




Speech by

Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Hansard Tuesday, 30 October 2012

HOLIDAYS AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.58 pm), in reply: I thank honourable members for their contributions to the debate on the Holidays and Other Legislation Amendment Bill 2012. The bill will, from 2013, result in a permanent move of the Labour Day public holiday, which is currently celebrated in May, to the first Monday in October.

Mrs Miller: Only until we get back in.

Mr BLEIJIE: And let it be a long, long time before you get back in, member for Bundamba. Then the workers will have forgotten her great contribution to this debate today.

This bill will result in the permanent move of the Labour Day public holiday, currently celebrated in May, to the first Monday in October and it will reinstate the Queen's Birthday public holiday to the second Monday in June. Consequential and clarifying amendments to the Industrial Relations Act 1999 and state awards and agreements are also made to specify that a reference to Labour Day in an award or agreement made under the IR Act means the day observed as the public holiday for that day under the Holidays Act. Secondly, it will amend the definition of 'public holiday' in the IR Act to reflect the amended dates of observance of the Labour Day and Queen's Birthday public holidays.

I remind the House that, as I stated in my earlier speech, I will be moving a late amendment to the bill during consideration in detail. This amendment involves a minor and technical amendment to the Oaths Act 1867. The purpose of that amendment is to extend the arrangement by which Industrial Court members take the oath of allegiance and of office before commencing to hold office as members of the Queensland Industrial Relations Commission.

The proposed changes in respect of the public holiday arrangements are intended to address the continued concerns of and issues for businesses and the community as a result of the uneven distribution of public holidays throughout the year; the lack of a public holiday in June, which is particularly problematic for the tourism industry; and the inconsistency with the public holiday arrangements in the other states and territories. The proposed changes will help to achieve the advantages of properly aligned and distributed public holidays, which relates to reduced business costs; respite and rest for workers; and opportunities for the tourism industry. It is unfortunate that these changes must follow so closely the changes made by the former government and potentially cause some disruptions where events have already been planned for the Labour Day long weekend in 2013. However, this government does not want to delay the proposed changes as to do so would allow the continuation of the problems with the existing public holiday arrangements.

I would like to assure the House that the effect of the amendments proposed in this bill is to relocate the dates of existing public holidays and the long weekends created by them. The proposed amendments will not create extra public holidays, so there will be no general rise in the cost to business through requirements to fund penalty rates or paid days off on additional public holidays.

The proposed changes to the Oaths Act are to include a provision to require industrial commissioners to take the oath of allegiance and of office that applies to members of the Industrial Court. It is considered appropriate that industrial commissioners take the same oath. The amendment is

necessary as three commissioners have recently been appointed to the QIRC. However, there is currently no legislative power to administer an oath to industrial commissioners—something you would think the Labor Party would have picked up in the last 14 years in office. It took us only six months.

Protocol associated with commissioners commencing their duties involves the Queensland Industrial Relations Commission hosting a welcome ceremony for new commissioners. The QIRC would like to afford the courtesy of a formal public swearing-in to the recently appointed members at this time. To enable oaths to be taken as part of the welcome ceremonies and for the ceremonies to occur before the end of this year, an urgent legislative amendment is required. Due to the urgency of this situation, it was decided to attach this amendment to the holidays bill. The amendment is justified on the grounds that it is minor and of a technical nature related to internal practices of a tribunal.

I will now address some of the issues raised by members during the course of the debate. I thank all members for their contributions to the debate, particularly the more sane contributions from members of the Liberal National Party government.

The opposition leader started out, as she does with every speech in this place now, saying that the LNP is attacking workers in Queensland. I think it is a stock standard speech from the Leader of the Opposition. Everything we do, apparently, is an attack on the workers of Queensland. The workers of Queensland will still have a public holiday. They will still have Labour Day. They will still celebrate Labour Day; they will just celebrate it on a different day of the year. Nothing has been taken away in terms of celebrating Labour Day. Nothing has been taken away in terms of giving the great workers of Queensland a public holiday. They will have a paid public holiday and they will have the capacity to march or do whatever they want to do on that particular day, and it will be Labour Day in October.

