




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

 **Mr WATTS** (Toowoomba North—LNP) (4.41 pm): I would like to speak on the Industrial Relations (Fair Work Act Harmonisation No. 2) and Other Legislation Amendment Bill. Despite what the member for Rockhampton might think, the bill has a number of policy objectives. The main objective is to reform Queensland's industrial relations framework to make sure it meets a modern, vibrant, flexible and responsive legislative framework.

As we went through the committee process, many things were brought up. Before we get to some of those, I would like to discuss the clear difference between the LNP government and a Labor government. We promised to revitalise front-line services. In order to do that, we need to have a modern, flexible and responsive industrial relations framework. We told the people of Queensland that they deserve the best Public Service in the country. That is what this legislation is trying to deliver. It is trying to make sure that a balance is struck between the Public Service and its requirements for employment, and the Public Service that the Queenslanders out there who pay their taxes diligently deserve. This will bring some sensible balance back into the discussion.

I now turn to a couple of recommendations from the Commission of Audit which, again, are reasons we are here debating this legislation. The report states—

Awards continue to provide the basis for public sector wages and conditions; however, only matters not covered by legislation or public service directives should be included.

Why would it say something like that? A clear example would be to go to the 24,000 possible pay combinations within the Health payroll. Why would we want some of these things to be simplified? It would be to ensure we have, again, a flexible, modern, responsive industrial relations system where we actually pay the staff, something that Labor failed to do as they implemented their new pay system. We value the staff because many on this side of the House come from private business in which we have employed people ourselves. We know that the most important resource any business has—and that includes the business of the Public Service, who are here to serve the people of Queensland—is their staff. Their staff is to be valued and looked after; they are not to be dictated to by terms and conditions that they may not even want.

We have a situation where people earning over \$129,300 have terms and conditions that they do not want. In talking to the various people who look after the health department it was interesting to hear that none of the staff going to regional Queensland is on any of the pay scales; they are all acting as locums. So communities in regional Queensland are not free to negotiate terms and conditions with a doctor who might choose to live there; they do not have the flexibility in that negotiation to come up with a contract that will suit that individual. Instead, under the current system where there is no flexibility, if they cannot find anybody they get locums. So the community does not have people living there. I was curious as to why doctors will not go into these communities. There is

substantial pay to be earned. It really comes down to the fact that the local health and hospital board has no flexibility in developing a contract that might actually suit an individual to go and live and work in that community. That is what this bill will do. It will introduce some flexibility and an opportunity for people earning over the \$129,300 threshold to be able to negotiate a favourable contract that would encourage them to go and live regionally.

The bill sets out a new framework. As I said before, it is modern, flexible and responsive and it will allow for negotiation of employment agreements, terms and conditions. We promised to revitalise front-line services, and that is exactly what we are doing. Within this framework we have set up what are considered the Queensland employment standards. This is a minimum legislative standard that will apply here in Queensland to people who fall under this legislation. Again, we hear a whole bunch of scaremongering by Labor and the unions. The key one was that it is stripping away people's redundancy terms and conditions. I wish to put on the record, on the *Hansard*—and when the member for Rockhampton comes up to Toowoomba to tell people how we look after the Public Service I would like him to mention this—that the most generous redundancy conditions that have ever been offered by a government in Queensland have been offered by the Newman government in Queensland—this big, bad employer who does not want to look after people. The most generous conditions ever offered for redundancy have been offered by this government, not by a Labor government. Clearly, some of the scaremongering that they go on with is just not based on fact. Of course, we are talking about minimum conditions.

Let us look at the sorts of things that we would find to be permitted content in a wage agreement and an enterprise agreement. They will be such terrible things as the types of engagement; the allowances including expenses, skill based allowances and disability allowances; annualised salary arrangements; overtime rates; penalty rates; arrangements for when work is performed outside of rostered hours; superannuation; antidiscrimination and equal opportunities; arrangements for taking leave; arrangements for bonuses and incentive based payments; continuous improvement initiatives; productivity improvement initiatives; salary sacrifice arrangements; uniforms, including personal protective equipment; and, of course, wages.

Again, there has been a whole lot of scaremongering about all the terms and conditions that cannot be included in this legislation but what would people expect to be in the legislation? They would expect things such as wages, opportunities to get bonuses, continuous improvement initiative bonuses would be included, and they are. Surprise, surprise, our side of politics recognises the most valuable resource we have in the Public Service is, in fact, the individuals who work in the Public Service. It will be our intention to not only pay them on time but to also have this framework set up so that unions are not able to drag out negotiations such as we have seen with the core Public Service, who have been denied an increase because of the union's lack of desire to negotiate a sensible outcome.

If the member for Rockhampton wants to come up to my electorate and tell the core Public Service, 'My union buddies and I are the reason why you haven't been able to get a pay rise', I can only encourage him to do so. I would be quite happy for him to come to my electorate and explain to people that he does not want them to have any flexibility and he is the reason why they have not got their pay rise. I look forward to him coming up and letting people know where he stands on these issues.

We spoke about how some of these changes might affect regional councils. One of the most significant difficulties regional councils have is attracting long-term employees to work at high levels in their council areas. This framework will give them the flexibility to individualise contracts and set up terms and conditions which entice highly paid individuals who will contribute to their communities in the long term. Councils must be able to offer contracts of employment which are attractive and not a bunch of unwanted, union negotiated terms and conditions which are primarily centred on the south-east corner and do service the needs of people in regional Queensland at all. It was interesting to note that, when I questioned some of the people who gave evidence at the committee hearing about it, they said there would be absolutely no downside for anybody covered by these awards who lives in the south-east corner in introducing that flexibility.

