




Speech By
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Record of Proceedings, 4 June 2015

INDUSTRIAL RELATIONS (RESTORING FAIRNESS) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms GRACE** (Brisbane Central—ALP) (5.13 pm): Today I am more than happy to rise to speak in support of the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015. WorkChoices may have been dead and buried federally, although they are trying to resurrect it again, but it was alive and well in Queensland. When the incompetent and inexperienced former minister for industrial relations made changes to the Industrial Relations Act, it was very clear very quickly that it was ideologically driven by an almost pathological hatred for unions and was based on vengeance and broken promises by guaranteeing one thing and doing another. The attacks on our hardworking public sector were actually breathtaking when one looks at what was passed by their industrial relations bill.

It is good to see that finally we have a common-sense approach that is based largely upon a government employee sector. In this state, the IR bill largely covers public sector, local government and government workers and there are very few employers compared to what is covered by the federal industrial relations law. This bill is a commitment that we took to the people of Queensland to reverse the unworkable legislation that the former government introduced. Therefore, it is breathtaking in the extreme to hear their concerns in relation to the possibility that something might happen in a sector, such as the loss of jobs, because when they changed the law job security was basically thrown out of the window and 24,000 of our hardworking public servants lost their jobs. It is no wonder that Queenslanders are more trusting of us on this side of the House than they are of those opposite.

Our system of industrial relations is based largely on a government sector that takes a cooperative approach to industrial relations, rather than a combative approach such as that of those opposite. It recognises that workers know best about their work and their workplaces, and we want to tap into that knowledge and their experiences. It recognises that these are union agreements. As much as those opposite hate it, these are union agreements in a highly unionised workforce. The QNU is over 95 per cent unionised and the QTU is also over 95 per cent unionised, yet we know what was taken away by the Industrial Relations Act brought in by the incompetent former industrial relations minister.

We are going to reinstate the independence of the commission. Clearly, not one of them has ever set foot in the commission, which has always been independent and has always been free to take into account whatever information is presented to it when dealing with wages and conditions. The commission can take account of any information that is sent to it. To mandate or somehow enforce it to place particular emphasis on one part of the decision-making process that it implements shows their lack of information when bringing in their laws. Labor will bring back the independent decision-making capability of the commission. This is an experienced group of commissioners who are professional and well educated. The commissioners know their trade and they have always served Queensland well.

We hear a lot about union encouragement provisions. I decided to print out the union encouragement clause, because so much misinformation is being given about what is included in a union encouragement clause. What comes through very clearly is that not one of them has read it, has seen it or would even know what is in it. When it comes to privacy—what was the word? Gregarious? Whatever the word was, it was a beautiful word.

Mr Minnikin: Egregious.

Ms GRACE: Egregious. I can tell the House what is egregious when it comes to privacy provisions. I was at the QNU for the past three years, before I was elected back into this House. I remember an incident where the then health minister, now the Leader of the Opposition, emailed the nurses and midwives of the hospitals. Can members guess what? He used their private email addresses; not work addresses, but private email addresses. Our email system nearly went down because people were very concerned about how the minister's office was able to get very private information on nurses and midwives which was used to email them about—guess what? The award modernisation process! The QNU twice wrote to the then minister raising breaches of privacy provisions. I do not think they would have minded receiving a notice to their work email address, but they were a little bit upset about how the government got its hands on their private email addresses. To this day, there has been no response to those two letters.

Very early in the piece, they wrote to the current Leader of the Opposition. I cannot count the number of questions without notice that have been asked in this House about breaches of privacy for union encouragement provisions, yet the Leader of the Opposition himself was not able to defend the manner in which he breached the privacy of nurses and midwives. I look forward to the day when they do get an explanation, but I will not hold my breath.

When it comes to the privacy provisions, there is nothing in the encouragement clause that breaches any privacy provisions. Even the Privacy Commissioner confirmed that. When it comes to the choice to join a union, the first clause of an encouragement provision states—

The employer recognises the right of individuals to join a union and will encourage that membership; however, it is also recognised that union membership remains at the discretion of individuals.

That is written in the clause. Yet somehow those opposite are misleading this House by saying that this is the union recruitment clause. Nothing could be further from the truth. Stop misleading the House. Read the clause and understand what it says. Go to the commission that approved this clause and see what the award actually says.

What other things does the union encouragement clause talk about? It talks about the possibility of payroll facilities. Thank you, but no thank you; unions are more than happy to deal directly with their members on that one. The provision also states—

Information on relevant unions (which will be supplied by unions) will be made available to relevant employees at the point of engagement.

That is if people would like to know how to go about joining the union who negotiated their union agreement that determines their wages and conditions. That is a real breach of privacy, is it not? But use their private email addresses—that is fine. The provision goes on to state—

Union officials or authorised representatives will be given the opportunity to discuss union membership ...

They will provide the employee with material should they wish that to happen. It seeks leave to undertake work with a union. We need to have experienced, trained and educated delegates when in bargaining positions. Those opposite want a union run democratically, they want a union with corporate governance but they do not want their workers to be trained in how to run a union.

An encouragement clause merely says that it makes good sense to have workers trained in an area so that they can ensure the corporate governance of that union, and unions welcome it. The provision then states—

At the discretion of the employer, employees may be granted special leave without salary to undertake a period of work with the union.

This is so that they can assist in negotiating agreements, do a particular project or something like that. That is what the union encouragement clause says. There should be no more misleading in this House by those opposite. If you want to introduce things that do not belong in this clause, I ask you to cite them in the clause. Put up or shut up, is what I say.

The other issue that is really quite concerning is the number of non-allowable matters that they allowed in the—

Opposition members interjected.

Ms GRACE: They are getting all precious now.

Mr DEPUTY SPEAKER (Mr Elmes): Member for Brisbane Central, it might be helpful if you address your comments through the chair.

Ms GRACE: I am addressing them through the chair. What did they do then? They bought in non-allowable matters. We have had the BPF, the business planning framework, in the nursing industry now for about 15 years. It talks about the number of nurses to deliver quality and safe care. What did those opposite say? They said, 'You cannot have that in agreements anymore. We are going to wipe it out.' Given the non-allowable matters, even the safety of patients was going to be put at risk by those opposite. No wonder they extended the term of the modernisation of the nurses award. They knew they would never get it in. I welcome these changes. It is a Labor commitment. I commend the bill to the House.