



Speech by

Terry Rogers

MEMBER FOR REDCLIFFE

Hansard Wednesday, 10 May 2006

WORKPLACE HEALTH AND SAFETY AND OTHER ACTS AMENDMENT BILL

Mr ROGERS (Redcliffe—Lib) (9.53 pm): I rise to speak to the Workplace Health and Safety and Other Acts Amendment Bill. The objective of this bill is to provide authorised representatives of employee organisations with the capacity to contribute to workplace health and safety in relevant workplaces and areas under the Workplace Health and Safety Act 1995. I will repeat that so that members understand it. The object of this bill is to allow union representatives unrestricted access to workers in the workplace.

This bill was introduced with limited external consultation in response to aspects of the Commonwealth's workplace relations amendment act 2005. Overall, this bill is an attempt by this Labor government to reinstate unions' random right of access into workplaces. Previously, union powers of entry into workplaces have come from the state's Industrial Relations Act 1999. Although union representatives will require a permit issued by the Queensland Industrial Registrar, these representatives will be allowed to enter workplaces which employ their members or eligible members if there are suspicions of any contravention. My concern is: what can be considered as reasonable suspicion? What is reasonable to the Labor government?

This suspicion statement opens workplaces and employers up to right-of-entry exploitation by union representatives requiring them to provide only an as-soon-as-practicable warning. We can see it now: union representatives inspecting and observing workplaces and only advising of their presence if and when they stumble across the employer. They do not even have to advise of the outcome of the inspection. This is an exploitation of union rights, and I have reservations about the lack of definition of the circumstances by which suspicion can occur. This bill exposes workplaces to allegations and accusations regarding health and safety. It can simply be a vendetta against the employers.

I was approached by Master Builders Queensland. It opposes this legislation in its current form on various grounds including its ability to legitimise unwarranted and questionable union behaviour by empowering representatives with the legal authority of inspectors without comparable training to that of the current workplace inspectors. I might add at this point that my wife is an architect and builder, and she is running a rather large work site at the moment. She had inspectors from Workplace Health and Safety turn up there today. That made me think: these are government-trained, government-authorised inspectors. So why does this government have to pass legislation giving the unions duplicate powers with lesser training? Do we not have faith in our own system that we already have in place that we are already governing?

The non-compliance penalties that are in force through this legislation are also disgraceful. The only people liable for the charges or fines are the employers. There is absolutely no accountability on the part of the union or any thought to the detrimental effect that may come from false allegations made against the workplace. The bill proposes special and unreasonable powers to be given to union officials. The legislation opens the floodgates for union interference, disruption and infiltration of workplaces. Nowadays in most workplaces health and safety professionals are a part of management and business operations. This legislation undermines the progress and jeopardises any existing workplace arrangements. The bill in its current form is negative, shameful and extreme, and it is obviously the brainchild of the Labor

government and its union backers. Is this the price of the looming state election? Is funding for the Labor Party so desperate that it has to introduce legislation like this? The potential impact of the proposed changes is substantial, and this is a shocking attempt by the government to force union observation into workplaces in this state.