




Speech By  
**Hon. Jarrod Bleijie**

**MEMBER FOR KAWANA**

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**INDUSTRIAL RELATIONS (TRANSPARENCY AND ACCOUNTABILITY OF INDUSTRIAL ORGANISATIONS) AND OTHER ACTS AMENDMENT BILL**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (9.11 pm), in reply: I thank all honourable members for their contribution to the debate this evening. It has been a good debate. It has been a long debate during which members have had an opportunity to have their say. Pursuant to the earlier resolution of the parliament, this debate is due to wrap up at 9.30 this evening, and then consideration in detail will follow until midnight.

I will address some of the issues which have been raised, particularly by the Leader of the Opposition. Make no mistake about it: this legislation is about accountability and integrity amongst industrial organisations in Queensland. This is about making sure that grassroots members have a direct say.

We have heard opposition members speak tonight about democracy and freedom of speech. What could be more democratic than giving grassroots members, who pay their membership dues to unions or other organisations, a direct say in how their membership dues are used? Be it on election campaigning, advertising or whatever purpose, what could be more democratic than giving grassroots, hardworking Queenslanders the right to know that their union membership fees are being wisely used? Just as governments are elected to use taxpayers' money wisely, so too are union executives. That is the fundamental aspect of this legislation.

The Leader of the Opposition asked some questions with respect to which credit card statements this will apply to in terms of being available online. Yes, it will only apply to employee organisations. I did say in my second reading speech that it will be applicable to employee organisations—therefore, the unions—and they will be required to produce their credit card statements publicly. That provision will not necessarily be retrospective, but it will apply to this financial year. That means that the credit card statements for the period from 1 July 2012 to 30 June 2013 must be available for public viewing.

The Leader of the Opposition said that no-one supported this bill. When I introduced this legislation I made it abundantly clear that it was contentious. The government have set the threshold very high in terms of accountability and integrity. I have said that on the radio. I have also said that I am willing to work with unions and employer organisations. I am very pleased to say that we had a couple of round table discussions with employer organisations. I met with Mr John Battams, President of the Queensland Council of Unions. We had a fruitful discussion, and we had to agree to disagree on a few aspects.

It is a falsehood to say that no-one agrees with this legislation. I will table a few documents. One is the media statement from 30 April 2013 with respect to the definition of 'worker'. Warwick Temby, the Executive Director of HIA, said—

The Queensland government's decision to align coverage for WorkCover with PAYG tax has been strongly endorsed by the Housing Industry Association.

The rest speaks for itself. I table that statement.

*Tabled paper:* Media statement, dated 30 April 2013, titled 'Red Tape Untangled for Building Contractors' [[2844](#)].

With respect to the definition of 'worker', we then had a press release from WorkCover itself. This is an independent board that has been established under statute and has union representatives on it. WorkCover wrote to me requesting a change to the definition of 'worker'. It put out a press release which states—

WorkCover Queensland supports the worker definition provided in the bill tabled in parliament on 30 April 2013.

This is from the very body which requested the change to the definition of 'worker' that in fact pays out workers. I table that press release.

*Tabled paper:* Media release, dated 1 May 2013, of WorkCover Queensland titled 'Proposed worker definition changes to reduce red tape' [\[2845\]](#).

We also have a press release issued on 5 June by the HIA urging the government to push through the WorkCover changes. It states—

The government must grab the opportunity to relieve a red tape nightmare for the building industry with its changes to who needs to be covered for Workers Compensation.

I table a copy of that press release.

*Tabled paper:* Media release, dated 5 June 2013, of HIA, titled 'HIA urges government to push through WorkCover changes' [\[2846\]](#).

In respect of the other provisions of the bill, it may surprise the Leader of the Opposition to know that when I met with the likes of the Master Builders Association, Clubs Queensland, CCIQ and the Local Government Association they were actually quite supportive of the bill and our amendments. A letter, dated 24 May, from the CCIQ states—

Thank you for the meeting with you and your office and the department. As previously indicated, CCIQ believes transparency and accountability should be at the heart of all industrial organisations. Accordingly, with the above changes we now accept and indeed—

wait for it—

support the bill, despite additional compliance it creates for our organisation.