The Leader of the Opposition tries to form the argument that we are getting rid of it. As I said, we are not getting rid of it. She relies on expert evidence provided by the Rail, Tram and Bus Union, the Queensland Council of Unions and the Australian Council of Trade Unions. She relies—as Labor Party members always do, because their preselections are based on it—on the expert advice of the unions and no-one else. If the unions have not said it then the Labor Party does not believe it. We know that preselections in the Labor Party are tied up with how many mentions the unions, and individual unions, get in this place. The opposition leader succeeded today: she mentioned the Rail, Tram and Bus Union, the Queensland Council of Unions and the Australian Council of Trade Unions and their ‘expert evidence’.

The opposition leader and a couple of the other members said that, despite this change, they will continue to march in May. I say: all power to them. Let them march in May. The Labour Day holiday is due to fall on a Sunday next year. I am happy for them to march on a Sunday. It is their weekend; they can do whatever they please on a Sunday. I am sure that they will apply for the appropriate approvals necessary to engage in that sort of activity, but what we are saying is that we will give them a paid day to march in October.

Based on this new law, if the Labour Day public holiday had been held in October this year it would have already taken place, and the weather outside is pleasant. One of the members—I think it was the member for Woodridge—said that it was 40 degrees in Western Queensland. The temperature for Barcaldine today is not 40 degrees; it is 31.2 degrees. That is a good October day. I think they could participate outside in this pleasant October weather.

The opposition leader, again, tries to ignore the facts of the situation by saying that we are getting rid of the public holiday. We are not. I and the government are completely open to people marching on the Sunday, which is when the next Labour Day will fall. They can continue to do that if they wish. If they want to march on a day that is not a weekend and not a public holiday, they will have to work that out with their employer. If the employer gives them time off, I say all power to them and let the marches continue right across the state, if they so wish.

I thank the member for Condamine, the chair of the committee, for the contribution of the committee. The government may not always agree with a committee’s recommendations, but I think that shows that the process works. It shows that we let committees do their work, despite those seven opposite saying that because we have a huge mandate we are controlling everything that happens. Governments do not need a huge majority in this place to pass legislation; they need a majority of one. As the Labor Party knows, you need the support of the member for Nicklin to form a minority government and that forms a majority—a majority of one. Whatever side of politics is in government, if they have one member—

Mrs Miller interjected.

Mr BLEIJIE: In case the Labor Party and the member for Bundamba have forgotten, the red chamber closed down some time ago when the ‘suicide squad’ of the Labor Party walked in there. We do not have a red chamber; we have this chamber. The electorate decided that they would give a large majority to the Liberal National Party. We are dealing with that. But the laws would be changed despite the majority we have in this place. If we are the government we will come into this place with our legislation, and if we have the majority it will pass. That is what the people elected us to do.

It was remiss of me not to say that today in her contribution the Leader of the Opposition made a big announcement. For seven months we have been waiting for the Leader of the Opposition to make an announcement—on anything. Today we heard a great announcement from the Leader of the Opposition. She said that the next time the Labor Party is elected it will restore the Labour Day public holiday to May. That is the biggest contribution the Labor Party opposition can make to the people of Queensland at the moment. In seven months, despite going through a budget and all the issues associated with the budget, the Labor Party says that its biggest priority in Queensland is to restore the Labour Day public holiday to May. I say to the Leader of the Opposition that their priorities are wrong. If they think that the Labor Party will get re-elected with a position of one policy announcement in seven months, I think they are kidding themselves.

The member for Condamine also raised the ETU submission, as did the member for Broadwater. The ETU submission, I think quite shamefully, talked about Anzac Day. The ETU submission states—

ANZAC Day, another public holiday in the first half of the year, is also a day of great significance because of what it stands for. On ANZAC Day we commemorate the dedication and sacrifices of the men and women who have served in the armed forces. You can imagine the public outrage that would ensue, and justifiably so, if there was a change to the date for observance of ANZAC Day. It would be unthinkable to consider moving the ANZAC Day public holiday, and for clarity, this is *not* what the ETU proposes. However for many working people, Labour Day assumes a similar significance, and to move ... Labour Day ... to October as proposed in the Bill would cause hurt and dismay to many people.

