




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 19 November 2013

INDUSTRIAL RELATIONS (FAIR WORK ACT HARMONISATION NO. 2) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (12.40 pm): I move—

That the bill be now read a second time.

The purpose of the Industrial Relations (Fair Work Harmonisation No. 2) and Other Legislation Amendment Bill is to amend the Industrial Relations Act 1999 to create a reformed industrial relations framework for the Queensland jurisdiction. The bill also includes amendments to the Health and Hospital Boards Act 2011, the Superannuation (State Public Sector) Act 1990 and the Superannuation (State Public Sector) Regulation 2006. The bill reforms the industrial relations framework for Queensland and responds to the recommendations of the Queensland Commission of Audit and the needs of the Blueprint for Better Healthcare in Queensland. In particular, recommendation 130 of the Commission of Audit notes the importance of updating the Industrial Relations Act 1999 to ensure that it is modern, flexible and relevant to the public sector environment.

I thank the Legal Affairs and Community Safety Committee for its consideration of the Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill 2013. I note its recommendations and I now table the government's response to those recommendations.

Tabled paper: Legal Affairs and Community Safety Committee: Report No. 45—Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill 2013, government response [\[4074\]](#).

I note that the committee tabled its report on the bill on 14 November 2013 and has recommended that the bill be passed. The government accepts that recommendation. The committee has made a further two recommendations, both of which are accepted. Recommendation 2 proposes that proposed section 149(3) in clause 28 of the bill be amended so that the conciliating member is required to give a copy of the conciliation report to all parties as well as the vice-president within 14 days after the conciliation period for the matter ends. This recommendation is accepted. It is a sensible suggestion and will improve the operation of the bill.

Recommendation 3 proposes that consideration be given to specific matters affected by transitional provisions of the bill when the ministerial request to commence award modernisation is made to the Queensland Industrial Relation Commission under proposed section 140C in clause 16 of the bill. Key examples of such matters are the work undertaken on behalf of the auxiliary firefighters and the work undertaken by and on behalf of the Torres Strait Islander police support officers. In both cases a significant amount of work was undertaken by these parties on the relevant awards for these employees. The transitional provisions in the bill allow that all consideration of existing awards will be delayed and undertaken as part of the award modernisation process. These are important provisions as they will allow for a full and detailed examination of all awards to be conducted as part of a

complete process. However, they mean that some matters that have been under consideration recently will be directly affected. Although those matters will be able to be brought forward and considered as part of the award modernisation process, I accept that these matters deserve special attention. As such, I accept the committee recommendation and consideration will be given to prioritising matters affected by the transitional provisions in the bill in drafting the request to the vice-president of the Queensland Industrial Relations Commission to commence the award modernisation process.

I note that the committee report contains dissenting reports from the member for Rockhampton and the member for Nicklin. These reports raise the same issues that have been previously addressed in the explanatory notes tabled with the bill, in the initial briefing to the committee, in my department's report on submissions on the bill and in responses given during the committee hearing. The member for Rockhampton complained about this bill being rushed through the parliament. Colleagues, it was so rushed that they had six weeks from the time of its introduction to this sitting week. The bill was so rushed that the committee was able to have public hearings and 35 submitters were able to contribute to the committee process—six weeks and still the opposition thinks that it is a rushed process. I remember back to the halcyon days of the former parliament and the Bligh government when time after time there was complaint about the number of years it took for the government to work through some legislative changes. It was far too slow, far more haphazard and lacked conviction through the process. We are unapologetic about being a can-do government that is interested in getting on with the job of getting the state back on track, because we believe that Queensland is a great state with great opportunities.

The member for Nicklin also included a dissenting report. How refreshing! He has sided with the Labor opposition—the party that once upon a time wanted to make him a shadow minister. The member for Nicklin complains about the process in the legislation that sets the parameters for the QIRC to undertake the award modernisation process. In response I say to the member for Nicklin that the award modernisation process is a one-off process mirroring the approach adopted federally in 2008 by the Rudd Labor government. The request is necessary to provide direction and guidance about the required time frames for the completion of the award modernisation process. The scope of the request is limited by the permitted matters and non-allowable matters as contained in the legislation. I am sorry to say that the member for Nicklin does not seem to understand industrial relations matters at all. It is time to move on.

This bill achieves important reform to Queensland's industrial relations framework to ensure that it continues to meet the needs of employers and employees operating within the state's industrial relations jurisdiction. This bill ensures that the framework is modernised and relevant. The framework will create an industrial relations system in Queensland that focuses on the employment relationship, provides a fair safety net of enforceable employment conditions and promotes efficiency, innovation and productivity improvement in the workplace. The framework is essential to address inefficiencies in the negotiation of employment agreements and to provide a modern, flexible and responsive industrial relations system.

I will be moving some amendments during the consideration in detail. I have already mentioned that I propose to introduce an amendment to proposed section 149(3) in clause 28 of the bill so that the conciliating member is required to give a copy of the conciliation report to all parties as well as the vice-president within 14 days after the conciliation period for the matter ends. I also propose to introduce further amendments to invest the President of the Industrial Court and Queensland Industrial Relations Commission with the administrative responsibility for granting approval of leave for the vice-president and a number of minor technical and consequential amendments raised by the Queensland Office of Parliamentary Counsel or the department that further clarify and strengthen existing provisions and rectify some of the drafting irregularities. I commend the bill to the House.