




Speech By
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MEMBER FOR COOMERA

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WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr CRANDON** (Coomera—LNP) (8.29 pm): I rise to make a contribution to the debate of the Work Health and Safety and Other Legislation Amendment Bill 2015. I speak as deputy chair of the Finance and Administration Committee, which has tabled report No. 5 of the 55th Parliament.

The bill was introduced to this place on 7 May. It is probably right to say that the report date was a rushed date. The report was tabled on 6 July. We had a little more than eight weeks to consider a lot of material that came to us. I think we had something like 32 written submissions, and numerous people came to provide witness statements to us. Of course, the department did a fantastic job of pulling the material together for us. We kept going back to them asking for more, and they kept getting it back to us in very quick time. All committee members appreciated that.

What does that tell us? It is now a bit more than 14 weeks since the report was tabled. The committee had eight weeks to consider the bill. It was a bit of a rush. We had to do a whole heap of work in a very short period of time. Now, 14-and-a-bit weeks later, we are debating the bill. 'Don't worry about the workload for the committee or the secretariat! Let's just bash this thing through and then let it sit there for 14 weeks before we bother looking at it.'

Anyway, it is terrific news that the one recommendation we were able to make was accepted by the Treasurer. I really do appreciate that from the Treasurer. I do note that in his response to us he suggests that we could not reach an agreement—that the government members of the committee supported the bill being passed while the non-government members considered that significant amendments would be required before they could support the bill.

It goes without saying that there were holes in it everywhere. There still are holes in it everywhere. Why try to fix something that ain't broke? That is the question I keep asking myself when I see these things come along. The statistical data provided to us by the department clearly pointed to the fact that our workplace health and safety legislation was working, that the practices we had in place were working. We had improvements across-the-board, from serious injury to the other end of the spectrum. It was working.

In a nutshell, what do we have? We have a bill born out of a promise to a union before the last election. It is payback. You could read 'CFMEU' all over it. Yet again we saw the same theme that the Finance and Administration Committee keeps on seeing coming through the system. We keep seeing this theme of the union. We spoke earlier about the fact that 17 per cent of the workforce is in a union. The rest of Queensland is on the other side of the equation. We are talking about Queensland here. We have about 4.7 million people. Seventeen per cent of the workforce is in a union.

What is the bill all about? I have here a note that has some very fine writing on it. I can hardly read it. I was looking for bigger writing but I could not find it. The bill will be restoring right-of-entry powers, allowing workplace health and safety entry permit holders to gain immediate access to a workplace to inquire into a suspected contravention of the Workplace Health and Safety Act;

empowering trained health and safety representatives to direct workers to cease unsafe work; amending the current incident notification requirements to include an additional requirement for employers to notify the regulator when a worker is absent for more than four days due to a workplace injury—by the way, that is in direct contradiction to the national harmonisation laws and at odds with the former state Labor government's policy on those issues, so it is very interesting for that to jump in there on top of everything else; and improving electrical safety by reinstating the electrical safety commissioner, the Electrical Safety Education Committee and the Electrical Equipment Committee, which were abolished in 2012. That is the bill in a nutshell. That is why we are here.

The big issue is the right-of-entry provisions. That is the one the CFMEU got all hot and bothered about. They wanted to get back in there and get stuck into our employers. Let us be clear. We have workplace health and safety legislation that is not failing and is not broken. Indeed, we have seen massive improvements, as I said a short while ago. But the CFMEU wanted immediate access to those work sites. Why? It was to create havoc and for no other reason. We saw it before the legislation was changed. In fact, the builders of the children's hospital faced hundreds of thousands of dollars in additional costs because the CFMEU went in there, created havoc and basically shut them down. They wanted to be able to flex their muscles, to make it difficult for employers.

Have the CFMEU been abiding by the law over the last couple of years in relation to the 24-hour rule? It is interesting. They want the law changed. They want us to take it back to there being no 24-hour requirement, but it really did not matter. We were provided a table by the department that sets out complaint after complaint to the regulator in relation to the CFMEU mainly. In the column 'industry sector' we see 'manufacturing, construction, construction, construction, construction, construction'—all the way down the page. What does the next page say? 'Construction, construction, construction', all the way down. There are two entries for water transport, then 'construction, construction, construction, construction'. Are members seeing a theme coming out of this? The CFMEU.