Opposition members interjected.

Mr WATTS: We have things that will be in the QES as minimum standards. It is interesting to hear the Labor members talk about the things that will not be in there, but we are addressing minimum wages, annual leave, personal leave, parental leave, long service leave, public holidays, jury leave, notice of termination and redundancy. All of these things will be captured there as minimums to ensure that going forward nobody who is covered by any of these awards will be disadvantaged.

One issue came up during the committee hearings that I was particularly interested in, and that was the negotiations that have been going on for auxiliary firefighters. I was concerned that there had been negotiations that had gone on for a long time and that a small piece of this bill might in fact capture and preclude some of those negotiations from bearing fruit. I am pleased to note the amendment that was suggested by the committee has been accepted. This amendment will ensure that auxiliary firefighters and some of the Queensland Police Service who were potentially going to be inadvertently captured by a section of this act will now be protected and looked after.

You hear a lot of rhetoric that it was not useful, it was rushed and it was this and that. In actual fact, for those people such as the firefighters union and the Queensland Police Union who came in good faith and told us of some of the difficulties they had with the bill, we have been able to make recommendations to ensure that the bill will satisfy their requirements. I think that is a good outcome, and that shows that the committee system is active, is working and is being used effectively. Several unions turned up whose opening statements were so long, protracted and one-eyed that in actual fact we could not get any useful information out of them at all about how we might make recommendations to improve the legislation. They did not come to the public hearing with a view to try and improve the legislation, or help the Public Service achieve a good outcome, or ensure that the Public Service was treated fairly; they came there with the specific objective of stirring up trouble for the Public Service. This is the same Public Service, by the way, who, because of their inability to negotiate, still has not had a pay rise over a period of time. These unions came with the specific objective of making statements that could be quoted in here by members and then probably used in some publicity campaign to try and ensure that people are fearful and therefore sign up for union membership.

All I can say to the Public Service is this: the LNP government certainly values what you do. For those unfortunate people that we had to make redundant due to the complete inability of the Labor government to manage its budget, its gross overspending, its complete incompetence and its waste of the public's money, that is why we unfortunately had to cut the Public Service down: because it had spent too much and left us with an interest bill. But when we did that, we ensured we had the most generous redundancy packages that have ever been offered by the Queensland Public Service. That really answers the questions that people might have. Does the Newman government value the Public Service? Clearly we do. Did we want to make people redundant? Clearly we did not. Did we inherit a mess in Queensland from those who had been running the show? Absolutely we did. We have made great strides going forward in ensuring people are paid, that they are paid on time, and that we have a Public Service that Queensland can both afford and be proud of. We will continue to make sure that our Public Service is treated fairly and equitably. This legislation will be in the interests of the people who work in the Public Service and not the unions who purport to represent them, when in actual fact they cannot even get them a pay rise because they will not negotiate.

I support the Attorney-General in bringing this legislation forward. I am sure that any sensible, thinking Queenslander will see that having a modern and flexible operating system with a responsive set of terms and conditions for industrial relations is in the best interests of making sure Queensland has the very best Public Service of any of the states in Australia. That is in stark contrast with what Labor left us, particularly in the area of health. I might finish by mentioning one example in my area at Baillie Henderson Hospital and the Toowoomba Base Hospital.

The crazy situation we have under Labor's lunatic industrial relations regime and carefully negotiated union agreements is that two nurses doing identical jobs at exactly the same time on exactly the same ward will be doing it under different pay terms and conditions. Just to be clear: their qualifications are identical; the work they are doing is identical; the location is identical—yet they have been captured under two different industrial instruments. This means that the payroll officer then has to work out which job each one was doing when and where and under which terms and conditions to try and ensure they get paid. Any sensible person can see that a mental health nurse working at Baillie Henderson on a particular ward at a particular time and a mental health nurse working at the Toowoomba Base Hospital on a particular ward at a particular time—if they are working side by side on the same ward at the same time with the same qualifications—should be paid the same amount. The industrial instrument should not allow for the terms and conditions to be different and be some mathematical equation that a poor payroll officer has to try and work out. At the end of the day, the situation that we have been left with is a nonsense. We have been left with an industrial relations mess in the Public Service which is no surprise; because we know they clearly could not run the Public Service effectively and efficiently. I am very pleased to stand here and support this bill.

I look forward to the member for Rockhampton coming to Toowoomba and telling the Public Service the reason why they have not received their pay rise and why they should not have any flexibility in their employment terms and conditions. I look forward to him travelling out to some of

these areas that are desperate for local government engineers and telling councils why they cannot negotiate terms and conditions with an engineer being paid over \$129,300. I look forward to him coming to regional Queensland and explaining some of that to the people who will benefit from this legislation: our local councils and the people who charge Queenslanders rates to run their local councils effectively and efficiently. Giving them an industrial award framework that allows them to do that is critically important. To the nurses who are living and working up in Toowoomba, I think it is nothing but common sense to give you more flexibility and the opportunity to be paid the same as the person you are looking at across the bed. I commend the Attorney-General for the bill. I look forward very much to its implementation. I hope the people of Queensland understand quite clearly the objective that we have, as we promised at the last election, is to revitalise front-line services, and to do that you need a modern, responsive and flexible industrial instrument. That is exactly what this is, and Queensland will end up with the best Public Service in Australia because we will make sure that we pass legislation that will ensure that that can be achieved.