



Speech by

Robert Messenger

MEMBER FOR BURNETT

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INDUSTRIAL RELATIONS ACT AND OTHER LEGISLATION AMENDMENT BILL

Mr MESSENGER (Burnett—NPA) (4.47 pm): I am pleased to contribute to the Industrial Relations and Other Legislation Amendment Bill 2007. It gives me an opportunity to reaffirm my commitment to ensuring that Queensland workers are given a fair go by all employers.

I was brought up in a family where back-breaking physical hard work put food on the table, clothes on our backs and a roof over our heads. My father was a canecutter and a union member. I remain a member of a union, the MEAA, because during my time in the media I understood the advantage that workers have in collective bargaining and that there is strength in numbers. From personal experience, I would encourage workers to join a union.

However, I do not like being told what to do or being stood over by overbearing bosses, whether they be business or union. If I can get a better deal for my family on an AWA, I should be entitled to have that choice. It is my decision, just as it is my decision whether or not I join a union. Sometimes, what is good for the union is not good for the worker. I well remember my father telling me how the union officials would patrol the cane fields to make sure that the canecutters did not work after 4 pm. It was a union rule or policy that stopped those canecutters who were willing to put in the extra effort and longer hours from earning more income for their families.

This legislation is shaping up to be another bureaucratic layer which is designed to protect not the workers but the union elite, the Labor Party spivs and the hangers-on. It is legislation which focuses on the rights of workers in the Queensland private sector and ignores the rights of the workers employed in the state public system. If the minister's words in his second reading speech are to have any sincerity and credibility, 'The Queensland government remains committed to facilitating and encouraging the fair treatment of all workers', then surely the 200,000-odd Queensland state government employees should also be cared for by the ombudsman and the Workplace Rights Office, which is established by this legislation.

The shadow minister and Deputy Leader of the National Party has had more to say on this, but needless to say the strong smell of hypocrisy is lingering over this legislation should the minister, his backbenchers and his government fail to support our shadow minister's amendments. After all, it is the workers employed by this state government who are continually having their rights eroded and abused. I know, because many of those employees have approached me for help in the areas of health, child safety, ambulance, corrective services and police, just to name a few. All of those state government employees have very similar complaints: underfunding, underresourcing and a 'don't care, we won't listen' attitude as well as an inflexible and slow decision-making process.

Combine those complaints with abysmal ministerial management—management which is driven and dominated by political spin doctors—and excuses such as, 'We can't have a police helicopter' as that would be an admission of a crime problem, and we have a recipe to create crisis after crisis because the service delivery of all government departments is declining.

While this government is out flogging the private sector with another layer of red tape and pointing fingers at Queensland businesses for employee abuse, it is forgetting its own workers who are being abused. One of the government's sneakiest methods of abuse is excessive casualisation of the public sector workforce. Make no mistake, I have nothing against the employment of casual or part-time workers. Casual workers are an important tool for management. Casual or part-time workers can fill temporary gaps in the staffing levels when holes appear from sick leave, holidays or sudden resignations, but that tool of casual or part-time employment in the hands of this state government keeps a workforce cheap, compliant and afraid to speak out about workplace bullying or health and safety concerns.

We can find no greater example of that than in Queensland Health. It was nurse whistleblower Toni Hoffman who alerted me to the fact that there was a high rate of casualisation in Queensland Health. I can remember before the last election when Toni came to me and said, 'Rob, there's a problem with nurse numbers. All you have to do to solve that problem is to create more permanent positions within Queensland Health. There are so many nurses who apply for a job within Queensland Health and they have to wait for someone to die before a full-time position becomes available, so they then go and work outside their profession.' They work somewhere else. They work packing shelves at Woolies, but they want that full-time, secure job. They are just like the rest of us. We all want to be able to have that security of tenure so we can afford the mortgage, so we can do the salary sacrifice, so we can give that security to our family.

While listening to the member for Gympie, I had a strange sense of déjà vu. I listened to how teachers were intimidated with a breach of their code of conduct. It was the same breach that was threatened to the nurses of Bundaberg as well. How well I can remember being told by Toni how all the nurses in the ICU were lined up and read the riot act: 'Whoever spoke to Rob Messenger will be thrown in jail.'

Government members: Ha, ha!

Mr MESSENGER: I acknowledge that laughter, because that is how seriously this government takes workplace bullying. The threats, the intimidation and the psychological bullying continue. It is a fact. It has been proven to be a fact by a number of royal commissions. Those opposite can shake their heads all they want, but it is a fact.

If the minister has any intestinal fortitude I would like him to make a commitment right here and now in his summing-up that any employee of the Queensland government who goes to their local member will not be bullied, intimidated and threatened with a breach of a code of practice within their workplace employment.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Would the honourable member please direct his comments to the bill.

Mr MESSENGER: Thank you, Mr Deputy Speaker. Still speaking to the issue of casualisation, which is used as a means of workplace bullying and intimidation, I would like to read a letter I received from a constituent who is the mother of a Burnett healthcare worker. She writes—

I just wanted to enquire about the employment position at the Hospitals. My daughter ... has been working at Childers hospital for 2 years. Then started doing some shifts at Bundy. Bundy and Childers were always arguing over who was going to have her, she is only on part time.

The pay office is forever reducing her hours and then they end up taking too many hours away from her which is totally unfair?

