



Speech by

LINDY NELSON-CARR

MEMBER FOR MUNDINGBURRA

Hansard 10 June 1999

INDUSTRIAL RELATIONS BILL

Ms NELSON-CARR (Mundingburra—ALP) (3.49 p.m.): I rise to support this legislation—legislation that addresses the needs of Queenslanders. This Government came into office with an election promise to introduce a system of industrial relations that ensures justice, fairness and equity for all employees, taking into account the efficiency and performance of the economy and general standards within the community. Importantly, Labor guaranteed that jobs growth and enhanced job security would be a primary focus of the new system. Labor also recognised that consultation and cooperation between all parties is fundamental to achieving a fair and effective system. To this end, Labor undertook to establish an independent tripartite forum to oversee the review of Queensland's industrial relations legislation and to develop a contemporary industrial relations framework that promotes the efficiency and competitiveness required for our increasingly globalised economy, without the exploitation of workers.

The Government has delivered on these election promises. Firstly, it established a tripartite industrial relations task force to review industrial relations legislation in Queensland and to develop a new system to meet the needs of employers, employees, industry and the community, underpinned by extensive public consultation. Secondly, the Government has developed an Industrial Relations Bill based on the 166 recommendations of the Industrial Relations Task Force report. The Bill balances economic and social objectives by providing a system that is fair and equitable, and promotes economic prosperity, job security and jobs growth.

I now turn specifically to the establishment and purpose of the Industrial Relations Task Force and its extensive public consultation process. The task force was established by the Honourable Paul Braddy soon after the Government came to office and comprised equal representation of employer and employee representatives. The terms of reference required the task force to review the legislation, having regard to enhancing job security and jobs growth; the growth in non-standard employment; fair and equitable wages and conditions which meet the needs of employers and employees; the need for a relevant award system; and the role, structure and function of the Industrial Relations Commission and registry.

The terms of reference also required that the task force develop and present recommendations for a new industrial relations system to the Honourable Paul Braddy which improves the strength of the economy and enhances jobs growth and job security; meets the needs of emerging labour markets and work patterns; is fair and equitable; provides an effective balance between collective and individual rights; is flexible, responsive and accessible; and is based on cooperation and consultation and participation. The Government's belief that the achievement of a fair and equitable system must be underpinned by genuine consultation and participation by all interested groups and individuals resulted in the most extensive public consultation and review process ever undertaken in Queensland on industrial relations.

As part of this process, the task force prepared an issues paper on the review of industrial relations in Queensland. The paper provided comprehensive background information to promote public debate and raised contemporary and emerging issues for consideration and comment. Two thousand five hundred copies of the paper were distributed to employers, employees, unions, employer associations, Government departments, interested individuals and academics. The paper was also

placed on the Internet to allow greater public access. Further, to encourage debate and community participation, public consultation sessions were conducted in eight regional centres, with approximately 340 persons attending. Three issues workshops were also held on awards and agreements, the public sector, and the powers of the commission and court. Approximately 25 to 30 participants attended each workshop.

In order to assist the task force in the development of recommendations for the new legislation, submissions were invited on the issues raised in the paper and the need for change and the nature of that change. Two hundred and twelve written submissions were received from employees, employers and, in particular, small businesses, unions, employer associations, Government bodies and academics. All public submissions were analysed and taken into account by the task force in its deliberations and formulation of a new industrial relations system.

Mr HEGARTY: Madam Deputy Speaker, I draw your attention to the state of the House.

Quorum formed.

Ms NELSON-CARR: The process particularly focused on extensive assessment of how the system is operating, what does and does not work well, and current and emerging labour markets. This review, coupled with the composition of the task force, allowed the diversity of community views and interests to be brought together. Some of the key findings of the public consultation process and the task force's research include: that the award system has become out of date and irrelevant and requires regular review to provide reasonable wages and conditions; that a significant proportion of Queensland workers remain solely reliant on awards and are unlikely to gain agreements in the medium term; employees who have reached certified agreements have fared considerably better than those reliant on awards; many workers engaged in non-standard work or not covered by awards are denied access to basic conditions of employment; both employers and employees need a greater range of agreements, including project and multi-employer agreements; the need to provide fair and balanced unfair dismissal provisions, with streamlined procedures; and the desire of parties to avoid protracted industrial disputes such as those in the Federal arena and a strong desire for the commission to have the power to assist the parties when negotiations break down.

In particular, the growth in non-standard work such as contracting, labour hire and part-time and casual employment and the fact that Queensland has a higher level of casualisation than the rest of Australia were identified. Despite the increase in non-standard employment, with the standard Monday to Friday, 9 to 5 job becoming a thing of the past, the Workplace Relations Act 1997 failed to respond to the changing nature of the workforce and was constructed around the standard employment relationship. Both the community and the task force identified the need to address this issue in order to take account of the diversity of employment circumstances now and into the future and to ensure that all employees receive fair minimum employment entitlements.

From the wide-ranging public consultation process, the task force prepared a report which recorded the breadth of views on industrial relations issues in the Queensland community. These views assisted the task force in developing its 166 recommendations for new legislation, of which 139 recommendations were supported by all members of the task force. Further public submissions were called for by the Honourable Paul Braddy in response to the task force's report, with 42 submissions received and considered in finalising the legislation. The task force report recorded that—

"The recommendations provided in the report are the product of detailed discussion and investigation by the Taskforce, complemented by an extensive consultation process.

The recommendations for new legislation put forward are the product of a desire to ensure the divergent interests of the community are met in a way consistent with providing coherent, principled and workable industrial relations legislation.

The Taskforce wishes to note, therefore, that these recommendations do not represent the simple reflection of the interests of one group, nor do we believe they are prey to ideology. They represent a careful attempt to provide legislation that meets values and principles supported widely in the community, as well as meeting the terms of reference for the review."

Consequently the Government, in having adopted 150 of the 166 task force recommendations in toto or with addition or modification in the Industrial Relations Bill 1999, has presented a fair and equitable Bill. It addresses the needs of Queenslanders. I therefore commend the Bill to the House.