So CCIQ now supports the legislation. I table a copy of that letter.

*Tabled paper:* Letter, dated 24 May 2013, from Mr Stephen Tait, CEO, Chamber of Commerce and Industry Queensland, to the Attorney-General and Minister for Justice, Hon. Jarrod Bleijie [\[2847\]](#).

An email from Tony Goode of the LGAQ states—

Thank you for the opportunity to meet ...

It then states—

... my CEO has authorised that I might now pass on our full support for the directions being considered by JAG to change the Bill.

So the Local Government Association supports the bill. I table a copy of the email.

*Tabled paper:* Email, dated 24 May 2013, from Mr Tony Goode, LGAQ, to Mr Nathan Ruhle titled 'Discussions—IR Transparency Bill' [\[2848\]](#).

We then have the Master Builders Association in Queensland saying—

Based on the understanding of—

these dot points of the proposed solution—

Master Builders Queensland would accept this as a reasonable and workable outcome in all the circumstances.

So, with the amendments, we now have the support of the CCIQ, the Master Builders Association and the Local Government Association. So I think the process by which we introduced the legislation was apt. I said when I introduced it that this was a contentious bill and that we would have a debate in the community about how far the government has taken the clauses—and we have had that debate. We have had a great debate. I encouraged everyone, including the unions, to contact me. I note that Mr John Battams was on the radio attacking me, despite the fact that I had said on the Steve Austin program on that Friday morning that all he had to do was pick up the phone and have a chat to me or come and meet me. I made that offer. That afternoon, incidentally, my office received a letter requesting a meeting. So we had a meeting the following week.

Honourable members opposite asked for Queensland examples. We have talked a lot in this place about the Health Services Union, Craig Thomson and the like, so the opposition members said, 'Give us examples from Queensland.' Of course, I am happy to oblige. The Labor Party will not want to be reminded of certain things. I particularly refer to the member for South Brisbane, who we know has a very good working relationship with Bill Ludwig—all the dodgy deals and deals with the Greens behind the scenes that were concocted in Peel Street, with Mr Ludwig pulling the strings of the member for South Brisbane when she was deputy state secretary of the Labor Party, Queensland division. Let me use this as a Queensland example.

**Ms Trad** interjected.

**Mr BLEIJIE:** They do not want to hear the Queensland example, do they? They do not interject, but at the time they are going to cop it back in terms of something they asked for—I am happy to oblige—they start interjecting because they do not want to hear it. I will table it for the member for South Brisbane. Just in case she does not want to hear it, she can read it. For the benefit of the member I have written on the top of the document 'Qld example', because she asked for a Queensland example. I will start with an article by Michael Madigan in the *Courier-Mail* of 7 September 2011. It states—

One of the most powerful men in Australian politics has used union funds to pay for the cost of a private legal dispute.

Can anyone guess who I am talking about here? Does anyone want to hazard a guess?

**Mr Dickson:** Racing?

**Mr Berry:** Bill?

**Mr BLEIJIE:** It has something to do with racing. Someone said 'Bill'. The article goes on—

National Australian Workers Union boss Bill Ludwig personally signed two AWU cheques worth almost \$45,000 combined for legal expenses relating to his position as a director of *Racing Queensland Limited*.

Not Racing New South Wales but Racing Queensland! You cannot get a better example than a Queensland example, member for South Brisbane. The article goes on—

The revelation will focus further attention on the use of union funds by officials.

Labor remains embroiled in the ongoing controversy involving former head of the Health Services Union, NSW federal Labor MP Craig Thomson, who is alleged to have misused union credit cards.

Mr Ludwig, one of the powerbrokers instrumental in the downfall of Kevin Rudd as prime minister, yesterday said he had done nothing unusual.

I table a copy and point out, for the member for South Brisbane, that that is a Queensland example.

