




Speech By
Fiona Simpson

MEMBER FOR MAROOCHYDORE

Record of Proceedings, 4 June 2015

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

 **Ms SIMPSON** (Maroochydore—LNP) (4.14 pm): Who would not want to join the CFMEU when they have a pastoral care team like the Minister for Police, who makes personal phone calls? She will probably be doing house calls next. I will come back to the union encouragement clause.

Mrs MILLER: I rise to a point of order. I find the words of the member for Maroochydore personally offensive and I ask that they be withdrawn.

Ms SIMPSON: I withdraw. I will come back to the union encouragement clause. It would appear that Labor does not need to enshrine it in legislation when it has the actions of ministers to rely upon with its personal encouragement.

This bill is falsely named. Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill might give the warm fuzzies to the Labor members opposite, but there is nothing fair about a bill that has not had consultation—appropriate consultation—with the majority of those who are affected by it, who are employers, in this case local government. When we read the explanatory notes alone and see the long list of those who were consulted about this legislation, we see it is predominantly the union movement, and they are key stakeholders who should be consulted. However, we only see the Local Government Association of Queensland, LGAQ; we do not see the employers of those local governments represented directly with the opportunity to put forward their case as to why this legislation is bad legislation. What we see now is a government that has deliberately misled the people of Queensland in their platform 2014, and I will quote from it. Labor promised to consult with local government. On page 65 of their platform released last year they promised to ‘promote and facilitate regular discussion, consultation and negotiation with local governments’. However, they failed to do that with regard to a bill that they are warning is going to cost jobs in their local communities. So there can be no fairness when there is no balance, and this bill has no balance. An industrial system has to have balance to be fair to all who are involved. We want to see a system that is fair for workers and fair for those who employ them because, without that balance, you do not have jobs.

What the local governments of Queensland have warned is that this bill could cost as many as 1,500 jobs. Labor’s proposal is to entrench a clunky and antiquated system that puts the brakes on local governments being able to employ who they need to meet the changing requirements of their local communities—local governments who are predominantly funded by local ratepayers. There is no magic pudding; the money comes predominantly from local rates funded by local ratepayers. One mayor told me that, under the old antiquated agreements, wages for young, entry-level administration staff in his council can be as much as 20 to 30 per cent higher than those at the local bank or solicitor’s office in the private sector doing predominantly the same level of tasks. It is great work if

you can get it, but the financial reality is that councils such as his simply choose not to employ these young people because they cannot afford it.

Another senior councillor told me a similar story and said Labor's changes to go back to this antiquated system clearly would cost jobs. His council wanted to pay more for certain categories of skilled staff to meet the needs of their community but was unable to do so without restructuring because of Labor's reversion to an antiquated industrial system with multiple awards and this, he said, would make it next to impossible to do so. As another mayor said to me, existing employers were not under any threat from the award modernisation process started by the LNP government in his area. However, the Labor Party's commitment goes backwards with the reform process and it will have a direct financial impact on their ability to employ more people for the right jobs in the future—the right people for the right jobs.

The multitude of industrial agreements council by council with many different unions is cumbersome and costly to administer. I support workers having appropriate protection in awards—of course we do. I also support employers being able to support the needs of their business, in this case the business of local government.

This bill does not protect jobs, as it acts as a deterrent to councils to employ who they need to do the work. The no-contracting-out provisions as well are going to prevent local councils from being able to do the job as effectively as possible. As the member for Mansfield outlined, under the LNP we found that giving the power back to local communities—in this case through local schools—enabled them to employ local contractors to do local jobs, so they got more bang for their buck. They saw more work being done more efficiently by being able to contract out rather than the centralised system of QBuild. Taking away the power from local governments to best meet the needs of their local communities so that they are answerable to their local communities is in fact a backward step with cost implications.

What is the full extent of those cost implications? As I have outlined, councils and the LGAQ have estimated up to 1,500 jobs, but is there a figure in the explanatory notes about the no-contracting-out provisions? All that we see on page 4 of the explanatory notes is where it says that it has cost implications to government, but they do not define them. They do not want to know because they do not want to pay the bill. They think that taxpayers are some bottomless pit of money. 'Don't tell them. They don't need to know.' That is not transparency and that is not integrity, because the money that we are talking about belongs to taxpayers and ratepayers.

I want to come back to the issue of consultation, because not only is it in the formation of appropriate awards and workplace agreements but it is about the very fabric of how you run good government, which is recognising the need for appropriate consultation. The way this government has treated local government is appalling. We believe in empowering local governments as much as possible to make decisions as close as possible to the people who are affected by them, and this bill is taking away that right.

There has been much said about the union encouragement clauses. I note that the minister for police took offence before to my comments in regard to the pastoral care team approach, but quite frankly this is not about union encouragement; this is about union preference. It is being done by stealth and it is sneaky. There has been no protection provided to workers to ensure that their private details are not handed over to union officials against their will and without their consent. It is all very well to have a group of people sitting in a room and asking 'Who gives consent?', but the person who does not want to give their consent is blackmailed by the group approach. That is not fair and that is not right, and I have heard that complaint from workers in regard to how some of union delegates operate.

It is extraordinary that this government is requiring people in management positions of the public sector to encourage people to join unions. People have a right to join unions and they have a right not to join unions, but there should not be a situation where government is in fact the recruitment agency for the union movement. That is bizarre and should be considered something completely out of order in any modern award system. That starts to entrench not just an atmosphere of passive encouragement, but it is active discouragement for those who do not wish to join unions and that is just wrong. In today's era people should have the right to privacy and control over their own information so that it is not handed over to others. There are stealthy ways that people can be forced and bullied into feeling ostracised by the fact that they choose not to join a union. They should be allowed to join a union if they want to, but they should not be bullied. I have heard that there are ways this has occurred in the way that some members of the union movement operate.

With respect to this legislation we have also heard there are changes with regard to the fact that people will not be able to use legal practitioners to represent them in cases before the tribunal. As my colleague has outlined, that in fact does not create a level playing field at all. We know that there is a need for people to be appropriately represented, and the same is true in regard to appropriate legal representation. We do not support this—

(Time expired)