In relation to Westpac, where about 60% of its 30,000 employees are women, research indicated that more than half of those women did not return to full-time employment after taking maternity leave. The cost of replacing these employees—obviously, because of the time involved in retraining people and having to place them in appropriate branches—ranged from \$40,000 to \$60,000. Westpac set about introducing a more family friendly structure, such as implementing six weeks' paid maternity leave. The result was quite dramatic. In the first year of the implementation of that policy, resignations fell from 32.4% to 2.8%. and the return rate has been about 95%.

Other companies have gone down this path. That is why we believe that it is right for businesses to have workplace agreements which are more flexible and particularly for employers to be encouraged to see these initiatives positively so that, in trying to meet people's needs and to recognise that people have more in their lives than the work that they produce, they see the benefits that could be gained from their work force in terms of efficiency and productivity.

Time expired.

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