*Tabled paper:* Article from the *Courier-Mail*, dated 7 September 2011, titled 'Australian Workers Union funds paid Bill Ludwig's bills' [\[2849\]](#).

If the member wants another Queensland example, I am happy to give it to her. Who has heard of the Cooke inquiry? The Cooke inquiry was set up by former Premier Mike Ahern in 1989 when he appointed Marshall Cooke to inquire into the activities of particular trade unions. The Cooke inquiry found a level of misconduct, financial maladministration and corruption in several unions and recommended reforms. That is a Queensland example. It was a Queensland commission of inquiry. So the Cooke inquiry found corruption in several unions—misappropriation of funds—and we have Bill Ludwig signing the cheques. What did Bill Ludwig say at the time when he was questioned on this? He said, 'The union members look after union officials.' That is what he said. Union members—the hardworking, grassroots members—look after the union officials like Bill Ludwig, although I do not think union members who pay their membership fees every week out of their hard-earned pay expect the president of that association in his own private legal dispute to actually sign the cheques.

**A government member** interjected.

**Mr BLEIJIE:** I take the interjection, but we have a clear example. That is why we have to look at this. If the member for South Brisbane wants another Queensland example, I am more than happy to oblige. She asked for examples. The member for Rockhampton came in here with one of those speeches written by one of the overresourced opposition's 22 staff members and did not know what he was talking about and said, 'Show us the Queensland examples. Show us! You've only mentioned federal examples.' As I said, I hope the member for Rockhampton has learnt something tonight about unions in Queensland—I have given those two examples—and if he has not let me refer to a more recent article, shall I? This is an article by Stephen Scott, national political correspondent, in the *Courier-Mail* on 23 April 2013. It is only a couple of months old and tells about a former union leader who quit over factions. The article states—

ONE of Queensland's former union powerbrokers has quit the Labor party after 36 years, warning it has 'lost the plot' and is being ruined by factional power struggles.

The member, Mr Dave Harrison, said—

Frankly, reality says that the trade unions cannot continue to have the influence in a broader-based party that they have enjoyed for the last hundred years.

Mr Harrison said an AMWU official tried to convince him to renew his party membership—

wait for it—

but the only reason offered was so he could vote in internal party ballots.

**Mr Stevens:** Branch stacking.

**Mr BLEIJIE:** That is it. So the only reason they wanted this former trade union official—former member of the Labor Party—to be involved in the Labor Party was to vote in internal party ballots. The article continues—

'Is that what it's all about? Getting the numbers?' he said. 'That just speaks volumes for where the party has lost the plot.'

Under the leadership of the opposition leader, this member—Dave Harrison, who was a lifetime member of the Labor Party—quit the party.

**Mr Johnson** interjected.

**Mr BLEIJIE:** Absolutely. I take the interjection from the member for Gregory, who said that that is why there are only seven opposite. Just as former Labor heavyweights in the unions such as Mr Dave Harrison have said it has lost the plot, so did Queenslanders. In March 2012 the Queensland community said the Labor Party had completely lost the plot. I hope the member for Rockhampton and the member for South Brisbane have learnt something, particularly with respect to unions in Queensland.

If the seven opposite want another little example, can I give them this: members opposite talked about the issue of the definition of 'worker'. Despite the fact I have tabled copies of all of the correspondence where people and industry support the definition of 'worker' to try to help businesspeople—to help support small to medium business people such as people building homes in our electorates with the Great Start building grant of \$14,000 in order to help them clarify what is a worker on their site—we also had a meeting with the union about this matter. During that meeting the union did not raise too many objections to it, so my department wrote back—and I will table a copy—stating—

Following from the discussion of the proposed amendment to align the definition of 'worker', I will be briefing the Attorney-General on the stakeholder feedback with respect to the proposed amendment. Can you please confirm your advice earlier this morning that you have no objection to the amendment being proposed?