There is no doubt that they are the ones who flexed their muscles before the election to make sure they would get the 24-hour restriction scrapped. In the meantime, it did not make much difference to them anyway. Earlier I was glancing through the table and saw entry 30, event ID 199907—

Construction: Advised once Inspectors got to site that Permit Holder had entered in relation to EB/IR issues. Police called and escorted permit holder from site.

That is one example of what the CFMEU were prepared to do. They were prepared to break the law. In fact, one of the witnesses at one of our hearings said words to the effect, 'You've got to do what you've got to do. If it's against the law, okay. You've got to be in there to fight the fight.' That is the attitude of the CFMEU. Okay, where do we go from here?

Mr Ryan: Sit down. How about you just sit down?

Mr CRANDON: I was going to consider sitting down, but now that you have said that I might go on for a while. It is getting on.

053 I commend the work done by the shadow minister, Ian Walker, and his presentation here this evening to cover off in detail on all of these issues. For all of those who were not listening, I would strongly recommend they read what the shadow minister said. It would be well worth reading. If members were not here or if they were not listening to it on TV, for goodness sake go and read it because there is no doubt that it would be well worth reading.

I am going to finish, but once again we see that all of the evidence supports retaining the 24-hour notice. Once again in our committee system we are talking about this issue of evidence. That is what we are there for. We do not have an upper house. The Finance and Administration Committee is going around Queensland at the moment on another inquiry talking to people about four-year terms and what have you and I can assure members that people in Queensland are very aware that we do not have an upper house but that we do have a committee system. The sad thing is that our committee system is still being controlled by what the minister wants because what the minister wants is what the union wants. The minister made a promise to the union, so when it comes to making their final decisions those opposite do not worry about the evidence. They do not worry about that huge amount of evidence that is presented to them time and time and time again.

Our committee has completed 12 or 13 reports and time and time and time again with all of the evidence—the huge amount of evidence that comes to us—government members on that committee come to us and say, 'Oh yeah, but we made an election commitment to the unions and so we've got to abide by that. It doesn't matter what the evidence says. We're going to abide by that.' That is not what our committee system is meant to be about. Our committee system is meant to be a system where we

can genuinely and honestly go out to the people of Queensland and ask them their views and ask them to present their evidence to us and weigh that evidence up and then present to the parliament our findings based on that evidence—not on what the CFMEU wants, not on what the unions in this state want. Government members listen to them. We said, ‘Don’t listen to them. Please just for once don’t listen to them. Listen to the evidence and let’s move forward from here.’ They are also ignoring the fact that the department provided us with evidence that the current legislation is working. The current legislation has seen massive reductions in safety breaches and massive reductions in injuries.

Mr Rickuss: This is not about safety though, Michael.

Mr CRANDON: No, this is about the CFMEU. I take that interjection: it is not about safety; it is about the CFMEU and its members getting on to building sites. I think we had water mentioned twice, I think we had manufacturing mentioned once and all of the rest was construction—pages and pages of it. But let us ignore that. As I said, let us forget about it. The current legislation is working, but who cares? It does not matter. We are going to go with the union yet again. I will conclude my contribution by giving my thanks to my committee colleagues, and we do work together. We do have the honest debate. We do have the healthy discussions and so forth. One day they are going to come across! One day we are going to get them on our side! One day it is going to happen! I live in hope! I also want to thank our secretariat because, during that eight-week period—and this is the point I was making when I first started—we were under massive stress and had a huge workload. This inquiry had to be done in eight weeks and now here we are 14 weeks after the end of it to debate it. I also thank those people who made submissions on short notice—

Mr Rickuss: And the royal commission got a bit hot on the CFMEU at that time, Michael.

Mr CRANDON: That might have had something to do with it. I take that interjection; it probably had something to do with it. It was running a bit hot, wasn’t it? Once again, I do apologise to all of those submitters for their evidence being ignored and I also apologise for the significant delay in bringing this legislation to the House.