




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 13 October 2015

WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Dr ROWAN** (Moggill—LNP) (9.23 pm): I rise to address the Work Health and Safety and Other Legislation Amendment Bill 2015. I believe in ensuring the highest standards of accountability in relation to workplace environments and improving the health and safety of workers. I would like to acknowledge the improvements in workplace health and safety and employee outcomes as achieved under the former LNP government.

The Work Health and Safety and Other Legislation Amendment Bill 2015 amends two important acts. I will speak firstly to the Electrical Safety Act amendments. The Work Health and Safety and Other Legislation Amendment Bill 2015, in its current form, proposes to re-establish the role of the electrical safety commissioner, with the reinstatement of both an electrical education committee and an electrical equipment committee. The explanatory notes identify that the cost of re-establishing the electrical safety commissioner role will be covered from within an existing budgetary allocation.

The role of the electrical safety commissioner was abolished in 2012 by the LNP, with the explanatory notes from 2012 identifying the role was a bridging role that commenced in 2002 and had been reduced to three days a week by 2007. A key consideration for the amendment in 2012 was a reduction in red tape and cost saving, with the functions to be achieved in alternative ways. With the Labor government re-establishing this role, there must be a value proposition achieved with regards to a transparent outcome which is benchmarked against other potentially similar roles in other jurisdictions. There is nothing in the current draft that provides me with the confidence that this will occur.

Secondly, this bill proposes amendments to the Work Health and Safety Act in two broad themes. The first theme involves right of power provisions including (a) reinstating the right of entry powers allowing workplace health and safety permit holders to gain immediate access to workplaces thereby removing a 24-hour notice requirement; (b) removing the right of a person conducting a business to refuse the person assisting the workplace health and safety representative—the assistant—from entering unless notice has been given; (c) reinstating provisions that a health and safety representative may direct that unsafe work cease immediately; and (d) reducing the penalty for contravening workplace health and safety entry permit conditions from 200 penalty units to 100 penalty units.

The provisions for the right for permit holders and health and safety representatives to gain immediate access and empowering workplace health and safety representatives to direct a worker to cease work were removed in 2014, with the changes made at that time being in response to construction industry complaints and concerns about the misuse of rights of entry powers and the inconsistency with entry requirements in other existing legislation.

It would appear that the current Legislative Assembly of Queensland Finance and Administration Committee consultation process confirms that these concerns remain and that the changes are just another example of the Palaszczuk Labor government simply acceding to union pressure and influence.

Only recently Fair Work Building and Construction alleged that the CFMEU had broken the law 822 times. It is extraordinary that those opposite seek to support increasing union right of access while halving the penalty for misuse when such an extraordinary example of alleged abuse remains before the courts.

The second theme involves absence from work provisions including a proposal to reinstate an absence from work time frame for reporting a serious injury—section 36—with a serious injury definition being amended to include a requirement to report to the regulator incidents causing a person to absent from voluntary or paid employment for more than four days. Then Queensland Labor minister for education and industrial relations, the Hon. Cameron Dick MP, previously amended the legislation in 2011 and removed a time frame related incident notification requirement to both harmonise national model workforce health and safety laws and reduce the red-tape burden for businesses that operate in more than one state. One can only assume that the current health minister and member for Woodridge, the Hon. Cameron Dick MP, has become captive to union dominance and influence within the Palaszczuk government.

The amendment to section 36 at clause 16 means that Queensland workplaces will have different reporting requirements from other harmonised jurisdictions. For a government that purports to be focused on jobs and to have even understood the need for harmonisation and the reduction of the reporting burden back in 2011, this amendment now introduces reporting inconsistency between different states, particularly for Queensland based employers located in more than one jurisdiction. It also establishes an unnecessary reporting burden that will impose a significant cost for business, particularly small business, with no rationale provided for a demonstrable improvement for health and safety.

This bill will increase costs for business and make it harder for business to achieve optimal outcomes. Ongoing efforts to ensure the harmonisation and national consistency of workplace health and safety laws is an effective mechanism for the continuous reduction of red tape for businesses in my electorate and Queensland.

We have seen the trifecta of workplace vandalism by this Labor government since its election—the ideological agenda of returning Queensland to the dark ages with respect to industrial reform. We have the legislative trifecta of the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015, the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2015 and now the Work Health and Safety and Other Legislation Amendment Bill 2015.

It is all about union empowerment leading to workplace antagonism, reduced productivity and inefficiency. It is all about the CFMEU. Queenslanders believe and know that this Labor government is run by union bosses. This government supports unethical conduct. We have seen this tonight in relation to the member for Cook and we have seen it with respect to the hearings undertaken by the Royal Commission into Trade Union Governance and Corruption. We just have to look at Michael Ravbar, the CFMEU state secretary and a member of the Labor Party's national executive, who gave the order to shred documents requested and in fact subpoenaed by the royal commission. I do not support this legislation.