The union representative—a Mr Ron Monaghan—wrote back—

I think our position that, whilst we would have preferred the amendment to not go ahead, we accept that the definition of worker being brought into line with the ATO definition will have some effect on who is classified as a worker but should not lead to a huge change in relation to the number of people being covered by the WorkCover scheme.

So the union does not even particularly have a problem with the definition of worker, and nor does the HIA and the business community. The only people who seem to have a problem with the definition of 'worker' is the Labor Party.

I have concentrated in the last few minutes on the unions because those opposite wanted Queensland examples, which I have given them. But make no mistake: this is also industrial organisations' employer groups. It was quite deliberate when we put this bill into the parliament that it was going to apply to industrial organisations. As one member in this House raised the issue of the association that he is involved in, they will be subject to all of these. With regard to gifts received by that organisation, there will be a register. It will be registered gifts if there are conflicts of interest in that association. There will be disclosure of those conflicts of interest and a register kept. There will be interests in terms of the elected officials of that organisation. For any employer or employee groups, there will be registers kept in terms of their assets and their liabilities. They will not be made publicly available, but if there is ever a complaint raised about any of these particular groups then the industrial inspectorate will have the power to be able to investigate those matters.

One of the fundamental things we have done in this legislation is of course in relation to penalties. At the moment under the Corporations Act there are high penalties, but Queensland has not had penalties applicable to the particular crime. We are increasing those penalties from \$20,000 to upwards of \$340,000. That is going to apply to unions. It is going to apply to employer organisations as well. That is about making sure that there is some integrity and accountability in these organisations, just as their members expect there to be. The other thing with respect to the \$10,000 and political objects campaign fund is that we will not be changing the threshold. It will stay at \$10,000. However, what I have done in all sincerity is taken away the ECQ running the ballot. I have also taken away that it has to be 50 per cent plus one of the ballots being returned. It is a simple majority now of the members who are balloted. If an organisation, including an employer organisation, wishes to conduct a political objects fund or do the necessary things that are set out in the legislation, they will now be subject to this. If it is over \$10,000, they will have to ballot their members. They will have the freedom to choose how they in fact ballot their members. They may do it by email. They may employ someone to do it. It will not be the ECQ and we have got rid of that cost for both the unions and the employer associations.

The other thing is that if the unions or any group fear that they are not going to get their campaigns perhaps they really should look at running them. If the majority of their members do not support the types of campaigns that the employer or employee associations are running, then really the leadership team has to think about why they are in fact going to run the campaign or whether they should be running the campaign. They will not be able to run the campaign if the grassroots members vote against that particular campaign. We have talked about democracy. What could be more democratic than giving the person who actually pays the union membership fees the ability to know where that money goes and to vote where their money is spent? We know that employer organisations but more particularly the unions have got more involved in the political process over the years. Gone are the days when they essentially marched on the street. Many of their organisations and employee associations run quite untruthful advertising at the drop of a hat and spend hundreds of thousands of dollars.

If those opposite want another Queensland example in my last two minutes before the end of the debate, let us talk about a few weeks ago when the United union spent \$100,000—the member for Broadwater raised this issue—of union funds which were then questioned by a director of that particular union as to who authorised the expenditure. That was on push polling in Queensland. So you even have directors of unions coming out asking who authorised the money and how it was spent thinking that it was a complete waste of money.

If you have the directors of the unions coming out, then I seriously question what the union members paying the bill would think about that type of expenditure. So this government will not shy away from the fact that, when we introduce hard legislation, we will negotiate in all sincerity with sensible, grown-up people. We will have the debate in the committee process. We will have round tables afterwards. I congratulate the Master Builders, Clubs Queensland, the CCIQ and the Local Government Association because they negotiated as grown-ups. I think what we have achieved at the end the day is still the fundamentals of the integrity of the legislation and the registers and so forth but we have alleviated some of the regulatory burden that it would have placed on some of those organisations. At the end of the day, when we introduce particularly the credit card issue, we have to make sure at the forefront of our mind that the union members, the grassroots members, are protected and this is exactly what we are doing.