



Speech by  
**Gary Fenlon**

**MEMBER FOR GREENSLOPES**

Hansard Tuesday, 30 October 2007

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**WORKERS' COMPENSATION AND REHABILITATION AND OTHER  
ACTS AMENDMENT BILL**

**Mr FENLON** (Greenslopes—ALP) (3.40 pm): I rise to speak in support of the Workers' Compensation and Rehabilitation and Other Acts Amendment Bill. In doing so, I will reflect in a general sense on the importance of work to human beings and to society in general. It was philosopher Friedrich Engels—I think the Germans would correct my pronunciation—who wrote about a utopian world in which human beings would be liberated completely and be free from work.

I think we have come a long way from those times, especially those utopian visions. I think today we appreciate the importance of work to human beings and the way that work is a central part of human activity. We often see that people who retire have withdrawal complications because of the relationships they lose through their workplace. Work itself is something that gives great meaning to people, especially where there is some modicum of craft, intelligence, creativity and adaptation of skills to that work. That gives people great satisfaction. It is a very important and central part of their lives.

This piece of legislation that we are dealing with, and the master piece of legislation which it is amending, is very important because it has at its centre the philosophy that it is important to get people back to work as quickly as possible so they can continue to contribute to society and continue to bring home a pay packet, in the old parlance, for their families to be able to live in a comfortable manner. This piece of legislation is important because it reinforces the principle that we get people back to work quickly and that the system which is in place for doing that is well sustained. I congratulate the minister on being so cognisant of the issue of the viability of the system itself and the importance of maintaining it over time.

I say this also in the context of what we have seen in recent years as a change in the overall environment—we call it an industry—in terms of the greater competition and the need for this Queensland scheme to be competitive nationally. We are doing so in such a way that, as we have already heard in this debate, we are leading the way in setting a national standard and leading in the competitive marketplace.

It is in that competitive marketplace that the federal government also features, and I would like to touch briefly upon the issue of the federal intrusion into this marketplace. The Queensland government is disappointed that the Commonwealth chose to ignore the concerns of the states and territories and push ahead with changes to its workers compensation and occupational health and safety legislation. While the states and territories have made significant progress to achieve greater consistency in these laws, the Commonwealth changes can only be seen as a race to the bottom. Changes made by the federal government mean that some large employers choosing to self-insure under Comcare are covered by the Commonwealth occupational health and safety legislation and are excluded from state and territory laws. This results in greater complexity and fragmentation of the workplace health and safety coverage and creates uncertainty as to the standards that apply at workplaces. For example, national self-insurers come under Commonwealth safety laws. However, the Queensland employer choosing to contract to a national self-insurer is covered by Queensland's safety laws and has obligations under Commonwealth safety laws. A key issue is that Comcare does not have the necessary inspectors on the ground to enforce safety laws.

Workplace Health and Safety Queensland employs around 240 highly trained inspectors to promote compliance with workplace health and safety laws. As I said, work is central to people's lives and safety in the workplace is the corollary of that. People need to be guaranteed that there is a safety net and appropriate mechanisms in place to enforce compliance and to make sure that they are safe at work. Without these necessary inspection and advisory services, we may ultimately see increased injury risk for these workers and increased claim costs for their self-insured employers—something that is a very undesirable prospect. This is certainly not good news for Queensland workers or business, and I am sure that business would agree with this overall, because business has an equal commitment in this process. I know it is the intention of the good employers in Queensland to make sure that their workers are safe in the workplace.

The Commonwealth's decision does not stack up for Queensland workers or employers. It is again the Commonwealth pursuing the interests of big business at the expense of small and medium sized business. While the states and territories are working to achieve greater uniformity in OH&S and workers compensation arrangements, recent actions by the Commonwealth government run counter to these processes. This is another reason we should be advocating that voters in the federal election should exercise their choice very carefully in rejecting the Howard government, because this is just another in a litany of poor decisions and poor laws that have undermined working people and working families in this country. I commend the bill to the House.