I am puzzled why they won't put on permanents but continue to put on casuals this also affects the nursing staff, as how do they think they can get home loans or show secure incomes, just so they don't have to pay them for holidays?

We went guarantors ... to get her loan but now the work situation is a bit stuffed. She had no hours last week, but this week is everyday.

Why can't Queensland Health be made to employ people when it is clearly shown the staff is needed and then only have one or two casuals?

At Childers they multitask—

which is what their daughter has done—

so she can do grounds, kitchen or wards person. We would really appreciate if you could look into this, I have told her to leave the Health system but she wants to stay, she loves the work she just wants to be able to make her mortgage payments without having to eat rice all week.

On page 12 of the minister's second reading speech at point k. he talks about the QIRC having the power to control the activities of unregistered employee associations. One employee association that may be affected by this section is the Queensland Prison Officers Association. It is both a private and public employee association. This association has a membership of over 800 prison officers, or more than half the prison officer population in Queensland, and yet strangely this government refuses to even recognise that it is a legitimate stakeholder in the Corrective Services department. One of the Queensland Prison Officers Association's main concerns, once again, is the high rate of casualisation of Queensland Corrective Services. I recently asked the minister in a question on notice whether she would explain why

more than 25 per cent of Corrective Services staff are employed on a casual basis and whether she sees this number increasing. Her answer was—

The establishment of Queensland Corrective Services is constructed by the employment usage of all permanent and casual staff. The permanent employees form 83.4 per cent of this establishment and employees working casual and full-time temporary work form the remaining 16.6 per cent.

This means that it takes 16.6 per cent of the workforce to support the permanent staff in the delivery of their services. In a key portfolio such as Corrective Services, I am not comfortable, and neither is the Prison Officers Association of Queensland, with a non-permanent workforce of almost 17 per cent. I would have thought that an acceptable and safe percentage of non-permanent workers would be closer to five per cent. That high rate of non-permanent employment leads to instability and has a devastating effect on the family unit.

Mr Hoolihan: When were you an employer?

Mr MESSENGER: The Wacol relief pool is a particular problem in Corrective Services. I take that interjection from the member for Keppel. I was an employer for about 10 years. I ran a small business. I had up to about 10 employees. I am in a unique position. I can see it from both sides of the fence: from a union member right through to a boss.

I am very concerned about the Wacol relief pool. It is a particular problem for Corrective Services. I have just heard about a prison officer who cannot even tell his kids if he can go to the park or go fishing next week. He cannot make plans for next week. We are talking about an employee of this Labor government who has been paid a regular wage but he has been kept dangling. Every day he has to wait by the phone to find out whether he gets work or not. He cannot even plan his family life.

The casualisation of Corrective Services builds into the system a greater capacity for corruption. In relation to Corrective Services we have all the signs that we have another Beattie-made crisis on our hands. Our jails are flooded with illicit drugs, making it an even more dangerous workplace. Brian Newman, the President of the Prison Officers Association, states in relation to working conditions in our jails that the Beattie government pledges in various literature to maintain a zero tolerance policy regarding bullying in its workplaces. The truth is that not only is that a grossly misleading statement but also has become one of the greatest jokes regarding the Beattie government. Every day Queensland public servants are subjected to various types of bullying ranging from abusive exchanges in front of coworkers, spreading gossip, constant ridicule and putting down to actively sabotaging work assignments and unjustifiably criticising workers often about petty, irrelevant or insignificant matters.

Despite these matters being reported to more senior staff than the bully themselves, the Beattie government continues to allow bullies to bully and victims to be silenced by either ignoring their cries for help or paying hush money to the victims and forcing them out of the workplace while the bully is free to prey on their next victim unimpeded by the Beattie government's so-called zero tolerance policy. We often see public servants such as prison officers gagged with non-disclosure orders after being bullied. While everyone likes to have large sums of money thrown at them, nobody likes not getting an opportunity to tell their story, some of which have long-lasting and sometimes devastating effects. Many bullied victims experience thoughts of suicide and other forms of self-harm and again these regularly result in significant injury to the family unit and too often it is to their destruction.

If passed, the amendments proposed by the Deputy Leader of the Nationals would allow the ombudsman to investigate allegations of intimidation and bullying of Public Service employees such as our police. The police force, because of poor industrial relations between its members and this Labor government, is facing an unprecedented crisis. There have been three votes of no confidence in the Premier. The sign-on rate is barely keeping track with record resignations. The Queensland Police Union Journal shows that there were 750 new members, but when resignations are taken into account there is a net gain of only 181. Police officers are leaving in droves. They are faced with life and death incidents every day and never know exactly what they will face when they put on the blue uniform and sign on for work.

Work may start at 6 am for some police; for others the shift begins at 10 pm. Each officer does this often thankless job by choice. As the police enter into another round of enterprise bargaining, it is clear from many police who I have spoken to that there is only one way to stop this mass exodus of experienced police, and that is to pay them more. The Queensland Police Service has the highest rate of separations across all the larger police services and is probably the lowest paid of the big three. It is important that police are paid well to maintain the high standard of the service and be able to entice skilled people into the service as well as encouraging those officers thinking of leaving to stay.

In closing, I strongly support the shadow minister's amendments. I simply note that employers and small businesses should be allowed to get on with the job of creating more employment and securing this state's prosperity and not be the meat in the sandwich in a political battle—a turf war—over industrial relations policy and jurisdiction.