



Speech By  
**Hon. Curtis Pitt**


**MEMBER FOR MULGRAVE**

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## **INDUSTRIAL RELATIONS (RESTORING FAIRNESS) AND OTHER LEGISLATION AMENDMENT BILL**

### **Second Reading**

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships) (12.09 pm): I move—

That the bill be now read a second time.

I thank the Finance and Administration Committee for their report on the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill that they tabled on 1 June 2015. I am pleased to table the government's response to the committee report.

*Tabled paper:* Finance and Administration Committee: Report No. 4—Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015, government response [\[564\]](#).

I would also like to thank those who made submissions to the committee about the bill and those who appeared as witnesses as part of the committee's inquiry. I especially want to thank the Acting Privacy Commissioner for making herself available to the committee at short notice and for her advice and guidance on this bill.

We appreciate the advice received from the Office of the Information Commissioner and the Acting Privacy Commissioner that they do not consider that the amending bill will impact on the objects of the Information Privacy Act 2009. Despite the hysterical scare tactics seen from the LNP over this issue, the Acting Privacy Commissioner confirmed what we already knew—that is, there is no issue. Of course, public servants already knew this too. Public servants are smart enough to see through the LNP's scare tactics. That is why they voted them out. We trust the information from the Acting Privacy Commissioner lays to rest any misdirected concern the LNP has about the privacy of public servants. We on this side of the House know that the only attacks public servants are actually concerned about are the LNP attacks on their hard-won working conditions that they so sadly had stripped away.

I got so carried away during question time with reminding the House about the attacks and mass sackings by those opposite that I actually did not get time to respond properly to the member for Condamine's question. I apologise to the member for that. I got a little carried away. I get a bit emotional when I start thinking about all of those people who suffered so badly under the previous government. I did not get to the nub of his question.

I inform the member that the union encouragement policy which we released in May applies to all government workers. It includes the employees of departments, Public Service offices, declared Public Service offices, government entities and government owned corporations. While the policy does not explicitly exclude any entities from its application, cohorts such as the Parliamentary Service staff and judicial officers clearly fall outside the control of the government.

I again apologise to the member for Condamine for not getting to the heart of his question. I should have done so. As I say, I got carried away reminding Queenslanders about the difficult circumstances public sector workers found themselves in during the last three years.

This bill restores the rights, conditions and entitlements of state and government workers that were attacked by the arrogant Newman government. We on this side of the House are committed to a fair framework for government workers so that they can negotiate fair and mutually beneficial outcomes now and into the future.

The LNP's wrecking ball changes to Queensland's industrial relations framework decimated an industrial relations system that worked for Queensland employers and employees. This is why this bill is urgently needed. This government has worked quickly to repair the excesses of the LNP's changes.

On 7 May 2015 I introduced the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015 to make urgent amendments to the IR Act to meet the government's election commitment of restoring fairness for government workers and for industrial relations reform. The bill restores those conditions for government workers that were removed by the Public Service and Other Legislation Amendment Act 2012 and the Industrial Relations (Transparency and Accountability of Industrial Organisations) and Other Acts Amendment Act 2013. It removes prohibitions and qualification on certain content in modern industrial instruments introduced by the former government through the Industrial Relations (Fair Work Harmonisation No. 2) and Other Legislation Amendment Act 2013.

The bill will re-establish the independence of the Queensland Industrial Relations Commission by repealing those provisions that tilted the balance in favour of the state government and employers in wage decisions by compelling the commission to give special consideration to the financial position and fiscal strategy of the state government, a relevant public sector entity or the employer. The bill also returns the legal representational arrangements for parties appearing before the commission to as they were prior to 2012, ensuring that employers and employees operate on a level playing field, as it should be in a layperson's tribunal, and restores the ability of industrial organisations and their authorised industrial officers to freely organise and access members to represent and protect their industrial interests. The bill reflects this government's commitment for Queensland's industrial relations system to be fair and for the Queensland Industrial Relations Commission to be independent and accessible to workers and employers.

Members of this House are aware of my intention to move amendments to the bill to repeal those provisions that mandate individual employment contracts for senior medical officers and preclude those officers from award coverage, collective bargaining and access to unfair dismissal protections under the act. I foreshadowed these further amendments when I introduced the bill.

The government is committed to restoring the rights of senior medical officers to collectively bargain and to remove the draconian individual employment contracts that the Newman government forced onto our Queensland doctors—contracts that stripped away key employment rights, including the right for doctors to have a say in their collective wages and conditions.

The LNP's purely ideological changes have been a disaster for Queensland's health system. Trust between doctors and their employer has been broken. Their ideological changes have demoralised staff, causing dedicated and experienced staff to leave the public health system. High-income guarantee contracts have been applied to over 4,200 senior doctors employed by Queensland Health and chief executives and senior officers of some local governments and in TAFE Queensland.

The amendments I will be moving will: repeal all high-income guarantee contract provisions from the Industrial Relations Act 1999 and the Health and Hospital Boards Act 2011; restore rights and entitlements that were removed from employees who were placed on high-income guarantee contracts, in particular the rights of SMOs to bargain collectively and access unfair dismissal; and provide appropriate arrangements to transition the senior medical officers from individual employment contracts to an employment framework built upon the Queensland Employment Standards, a modern award for medical officers and a new medical officers certified agreement.

The current employment arrangements for VMOs, chief executives and senior officers in local government and TAFE Queensland under a high-income guarantee contract will continue as common law employment arrangements as those officers are not subject to the terms and conditions of an industrial instrument. We have consulted with Queensland Health and the relevant unions, Together and ASMOFQ, in respect to these amendments. We thank those stakeholders for their valuable input during this process.

An additional minor amendment is required to the bill to clarify that redundancy provisions superior to the QES can be included in a modern industrial instrument and for the operation of a certified agreement. With this bill we are delivering on our election commitment to restore fairness for government workers. I thank the committee for their detailed consideration of the bill. I commend the bill to the House.