



Speech by

Hon. RUSSELL COOPER

MEMBER FOR CROWS NEST

Hansard 10 June 1999

INDUSTRIAL RELATIONS BILL

Hon. T. R. COOPER (Crows Nest—NPA) (5.55 p.m.): I was going to say that it is a pleasure to take part in this debate, but I do not think that it is a pleasure at all. It is disappointing because this is a case of "here we go again", although that is indicative of the ideological differences between both sides of the Chamber. When looking at events such as the shearers strike and events that have occurred since, one would think that we might have grown a little closer together and that industrial relations would have improved to the point where we could have a fair, just and reasonable system. Unfortunately, when each side of the Chamber has a turn in Government—and right now it is the Labor Party's turn in Government—the pendulum is shifted, and usually it gets shifted a little too far one way or the other. If a Government shifts the pendulum too far one way, there will be a lot of disagreement. That is what the Government is facing now from this side of the House and, indeed, when we were in power, that is what we faced from members opposite.

I would have thought that by now we might have drawn a little closer together because industrial relations concerns people who want employment, those who wish to employ them and those who wish they had the money to employ them. Let us not forget that while some people say that the economy is going brilliantly, many small businesses in rural and regional Queensland and Australia are not doing well. They simply cannot afford to employ people, even though they would like to. One can get into all sorts of strange and different relationships in that regard, and I think that is a pity.

I think that most would agree that one of the greatest tragedies that we face is the effect of unemployment. Unemployment especially affects young people who are seeking jobs for the first time or who may have lost their jobs for the first time. They have to try to regain their confidence, which can be shattered even if they have been out of work for only five or six weeks. After making many attempts to get work and being rejected, the effect on their morale and their psyche is enormous. When one considers the disappointments and the implications that can flow from that, one would have thought that we could have drawn a little closer in terms of industrial relations, but apparently not. That is a tragedy.

I wish to raise some points that were made by people involved in the unions, especially the meat industry union which I have had a reasonable amount of contact with in my capacity as a shadow Minister. Some people involved in the meat industry union have commented on this legislation. The following words are not mine; they are a commentary by the union on this particular legislation. One person has stated—

"The Bill does nothing for workplace reform and, particularly, it does nothing for workplace reform in the meat industry."

As I have said, I have responsibility for that area in my capacity as the shadow Minister.

Yesterday and today we have heard about what is happening in the Murgon and South Burnett meatworks. For various reasons that I will outline later, every single one of us should be worried about some of the difficulties that those meatworks are currently facing, with 500 or 600 jobs at stake. We should ascertain the reasons for that loss of employment, much of which has to do with outdated forms of legislation and outdated workplace practices. The meat industry union regards this legislation as outdated. They have stated—

"It is overly prescriptive and will stand isolated and behind the rest of industrial relations legislation throughout the rest of the country."

They state—

"It is clear that rather than be innovative in developing legislation for the future of workplace relations, the Government has pandered to the unions by developing a piece of legislation that is not dissimilar to that which existed 20 years ago."

Those are not my words; they are theirs. They continue—

"The Bill does nothing to encourage workplace reform. Rather it places barriers in the path of workplace reform."

Hon. T. R. COOPER (Crows Nest—NPA) (8.30 p.m.), continuing: Prior to the—

Mr Purcell interjected.

Mr COOPER: I really enjoy a chat with the member. We might be poles apart in certain respects, but maybe there is a meeting place somewhere in between. I am very aware that the Deputy Speaker would like me to speak through him, and if the member wants to interject, he also can do so through the Chair.

Prior to the dinner adjournment, I made the observation that industrial relations issues have been debated for many years and I would have thought that by 1999 the two sides of politics would be moving a lot closer together on the issue. However, that is apparently not so because, as I said, the pendulum swings according to which party is in power. Even though this legislation will be passed by the House because the Government has the numbers, it will be turned around again in a couple of years' time. The people in the middle are the ones who will suffer as a result. The people who suffer are the unemployed, the people who are looking for jobs and the people who like to be employed, all of whom want to get on with their lives. We can make or break them, which is tragic. We should be able to do more for those people.