I never thought I would have seen the day that someone would stand in this place together with the ETU and say that we should not do this because Labour Day should be on the same pedestal as Anzac Day. I think that is shameful and disgraceful to the men and women who have served and died under our flag of Australia and our flag of Queensland. Using that as an example as to why we should not move it is a disgrace. For the Labor Party to uphold that position by coming in here and referring to these submissions is shameful and clearly shows that the Labor Party does believe that Labour Day should be put on the same pedestal as Anzac Day, which is in honour of our men and women who have served in our armed forces.

The member for South Brisbane talked about quite a lot—not anything really specifically in relation to the bill. Again she said that the Liberal-National government is attacking workers' rights—the same sort of drivel that we hear from the member for South Brisbane on a daily basis—but then she had the hide to start talking about teachers, the Teachers Union and the bad Liberal National Party government. I was interjecting on her at that point, so much so that the independent Deputy Speaker nearly threw me out of the chamber, because I was reminding the member for South Brisbane that it was not the Labor Party that just signed a great deal with the teachers with a 95 per cent success rate and vote from the teachers. It was the Liberal-National government.

Mr Cripps: And no strike.

Mr BLEIJIE: And no strike. I take the minister's interjection. The Labor Party could not negotiate a deal without teacher strikes. We did. Our education minister did. That was the process of negotiation, and that is what negotiation is all about. People go in with a going-in position and you negotiate. The member for South Brisbane says that it is only because we changed our mind. That is what negotiation is all about. You have a going-in position and you come out with a position that you can shake hands on and an agreement has been reached. The union supported it. It put it to the teachers and 95 per cent of the teachers supported it. If anything riles the Labor Party more than this bill, it is the fact that 95 per cent of teachers, who they claim are all members of the Teachers Union and therefore support the Labor Party, actually voted for this. Yesterday those opposite went to bed wishing that the teachers would not vote for this change to the EB negotiated outcome. That was the Labor Party's wish. Little did those opposite think, little did they know and little did they hope that they would wake up and there would be a 95 per cent success rate in the vote.

I think that that is what gets the member for South Brisbane so upset—so upset that she had to revert to her standard style of potty mouthed behaviour in this parliament and call us all sorts of names that should not be mentioned in this parliament, but she did. She did because that is the attitude, that is the Peel Street attitude, that is the Labor Party way. We have seen it today. We have seen them trying to denigrate a mother who is on sick leave with a son who is depressed. We saw the Labor Party try it today. Can members imagine if any of us in the Liberal National Party tried that against one of the Labor Party members? Can members imagine? They would be marching in the streets! They would have every organisation that looks after people with depression marching on parliament.

We never do that to the Labor Party. We are decent. We would never do that and we respect the privacy of the individual. We believe in the individual and respect the privacy of the individual. They can all look down in absolute shame because what they attempted to do today with a friend and colleague of ours, Minister Bates, while she is on genuine sick leave and with her son is quite shameful—absolutely shameful, even for the Labor Party, who at times you would think would not even stoop that low. But of course it is all politics for them. They do not care who they hurt. They do not care who gets in the way.

They do not care about the families that are wrecked and the depression it causes to people. That is what those in the Labor Party do, and they love it! That is so shameful. People who aspire right around Queensland to be politicians should never aspire for that attitude, should never aspire to believe in what the Labor Party believes in, because we should at all points try to make sure that those sorts of illnesses do not happen to anyone. No-one deserves what the Labor Party is doing, but, again, what would you expect from the member for South Brisbane? She came from Peel Street. She was the assistant director of the campaign. We saw what she did to the Premier. We saw what she did to Mrs Lisa Newman. What would one expect from the member for South Brisbane? It is in her DNA. It is in her politics. It is how she was raised. It is the political drive that she has just to hate people—just to hate people who do not believe and fit in with her ideology, and she looks down in shame! She looks down in absolute shame at herself!

