




Speech By
Joseph Kelly

MEMBER FOR GREENSLOPES

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INDUSTRIAL RELATIONS (RESTORING FAIRNESS) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr KELLY** (Greenslopes—ALP) (9.12 pm): I rise as I have done on many other occasions in many other forums to advocate strongly for the rights of workers to organise a union. Over the years, I have copped many barbs for being prepared to stand collectively with my fellow workers and, no doubt, a few will be thrown my way right now. But I will willingly cop these, because what we do here is fundamentally right. As someone who is committed to social justice, it gives me great pleasure to rise to speak in support of the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015.

There will always be debate about what constitutes fairness. For me, fairness has always been difficult to define, but when it is absent it is very easy to identify. I think the steps taken by the previous government to destroy the rights of workers—rights enshrined by no lesser body than the United Nations in the Universal Declaration of Human Rights—are an obvious example of unfairness. During my short time in this House, I have been shocked and disgusted by the vitriol expressed towards legitimate industrial organisations. Like most average workers who joined a union, I did so because I wanted to have my interests protected. Later, I realised the power of union members to achieve real and lasting social change. Perhaps that is what worries those opposite.

I thank the health minister for again pointing out yesterday the gagging of community organisations. The political party opposite seems so insecure that it cannot handle any group or organisation that seeks to advocate strongly on any issue. It seeks to destroy unions, gag community organisations and silence the voices of local residents in the planning and development of their own communities. Anyone or any group against the LNP is denigrated and, if it has the opportunity, legislated into silence or oblivion.

Over hundreds of years, we have seen multiple attempts to destroy the capacity of workers to organise. In recent history, we have seen the federal colleagues of those opposite introduce the very despised Work Choices. Then the former LNP state government brought in its own suite of antiworker changes. That went well for them! The voting public sent them a strong message twice. Sadly, they do not listen.

I support the objectives of this bill. The first objective is to implement the commitments of the Palaszczuk government. Yesterday, the member for Surfers Paradise said that he wanted the Palaszczuk government to implement its election promises. That is a fine sentiment. He now has the opportunity to achieve this by voting for this bill.

We proudly support the right of workers to organise, just like we support the rights of community organisations to advocate for their members. We recognise that workers who choose to form a union play an important and constructive function in our democracy just as we recognise that farmers, or small business owners, or any group that forms an association to advocate on their behalf collectively, are a crucial part of a functioning democracy. I have taken the step of joining both local chambers of commerce in my area as I recognise the important role these organisations play in my

local area. As those opposite salivate over their desire to destroy unions of workers, they should perhaps take a moment to consider life in countries where workers are forced to sneak around, often with significant threats to their personal safety. Those countries fall far short of the type of democracy that we would recognise and one that we all play an important part in building in this country.

The re-establishment of the independence of the Industrial Relations Commission in determining wage cases and returning the commission to its position as a layperson's tribunal, where employees and union advocates operate on a level playing field with employers, is another objective that I fully support. You do not have to travel far overseas or go far back in history to find out happens when there is no effective or independent mechanism for resolving disputes between employers and employees. The disputes neither go away, nor do they resolve themselves; they fester and they explode. In Australia, we have found another way—a better way, a unique way—that resolves disputes in a manner that balances the outcomes between the parties. It has resulted in growth and shared prosperity.

Many people were transported to this country for committing the crime of conspiracy. People who were ripped from their homes did not give up. Against the odds and against the laws, they built unions. They struggled and they won. They built a new system that resulted in the Harvester decision—a decision that enshrined a fair go. We should be proud of this system and support it, not continually try to destroy it.

Let me talk about right-of-entry provisions that allow new employees to be asked to join a union. Over 10 years as a union official, I used my right-of-entry card on a very small number of occasions and each involved significant safety issues. Over 10 years I had occasion to force my way into a workplace on only very few occasions. This suggests to me that in workplaces where union delegates and officials can enter freely safely is taken seriously. Over the years in the public sector I have approached workers as a fellow worker, as a delegate and as an official. I have always identified myself and my purpose, which was followed by an offer to end the conversation if the worker was not interested. I can assure members that, after speaking to thousands of workers, I ran across fewer workers than I can count on one hand who did not want to find out about what being in a union meant for them. True, they did not all join, but all but a very small minority were interested. Of course, all I knew was the work details of the worker and any suggestion that I was invading their privacy is and was ludicrous.

Let me talk about the former health minister's approach to privacy. When I joined Queensland Health in 2012, I supplied my private email address. Not long after starting I received a Queensland Health email address. I received all information from Queensland Health on that work address. Only occasionally I used my private address to communicate with my direct line managers about day-to-day operational issues and professional development activities. I seem to recall that, when the member for Southern Downs wanted to attempt to justify the decision to ignore my union and cut it out of the award modernisation process, he sent me a message to my private email address. I recall no other information arriving at this email address from anyone in Queensland Health except my direct line managers.

That was until the former health minister decided it was okay to send me information that I felt was of a political nature. I raised concerns about a potential breach of privacy with my union and it is my understanding that they took this up with the former health minister on a number of occasions, receiving no response. So it is interesting that the member for Southern Downs is now the champion of privacy. I support this bill and will continue to fight to restore fairness for workers, starting with a vote for this bill. I commend this bill to the House.