Prior to the dinner adjournment, I also referred to comments on this legislation by unionists from the meat industry union. I have already placed some of the comments of those unionists on the record in Hansard. However, the pendulum will swing and this will be short-lived legislation. It will turn around again. All of the Government members who are feeling warm and fuzzy and who are dewy eyed about how magnificent all of this is should enjoy it while they can, because it will change and change. People are looking for something that is modern and relevant, and no-one can argue with that. People do not want to go back to the past—not "back to the future" as some people would say. This is Jurassic stuff, and that is a tragedy because we have the opportunity to get it right.

Some members have said that the QCCI is the only organisation that is speaking about this legislation. It is the only organisation that is game to speak. We see the same old lead boots, cement boots, deep sixes and all of that stuff. They stand over people with toothpicks in their mouths or chewing gum—they cannot do both at once. Those sorts of people make it so difficult for a normal and rational relationship to develop, which is what we should have achieved by now. We are always going back to the past, and that is so sad because so many people suffer as a result.

I wish to continue with the statements of the meat industry unionists who commented on the Bill and its impact on the meat industry. The letter states—

"The Bill does nothing to encourage workplace reform. Rather it places barriers in the path of workplace reform, reform that is desperately needed in the meat industry. The following are some specific points which cause us the greatest concern."

We have seen that recently with the South Burnett meatworks at Murgon. The warnings have been there for some time.

Mr Palaszczuk interjected.

Mr COOPER: The warnings have been there. The Minister has held that position for a year and I ask the Minister for Primary Industries: what have you done? When he had the opportunity to do something, he sent somebody up in the fast car to try to sort the show out. He inherited a great \$20m meat industry program that could have really helped people, but he took out the very things that could have helped, such as stamp duty. WorkCover has gone from \$1.3m to \$2.7m. He took those things out of the scheme that we had in place. He could have helped them.

Mr Palaszczuk interjected.

Mr COOPER: No, members opposite changed it. Instead, 500 to 600 jobs are at stake because the Minister did not act. Today he sent somebody up in a fast car because he knew we were onto him. Workplace reform, industrial relations and WorkCover all come together to make these things work.

Mr Palaszczuk interjected.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I will not tolerate across the Chamber interjections between the Minister and the shadow Minister. The member for Crows Nest is making a relevant speech. Let him get on with it.

Mr COOPER: I am making a very relevant speech and I appreciate the support of the Deputy Speaker. We have a very real problem at Murgon, and the Minister knows it as well as I do. We want to save 500 or 600 jobs, and that comes down to workplace reforms, WorkCover and so on. The Minister should just consider the fact that 500 or 600 people could be out of work because we keep getting it wrong. I am saying that it is time to get it right.

In relation to proposed section 9 of the legislation, under the heading "Working Time", the letter from the meat industry union continues, and again these are not my words but the words of the unionist who commented on this Bill—

"This is of concern because the provision is prescriptive. Does this mean that no other future industrial instruments will be able to contain hours of work that are able to be more flexible than those listed in sub-section (2)? ... Even if it does not place restrictions on future arrangements, then is it going to be difficult to negotiate any flexible working hours with this provision 'in the background' and enshrined in the legislation. The same could be said for the other parts of Chapter 2, however we see the hours of work and the ability to be able to negotiate more flexible work arrangements as a vital part of workplace reform in the industry."

These are the Government's own people who want to make legislation work. They want to make workplace relations work and they are being denied. They are commenting on the Government's legislation.

The letter continues—

"Section 69—Transmission of Business provisions. This may have an adverse impact on the Government's attempts to negotiate the sale of the QMeat plants in the next 12 months. In other words it's going to be more difficult to sell if a potential owner has to pick up the 'liabilities' of any former employees."

The Minister might like to take that on board, because if a potential owner has to pick up the liabilities of any former employees, that would have a fairly detrimental effect on the sale. The letter continues—

"Union Encouragement clauses. These provisions fly in the face of Freedom of Association provisions of the International Labour Organisation (ILO). It seems somewhat 'have your cake and eat it too' for the Government to want to pick up the unfair dismissal provisions from the ILO, but water down the Freedom of Association provisions."

Again, because of ideological reasons, we see favouritism on the one hand and detriment on the other. That does not do anything for credible work relations. The letter continues—

"Unfair Dismissal. We are opposed to the removal of the less than 15 employees exemption. This will have an impact on our retail members and our country processors. This will be just another impost by Government on small business—in the meat industry as much as in any other—particularly in the wake of the recent accreditation fee increases imposed by this hand-in-everyone's-pockets Government."