I thank the member for Broadwater for her great contribution to the debate today. Thank you for reminding us that we are a government for all Queenslanders. If we walked out of this chamber and asked Joe Blow on the street what Labour Day means to them and why they get a public holiday in May, I would bet that a high proportion of Queenslanders have no idea. We have moved on. Queensland has moved on, but we are not moving on in that we are getting rid of Labour Day. We are continuing Labour Day and people can continue to have their celebrations and march in October. It is fine weather in October. It is beautiful weather outside. The member for Woodridge talked about the temperature in Barcaldine in October. She said that it is 40 degrees. It is not. I have had it checked. It is 31.4 degrees out there today—beautiful walking weather. In fact, a week earlier it probably might have been a little colder. So that is beautiful walking weather in Barcaldine with 31.4 degrees—probably not in a suit and tie but the appropriate attire would suffice. The member for Woodridge also said—and this really sums it up; this sums up the attitude of the Labor Party—that the modern Australian Labor Party was formed. It is about the Labor Party. That is what this is about to the Labor Party. It is not about some philosophical—

Mrs Miller: You don't like it, do you?

Mr BLEIJIE: I hit a nerve! I knew it! I went fishing. I love a bit of fishing. I went fishing and I got it. I did not even need a bit of bait on that! It was a lure! This issue for the Labor Party is not about a date. It is not about the name of it. It is not about what we are doing. It is not about the Tories in the government in Queensland. This is about the Labor Party—not Labour Day but the Labor Party.

Mr Stevens: 'Labour' with a 'u'.

Mr BLEIJIE: This is what it should be about—labour with a 'u'. But the Labor without a 'u' over there thinks only about themselves. They probably wish they had a 'u', but they think only of themselves in these types of debates. The member for Woodridge wrapped up the whole basis of their opposition: this is about the Australian Labor Party—L-a-b-o-r. It is not about the labour movement, it is not about the workers of Queensland; it is about those seven opposites who rely on all sorts of unions across Queensland for their preselections. So their opposition to this bill is not about the workers, as they protest; it is about the Labor Party.

Mrs Miller interjected.

Mr BLEIJIE: This is about the Labor Party branch members in Bundamba. This is about the member for Bundamba securing preselection, because the word in town is that she is out. Her new attitude in this place is getting them in all sorts of trouble.

Mr Stevens: 'Big Bill' is coming for Jo.

Mr BLEIJIE: I take that interjection from the Leader of the House. 'Big Bill' is coming for her. I know that the member for South Brisbane is circling the Leader of the Opposition like that shark in that new Australian movie that is very popular in China—I think it is called *Bait*. But I would reflect more on Sir Humphrey in *Yes Minister*, who said something along the lines, 'You first have to get behind someone before you can stab them in the back.' The member for South Brisbane is here with the opposition leader but, as we know from Sir Humphrey in *Yes Minister*, you have to get behind someone before you can stab them in the back. We know that the Labor Party is—

A government member: Right behind the Leader of the Opposition—

Mr BLEIJIE: She is literally right behind the Leader of the Opposition not only in this chamber but also out on the street—all the way to Peel Street.

The member for Rockhampton—and I will check *Hansard*—I am sure if my notes serve me correctly said that this bill is all about the LNP, or me particularly, falling for the monarchy. I fell for the monarchy a long time before today, colleagues. I need not remind the member for Rockhampton that he also swore an allegiance to Her Majesty. I can reliably inform the member for Rockhampton that Her Majesty, the great Queen Elizabeth II, did not call me personally and ask me to change the Queen's Birthday holiday back to June. I did not receive anything official from the palace. This change stemmed from a great concern in the community for the workers of Queensland. It is common sense.

Mrs Miller interjected.

