




Speech By
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MEMBER FOR BURNETT

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WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr BENNETT** (Burnett—LNP) (11.58 am): I rise to support the Work Health and Safety and Other Legislation Amendment Bill 2014, which demonstrates the government's commitment to creating Australia's safest workplaces here in Queensland. It also reinforces our resolve to reduce the burden of red tape and gives employers and employees the tools they need to work together to resolve issues and get on with the important job of building Queensland. I commend the Attorney-General for the consultation that was done with a wide spectrum of stakeholders prior to preparing this bill, which seeks to improve upon the national model of workplace health and safety laws. While I recognise that there are many pros in favour of a uniform national system, the safety and wellbeing of people in workplaces is an issue that is not to be taken lightly.

If there is an opportunity to improve some aspects of the law in relation to circumstances that exist in Queensland, it is an opportunity that we should embrace. I have worked in the construction industry for most of my adult life, firstly as an apprentice and then becoming a current licensed builder. I hold additional licences for erecting scaffolding and removing asbestos, so I understand how important sensible reforms in the industry are for the future success of the sector.

In his introductory speech the Attorney-General recognised that some of these opportunities in particular are especially relevant to the construction industry—an industry in which I have had many years of experience before being fortunate enough to be elected to represent the people of Burnett in this great place. As I have a background in the industry, it does not surprise me that all but one of the major concerns raised during the consultation process was the dispute over a union's right of entry to workplaces, specifically in cases where the outcome was completely out of proportion with the initial cause. I know only too well how projects can blow out because of the disruptions that occur when one party chooses to underhandedly use health and safety as a weapon in industrial relations. All too often in these cases good, honest, hardworking people who just want to get on with their job—safely—are the ones who are caught in the middle. I echo the Attorney-General's call for this practice to stop. People should be able to go about their work without feeling threatened by third parties. At the same time they also need to feel confident that, when they encounter a genuine safety concern, it will be dealt with promptly and appropriately.

The most efficient way to do that is through a system where employees and employers understand their mutual obligations and act together quickly to resolve an issue as soon as it becomes apparent. Queenslanders do not want a system where even the most minor issue can spark a massive disruption to work thanks to the involvement of a third party seeking to use anything that they can find to leverage for their own cause. I note as an example of that this week's court ruling of criminal contempt against a building union organisation and a fine of \$1.2 million. I note the judge's comments as follows—

... few things could be more destructive to the authority of the Court and to the rule of law than the idea that fines or similar punishment are akin to a tax that, once budgeted for, enable the use of unlawful conduct to achieve industrial outcomes.

I note that some submissions to the committee's inquiry expressed concern about the provision in the bill that will require workplace health and safety entry permit holders to give at least 24 hours notice before they can enter a workplace to inquire about a suspected contravention. The thought process of those opposed to this provision is that it takes away the element of surprise and gives the employer an opportunity to rectify the problem before an entry permit holder arrives. I guess I might be missing something, because I fail to see the problem with that. I do not see safety as being a game of cat and mouse where the goal is to catch someone out. I see it as being a responsibility where, as soon as a dangerous situation is identified in a workplace, it is up to those in the workplace to follow a sensible and practical process to rectify it straightway.

In keeping with that philosophy, the amendments in this bill will help to ensure that employers take responsibility and act quickly when a possible breach occurs. If they fail to do so then employees are certainly within their rights to escalate their complaint further. In the event that a workplace health and safety entry permit holder notifies an employer of their intent to enter the workplace within 24 hours, with increased penalties for noncompliance with workplace health and safety entry conditions, it is hard to imagine any employer in their right mind not fixing the problem straightaway and then allowing the permit holder to inspect their solution. In contrast, under the current system a problem could be allowed to go unchecked for up to 24 hours before a workplace health and safety permit holder makes their surprise visit.

It is not hard to see that it makes sense to educate employees and employers of their mutual responsibilities and empower them to work together without unnecessary interference when it comes to workplace health and safety. It is time to put a stop to allowing unions to hold workers and employers in core industries, such as building and construction, to ransom. It is time to get on with the job of building Queensland by letting good people get on with their jobs and making sure that they are safe while they are doing that.

I thank the Attorney-General and Minister for Justice for bringing this bill before the House. I commend the work of all of those involved in the consultation and inquiry process.