



Speech by

Hon. J. FOURAS

MEMBER FOR ASHGROVE

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INDUSTRIAL RELATIONS AMENDMENT BILL

Hon. J. FOURAS (Ashgrove—ALP) (11.38 a.m.): I am pleased to take part in supporting the amendments to the Industrial Relations Act 1999. Earlier this year, a *Four Corners* program highlighted the plight of Australia's working poor. Workplace Relations Minister, Tony Abbott, jumped on a statement by a housekeeper who was earning \$425 per week that she liked her job. He responded, 'What is the argument about? That lady likes her job.' The Howard government wants Australia to go down the American road of unfettered labour market deregulation, and coalition politicians like Mr Abbott need to deny the social consequences of this policy.

Interestingly, in the 1960s John F. Kennedy summed up the expectations of rising prosperity in the United States by stating, 'When the river rises, every boat on the water rises.' What a wonderful concept! The day in the sun, the happiness, the capacity for us to have increased living standards—they are part of the concept of all-for-one, one-for-all. That is no longer true. As a result of the deregulation of the labour market in the United States, between 1980 and 1999 the incomes of the poorest 25 per cent of working families dropped by 21 per cent in real terms, adjusted for inflation. During the same period, the incomes of the top 25 per cent of workers jumped up by 30 per cent in real terms. This is what we are seeing in this new era of labour market deregulation. Australia's number of working poor is rising annually. It is sad that Australia is following the US pattern of having working families living below the poverty line. I think that we need to make sure that we treat every member of our society with fairness and equity.

Recently, the minister and I were involved in a discussion with Greg Combet about the fairer hours working case that is before the federal commission. I am just amazed at the line being taken by employer groups and the federal government on what I think is an undeniable case that Australia has to look at the fallout of excessive working hours and unpaid overtime worked by workers. I am aware of the experience in Europe where they tried to lower the number of working hours both for family reasons as well as for equity reasons. It has been a tremendous success. When some Scandinavian countries implemented that system, there was the usual argument that the country was on the road to ruin and working hours should not be limited. There is no doubt at all that, in terms of OECD countries, Australia is at the top of the tree for the number of hours that our workers work as unpaid overtime. In this working environment, people need to keep their jobs. Of course, they get their arms twisted, for the good of the cause, to work unpaid overtime.

But excessive hours of overtime has a great impact on families. I talked to Pat Purcell about this issue, who told me that when his union, the building workers, went down the road of limiting working hours, some of the members were extremely concerned that that would impact on their income. Of course, to some degree it does. But from talking to the member for Bulimba, he assured me that, as a result of what that union did, the workers lived with that and were able to take their children to soccer, to the beach—to have time with the family. As well, as a result of reduced working hours more people actually end up in the workplace.

Some time back on Radio National, George Negus was talking about how he had just been to Italy. He said that the Italians did not get that caught up with issues such as economic rationalism and globalisation. Unlike people like me, that is not the sort of thing that they talked about in their spare time. Nevertheless, George had a friend whom he used to go to soccer with. George loves three things

in life: food, politics and soccer. On asking his friend about what made him happy, his friend said, 'As long as the pasta is al dente, as long as the sauce is tasty, as long as I can go to the soccer every weekend and occasionally my team wins, and as long as I can go home and hug my wife, what else is there in life?' I think that we really have to find what we are about in today's world. We have to accept the fact that we are not made happy by a few extra dollars in our pockets; that happiness is not related to whether we have more than enough—unlike, of course, the working poor. Most of them are not working enough hours and those who have full-time jobs are working for \$425 a week, which is totally unacceptable in a society as rich as ours. I suggest that people on both sides of the political fence take off their ideological hats and think seriously about the benefits, as the people in Europe are getting, of making sure that people work reasonable hours of work and have a reasonable balance between work and play, between family responsibilities and their responsibilities to their boss. That is very, very important.

I thank Madam Deputy Speaker for her tolerance. I will now turn to the bill. As it is an amendment bill, I ought to speak to the amendments. I understand that this bill is about a fair go. It is about trying to create a climate that is beneficial to workers, employers and, ultimately, all Queenslanders. In 1998, the Beattie government set this direction for the Queensland industrial relations system with the establishment of the independent tripartite industrial relations task force. This task force undertook an extensive investigation of industrial relations systems and major issues arising out of changes in the labour market. There were a lot of submissions received from employers and industrial organisations and other interested parties. The message from all of those groups was that Queenslanders wanted an industrial relations system that was fair. We did not want a system similar to the one that exists in Victoria whereby meatworkers, who had never been on strike, were in a debate about enterprise bargaining. The employers set up agent provocateurs so that they could get union officials sacked. As a result of this lack of agreement, there was the longest legal lockout by an employer. What happened at the end of that lockout? The workers were asked to sign individual agreements at more than 30 per cent less than they were getting paid. That is the unfettered labour market deregulation that Mr Abbott and the other members of the coalition government in Canberra want. Those opposite would have gladly sold our industrial relations system to the federal government. There is no doubt at all that Santoro, had he survived—and we are very fortunate to now have a new and exciting member—

Mr Purcell: And a gorgeous member.

Mr FOURAS: And a gorgeous member—to replace Mr Santoro in this chamber. We are well rid of him. He wanted the law of the jungle as an aspect of our industrial relations policy here. We want a level playing field.

