



Speech by

HARRY BLACK

MEMBER FOR WHITSUNDAY

Hansard 10 June 1999

INDUSTRIAL RELATIONS BILL

Mr BLACK (Whitsunday—ONP) (11.51 p.m.): Although we agree with most of the Industrial Relations Bill as being necessary due to the unfortunate changes that have occurred in the Queensland employment market, there are a number of issues that we will not support. The most amazing aspect of this Bill has nothing to do with industrial relations but rather it is the way in which the Government is clandestinely pushing its homosexual agenda by redefining in fine print at pages 48 and 498 the term "spouse" to include de factos and same sex partners.

I do not support homosexuality and I cannot support the Minister's sneaky attempt to push homosexuality through the back door. To me, a spouse means the wife of a husband or the husband of a wife; it does not mean the husband of a husband. After all, God made Adam and Eve, not Adam and Steve. We will not support the Bill while that clause is included.

We have some misgivings about the new definition of "employee" in clause 5 of the Bill, which may redefine the status of some persons currently operating as contractors and employees and thus cost employers more. We do not support the encouragement provisions provided in clause 110 and during the Committee stage we will move an amendment to remove this provision. We believe that this is a violation of the principle of the freedom of association and we do not want to see the beginning of the return of the no ticket, no start regime of the past.

We are also concerned about the right of entry provisions contained in clause 372, which empower an authorised industrial officer to enter a workplace without warning. We are also concerned about the potential lack of data security and confidentiality of information in general. During the Committee stage, we will move an amendment to require an authorised industrial officer to give an employer 48 hours' notice of an intention to enter. We believe that it is appropriate that as a courtesy an authorised industrial officer should be required to give the proprietor some notice before entering a workplace.

It is regrettable, but the Minister is correct when he says that the relevant deregulation of the Queensland labour market over the years has resulted in an unacceptable level of wage inequality and labour market segmentation. The effects of this wage inequality and labour market segmentation are particularly prevalent in country Queensland. Unfortunately, the Labor Party has been a willing participant in the deregulation of the Queensland economy and the damage that it has caused, with the result that just 37% of the work force is now employed in normal nine-to-five work with the rest of the work force being employed as part-time workers or casuals. The trend towards part-time and casual employment is having a devastating effect on our families and the wellbeing of our children. If the fragmentation of our community is to be avoided, it is a trend that must be stopped. If a person is a casual or part-time employee, it is very hard or impossible for that person to obtain a loan to buy a house. If a person is a casual or part-time employee, it is impossible for that person to plan their life with any certainty.

We now have the farcical situation where it is a financial disadvantage to be a single-income family. According to the income distribution report from the National Centre for Social and Economic Modelling, over the past 15 years double-income households and social security households have improved their financial position while single-income households have lost financial ground. That is a recipe for a stratified, two-tiered society that will do nothing for social harmony. I am alarmed that

neither Labor nor the coalition appear to be able to comprehend the damaging effects of their blind adherence to the new religion of global economics. The fruits of global economics are an itinerant and low-paid work force where the only certainty for most people is now uncertainty. We know that the growth in job vacancies is not related to employment growth. For example, according to the ANZ economist Saul Eslake, we are experiencing a growth in job vacancies of 20,000 per month, yet employment growth is only about 8,000 per month. That is because most of the vacancies are being filled by people who are changing jobs. This is further evidence of our increasing casual and itinerant work force.

In 1990, 1.5 million people, or 19% of the work force, worked fewer than 35 hours a week. That was bad enough, but now that figure has increased to 2.75 million people, or 26% of the work force. Sadly, this Industrial Relations Bill is only a reactionary measure to the new Queensland reality of casual/part-time work. It cannot stop the increasing stratification of our society into the wealthy and impoverished. Herein lies the great paradox of the Labor Party, which purports to be the workers' party, yet it is responsible for some of the most anti-worker policies ever implemented. I sincerely hope that all voters realise that the Labor Party gives only the illusion of being the workers' party. In fact, its strings are now being pulled by big business, just like the coalition's. Let us not forget that it was the Labor Party that created the malignant National Competition Policy under the Keating Government. That has contributed greatly to the 63% of our work force becoming part-time and casual workers.

However, there are some positive aspects of the legislation that we support. We support the provision of a probationary period for all employees, which will give the employer enough time to assess the suitability and compatibility of the employee while protecting employees from unjust dismissals. We are determined that there be no added impost on small business. Unless the Government will support an amendment to provide a 12-month probationary period for employees in a small business, with a three-month probationary period for employees in a larger business, we will not be able to support the Bill. Overall, the provisions of clause 72(1) which relate to unfair dismissals are reasonable and provide a sensible balance between the interests of the employer and those of the employees.

We support the concept that the employer cannot be compelled to pay employees while they are on strike. If an employee or group of employees decides to strike legally within the provisions of the legislation, that is their prerogative, but it is immoral to expect the employer to have to pay them while they are on strike. We support the provisions that relate to the increased transferability of maternity leave to the primary carer, except for the sneaky redefinition of the term "spouse" to include homosexuals, which must be amended if we are to support this Bill.

We support the practicality of the definition of normal working time as six days in any seven, or 40 hours in any six days, or eight hours in any day. This is a compromise that ensures good flexibility for employers while retaining fairness for employees and families. We support the principle of equal pay for men and women for equal work. We support the provision of maternity leave to casuals who have been employed for two years or more. We support the provision of sick pay, annual leave, carer's leave and bereavement leave to low paid non-award workers who currently comprise about 8% of the work force—a group that has unfortunately continued to grow over the past 20 years.

We strongly support the principle of freedom of association. In particular, we support the absolute right of a person to join or not to join a union or industrial organisation as they see fit and not to suffer ostracism as a result of their actions. We believe that increased use of secret ballots should be made before strike action. We will move an additional amendment in the Committee stage of the debate to enable workers to trigger a secret ballot if they wish before any strike action commences. We are glad to see that certified agreements and QWAs, which have been overwhelmingly endorsed by Queensland employers and employees alike, remain.

This Industrial Relations Bill is a reaction to the new part-time status of much of Queensland's work force, which the Labor Party has helped to create. In summary, we believe that there is some fair and just content in the Bill that is worthy of support, but we can support it only if the amendments circulated in my name are passed.