That refers to the accreditation fee increases of up to 315%. The fee went from \$280 under our Government to \$880-odd under the present Government. Those are the sorts of things that are making it increasingly difficult for these people to remain in business, and that means that jobs are at stake.

The letter continues—

"The other point that should be made is that the Queensland jurisdiction has always been a user friendly jurisdiction."

It further continues—

"Under this Government—this highly self-promotional but significantly under-performing Government—the State jurisdiction is becoming far more rigid and technical in its approach.

...

This is particularly the case with the introduction of lawyers almost unfettered right to appear. The federal system, the sensible system which the existing Queensland legislation complements, is moving in the other direction."

Tonight a lot has been said by members on both sides of the House about lawyers. They have their place. However, once they are given free rein, the sky is the limit. Their snouts will be in the trough. We have seen it all before. Tragically, that always produces an unreal result. For example, look at what happens at the Rugby League tribunals. Once the lawyers are brought in, they turn things around, and

that can ruin any organisation or enterprise. The same thing is happening with respect to industrial relations.

The letter continues—

"There is a great danger here, for those of us who want to see a separate State industrial relations system stay in place so that Queenslanders have a Queensland umpire and a regulatory environment that takes full account of Queensland imperatives."

Another point raised is—

"If employers see the federal system as being more able to deliver what is required in terms of dispute resolution and accessibility to workplace reform, then they will be encouraged to leave the Queensland system for the federal arena, the system more likely to deliver what's needed."

We have seen that happen before, depending on who is sitting on the Government benches either here or in Canberra. If people want to jump ship and go to another jurisdiction, they will do so.

At this point, I wish to give credit where it is due. We are fully aware of the immense work that the shadow Minister for Employment, Training and Industrial Relations, the member for Clayfield, Mr Santoro, puts into this portfolio. He is more in touch with reality than any Government members, who are happy to work with only the union movement. Today I heard the member for Barron River refer to the independence of the Griffith University body. We have to be joking if we think we are going to get a fair, independent and impartial view from Griffith University. Most of us would know that, in particular the AWU members opposite. They will not get independence; they will get what they ask for. They might pretend that they have a halo around their head and say, "Aren't we brilliant", but businesses, including small businesses, will suffer enormously. That is the tragedy of legislation such as this. It will not work. It is temporary and, in time, it will go. Unfortunately, it will be the people who will suffer.

I have mentioned the meat industry and the pastoral industry. The Minister for Primary Industries would know as well as I do that the sun, in its rising and setting, does not take any notice at all of hours of work. People in the rural sector must work with Mother Nature, not against her. Therefore, people must work from 4 a.m. till, say, midday and then from about 4 p.m. or 5 p.m. till 8 p.m. or 9 p.m., or for as long as there is light. That is the way it works. We cannot prescribe working hours in those circumstances. If we have not learnt that in 200 years, there is something wrong with us. There are too many prescribed hours in this legislation. It will not and cannot work. Flexibility is vital. I could say that until the cows come home, but nobody opposite wants to know about it. Too many Government members have had no experience whatsoever in primary industry. So many people in rural and regional Queensland are reliant on work in primary industries. If the Government intends to stick to the inflexible, hardline, prescribed hours, we are back to where we started. I thought all of that had been broken down. One day we will learn.

The letter continues—

"The fact is that the modern economy—the modern economy that Queensland's great rural industries and energetic rural work force support and from which they must be allowed to prosper—does not respond well to heavy-handed Government intervention that flows not from economic demands but from outdated politics."

As I said, it is all outdated. This is the Government's last hurrah. Who wants to be part of this Jurassic Park-type operation? This system has gone, and most honourable members on both sides would acknowledge that. There are far greater prospects for people who want to work—and for their kids if they want to follow on—if we move with the times. The Labor Party has made some great advances—and we recognise that—since the shearers strikes. Those gains have and should have been made. We recognise that. But do Government members want to keep turning back the clock so that people cannot possibly be masters of their own destinies? Most people want to be masters of their own destinies and to be able to make their own decisions. They want freedom of choice and they want to be in control. One of the greatest things we learned after the last election was that people want to be in control.

Time expired.
