



Speech by
Curtis Pitt

MEMBER FOR MULGRAVE

Hansard Tuesday, 10 July 2012

SOUTH-EAST QUEENSLAND WATER (DISTRIBUTION AND RETAIL RESTRUCTURING) AMENDMENT BILL

Mr PITT (Mulgrave—ALP) (12.05 pm): This is a bill that has little to do with the cost of living and everything to do with attacking workers' rights. As acknowledged in the report of the State Development, Infrastructure and Industry Committee, there was not 'any meaningful consultation or consideration of the policy issues in the bill' and, as a consequence, the report 'contains very little evidence highlighting the concerns of those groups most affected by the legislative proposal'. Those groups most affected by the legislative proposal are indeed those employees, unions and councils that were not consulted.

As the explanatory notes originally set out, this legislation will mean that staff in the distribution and retail water entities, including those returning to councils, will now be exposed to possible forced redundancies and the loss of employment entitlements, such as salary maintenance provisions and work travel allowances. This legislation, as detailed in the formal legal advice of the explanatory notes, is a breach of natural justice. It results in the removal of two workforce frameworks and the stripping of workers' conditions with no consultation.

The Deputy Leader of the Opposition was ignored by this government when he wrote to the committee asking for unions and workers to at least have an ability to voice their position at a public hearing with public submissions. It is concerning in the extreme that this government seeks to legislate away existing worker entitlements and conditions in this manner.

This legislation also represents yet another broken LNP election promise. During the election campaign the Premier wrote to unions stating—

In delivering our water plan, we will be pleased to work with the employees of Allconnex Water, along with other water providers and their unions to achieve the best outcomes for workers that are affected by any changes that take place.

It does not matter how much you try to spin it, this legislation has involved none of this. The employment frameworks being repealed by this bill are the SEQ Distribution and Retail Water Reform Workforce Framework and the SEQ Distribution and Retail Water Retransfer Workforce Framework. These two frameworks cover thousands of employees in the distribution and retail entities and hundreds in local government.

Such is their lack of regard for jobs that the minister and LNP members cannot even provide or detail the number of employees impacted by this legislation. In response to a question on notice put to the director-general, it has been revealed that there is no known precedent for this legislation's removal of employment protections and conditions—no known precedent for this removal of workers' rights and no consultation.

One question that remains unanswered is for the minister. As part of the cabinet approval process, and as set out in the Cabinet Handbook, there is a heading required called 'Results of consultation'. When asked to release advice as to whether the department recommended for or against consultation for this legislation or of any potential impacts, it refused. The minister needs to tell Queenslanders whether he ignored departmental advice to consult with unions about their rights and to back this up with evidence.

Prior to this legislation, the SEQ Distribution and Retail Water Reform Workforce Framework had an expiry date of 30 June next year. The expiry date for the SEQ Distribution and Retail Water Retransfer Workforce Framework was 30 June 2015. It is not unreasonable to assume that staff would have been planning for their futures with a degree of certainty and made financial decisions, such as purchasing a house or a car, with the understanding of having security of employment and receiving the same entitlements and levels of pay. While there is protection in this bill for employees who had received payments under the 2012 workforce framework from having to make repayments under retrospective removal, there is no indication of whether other employees yet to receive payments would be relatively disadvantaged. This legislation will mean that staff affected by this bill will no longer receive the outcomes negotiated with their employers. This legislation is quite simply unfair.

I note that this bill does, however, seek to protect Allconnex and withdrawn councils—note, not protect employees—from claims or commitments made while the 2012 framework was on foot. In his introductory speech to this bill, the minister said that Unitywater had estimated a \$2.8 million saving from the removal of the 2009 workforce framework in 2012-13. It is clear from this statement that the government was, indeed, prepared to undertake consultation. But this consultation was with the distribution and retail water entities about this legislation—the employers, but not the employees. Just as this minister will not tell us about certain informal legal advice and as to whether he was advised to consult with unions, I am doubtful that he will tell us what these estimated savings are from.

The minister also mentioned that there was no protection from forced redundancies in the Unitywater enterprise bargaining agreement. No indication has been provided of how much of these proposed savings would be from job cuts. The employee frameworks being repealed by this legislation were negotiated with unions to protect employees' rights during their transfer to new entities and included conditions such as travel entitlements and guarantees they would be no worse off. This bill is not about a 'level playing field', as claimed by the minister. On a 'level playing field' all of the players have to be on the field. 'On a level playing field' means that all parties have input into a process. On a 'level playing field' agreed conditions and entitlements for employees are not legislated away.

The minister claims this bill is about an urgent reduction in the cost of living, but he cannot say what this legislation would deliver in savings on water bills or guarantee that any savings will be delivered. The explanatory notes merely state that 'any cost savings would be a decision for the employer'. This legislation is rushed and poorly considered. There is both no evidence of how it lowers water bills and no proper consideration of the impacts on workers. The government talks a lot about reducing the cost of living. One way to ensure that cost-of-living impacts are not hurting families is to ensure that people have jobs and job security.

It is worth mentioning here the origins of the setting-up of these three distribution and retail entities. The previous state government had a preference for one retail and distribution entity to avoid duplication and prevent upward pressure on water prices. What did the government do at the time? The government consulted with stakeholders, as any good government should. During this consultation it was the then chair of the Council of Mayors South-East Queensland, the now Premier, who insisted that the state legislate for three council owned distribution and retail entities rather than one. The letter proving this, signed by the now Premier, has been tabled in this House before and I encourage people to look at that. So for the LNP to come in here and blame Labor for providing what local governments asked for—that is, three distribution and retail entities—is complete hypocrisy. While the previous government was focused on keeping water bills down, absorbing a loss on the state-owned bulk water businesses of over \$400 million, the former Lord Mayor of Brisbane, now the Premier, was taking a profit through dividends from Queensland Urban Utilities.

The LNP went to the last election promising a saving on water bills of \$80 from their plan. We have already seen the \$120 saving promised for electricity bills evaporate. We have seen the LNP's car registration commitment fail to deliver a \$15 to \$20 saving on bills. And now the LNP have effectively walked away from an \$80 saving on water bills. This is yet another case of all promise and no delivery from the LNP, who have quite simply let Queenslanders down. As I said at the outset, the Labor opposition is not able to support this legislation. It is without precedent and without consultation. It is the third legislative strike by this government on workers' rights.