Mr BLEIJIE: No, the member thinks this change is about the Labor Party—L-a-b-o-r. It is common sense. We only have to look at where the holidays in Queensland occur currently. We have Christmas Day, Boxing Day, New Year's Day, Australia Day, three days in Easter, Anzac Day and then Labour Day. The Labor Party was going to get rid of any public holidays between June and October. So the workers would go for months without a holiday. We are saying that this change is beneficial to the workers of Queensland. The Labor Party—the L-a-b-o-r over there—does not think that the workers will like this at all. The workers will love it because we are freeing up a day in a conglomerate of holidays in the beginning of the year and we are saying, 'Spend a day with your family in October and get paid for it.' So we are saying—

Opposition members interjected.

Mr DEPUTY SPEAKER (Dr Robinson): Order! Those on my left! The Attorney-General is not attacking you. He shall be heard.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. For the benefit of the workers of this state we are saying, 'We are going to get rid of the congestion of holidays at the start of the year. We are going to give you back your June holiday so you get a break in the middle of the year. Not only that, you can then have the October holiday to spend with your families away from your workplace on paid leave.' So throughout Queensland there will be a good spread of public holidays for those good hardworking Queenslanders who deserve a holiday. If they choose to march on the holiday, they can. It is a free country. If anyone wants to march at any particular time, they can.

The member for Mulgrave talked about those 24,000 submissions that were received. It was in answer to a loaded question. I think the member for Morayfield mentioned this. The question asked, 'Do you support moving the Queen's Birthday holiday from June to October?' I submit that through Labor's campaign with the unions it received a huge swell of support out of those 24,000 submissions. I reject that argument completely. I looked at the inquiry into the previous bill and the submissions that were received and note the 24,000 but, as I said, it was in answer to a loaded question and Labor probably ran a big campaign through the unions. The Labor Party just wants to talk about ideology. It would never move Labour Day from May. So it is going to take this government to sort out public holidays in Queensland once and for all, and we are.

The member for Dalrymple talked about the Charters Towers country music association—

Mrs Miller interjected.

Mr DEPUTY SPEAKER: Order! The member for Bundamba has been warned. Should the member for Bundamba interject at all until the Attorney-General is finished, the member will be leaving the chamber.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. The member for Dalrymple talked about the Charters Towers country music association, which has its celebration on Friday, Saturday and Sunday. I have to say to the member for Dalrymple that the public holiday is on the Monday. So that association can still hold its celebration on Friday, Saturday and Sunday. This bill does not impact on that association.

Mr Knuth interjected.

Mr BLEIJIE: I have read their submission. For goodness sake, we cannot give everyone a week off to plan and pack up after a country music festival. They can hold the festival on Friday, Saturday and Sunday. There is no change. They can continue to hold it on Friday, Saturday and Sunday.

The member for Bundamba also talked about the LNP cherishing sick leave so much. Yes, we do. As I said, shame on the member for Bundamba for what she said this morning in question time about sick leave. Minister Bates is legitimately on sick leave. She has a son who was in hospital with depression. The member shakes her head now as though it was of no significance at all. What she did in the chamber this morning was of great significance and was disgusting. I think the people of Queensland would be disgusted by what she said. Imagine if we did that to a worker who the member for Bundamba so claims to protect. She would be out there marching. She would be calling for ministers to be sacked. In fact, I think the Leader of the Opposition called for Minister Bates to be sacked because she is sick. So you cannot get sick in Queensland now because the Labor Party thinks that, if you are, you should be sacked.

A government member: Remember Jim Pearce. Jim Pearce was ill for a long time.

Mr BLEIJIE: Jim Pearce was ill. We never went there because we have integrity, we have ethics and we would not go down that line. But the members of the Labor Party do, because they are just sick to the guts with that sort of politics. They should be ashamed of the type of politics that they engage in when people are legitimately sick and are away from this place. Of course, that argument was led by the member for Bundamba, who stands up to protect the rights of workers, to protect their sick leave. She does not want Labour Day moved because of the sick leave entitlements. Yet the member for Bundamba has the hide to come into this place and attack a member of this parliament because they are legitimately on sick leave and have the Premier of Queensland table a photo of the minister showing how sick she is so that

the member for Bundamba can get that through her head. I do not think she did because the Labor Party will continue with that line.

I thank the LNP members for their support for the bill. It is a great win for Queensland workers. They will have holidays all throughout the year. I thank them for their support.