Mrs SHELDON: I rise to a point of order. It is entirely unfair to say that Mr Santoro wanted the law of the jungle. That is a ridiculous statement and not worthy of Mr Fouras. Mr Santoro wanted equity in industrial relations and he wanted equity for employers, which is something that Mr Fouras does not.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! There is no point of order.

Mr FOURAS: I am pleased to know that, unlike her leader, Mr Quinn—if I am allowed to digress—the member for Caloundra wants to support the candidature of Mr Santoro to return to this parliament. I wish her well. I would like Mr Santoro to be judged by the public once more. I will get back to the bill.

Restoring the independence of the Queensland industrial relations commission is a proud achievement of the Beattie Labor government. We also have great pride in the introduction of the peace obligation period and the bargaining in good faith requirements into the enterprise bargaining processes. Labor also provided a range of awards and agreements that are fair and flexible in order to suit the needs of all employers and employees. The fairness of the present Queensland industrial relations system is undeniable. Undoubtedly, we have the best industrial relations system in Australia. Compared with the previous coalition government, there are substantially lower levels of industrial disputations and the number of unfair dismissal applications continues to fall. Of course, Mr Abbott wants to make it easier for people to unfairly dismiss people. That is really what it is all about. It is unbelievable that people such as Mr Abbott, who has no concern for the workers—he does not care about them at all—just want to make it easier for people to be sacked unfairly.

Labor has provided a range of awards and agreements that are fair and flexible which meets the needs of both employers and employees. However, during the term of the previous state coalition government there were higher levels of industrial disputation and a much higher number of unfair dismissal applications. That number is now falling, and that is quite a healthy sign as to the acceptance of and adherence to this government's legislation. Even if people do not like the legislation, they are law abiding. Legislative guidelines are needed when people try to push an issue to the limit and they are also needed so that people behave in a much better way.

Mr Purcell: Most people are law-abiding citizens.

Mr FOURAS: Yes, people generally are law-abiding citizens. The government is committed to continuing a fair-go approach with this amendment bill. As well as clarifying some of the existing provisions, the amendments contained in the bill introduce a number of new initiatives that will ensure fairness and equity and benefit both employers and employees. Another major function of this amendment bill is to implement the government's election commitment to introduce an updated work and family package, including parental leave, carers leave and bereavement leave for long-term casual employees—that is, those employees who have been employed in continuous service for at least 12 months. This commitment recognises the growth in the number of casual employees in the workplace in Queensland, which now equates to 30 per cent of the work force.

I was very annoyed during the election campaign when the coalition government talked about how many jobs it created but I thought it was unfortunate that most of those jobs were created on a casual and part-time basis. That is a sad reality. This amendment bill recognises that sad reality. Many casual employees are engaged on a regular and ongoing basis. They are very much like permanent employees in today's working environment. Therefore, we have to recognise that and recognise that they require protection in industrial relations legislation. In these circumstances, a fair go means that long-term casual employees should be given the same unpaid family leave entitlements as full-time and part-time employees. The great benefit of this initiative is that it helps employers retain their most highly trained and experienced casual employees by encouraging these employees to balance their work and family commitments and enables them to have the ability to have time off to have a child or care for their sick families. Good employers would recognise the need for this. Indeed, the federal Industrial Relations Commission recently followed the Queensland lead and introduced parental leave for long-term casuels. Major employer associations supported this change.

The Beattie government is strongly committed to ensuring that no employee—regardless of whether they are casual or permanent—may be discriminated against simply because they are pregnant or have other family responsibilities. This bill also moves to further strengthen the protection for employees in this respect. In terms of a fair go for everyone, the government's commitment to implement the recommendations of the pay equity inquiry speaks volumes. The key feature is to ensure that awards and agreements provide equal remuneration for men and women employees performing work of equal or comparable value. There is a gender pay gap in Queensland. We need to try to address that situation. Again, good employers would be very supportive of such a change. This bill will also ensure that the Queensland Industrial Relations Commission establishes a fair minimum wage regardless of whether workers are covered by an award or not. In establishing the minimum wage, the commission will continue to carefully weigh the needs of employees and employers as well as broader economic and public interest concerns. The pay equity amendments will help ensure that all men and women workers get a fair go in the workplace. These changes will also be good for the economy, because fair wages will ensure that women are not discouraged from seeking work.

Other aspects of the Queensland industrial relations system that have been clarified in the amendment bill before the House relate to legal representation and costs. The bill clarifies the rights and responsibilities of parties to have legal representation when appearing before the commission. These provisions allow parties appearing before the commission to have access to appropriate representation whilst ensuring that the industrial relations system is freely open to all parties acting in good faith without becoming unnecessarily legalistic or expensive. Legal costs may be awarded in appropriate circumstances, including where a party makes an application vexatiously or without due cause or unfairly causes costs to be incurred by another party. Again, these provisions are all about ensuring a fair go for everyone who wishes to appear before the commission. The bill also introduces a range of other amendments dealing with issues such as bargaining processes, time and wages records, annual leave and the transmission of business. The common element for all these changes is that they are aimed at finetuning an industrial relations system that is already fair, open and even-handed. I commend the bill to the House.
