




Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

Record of Proceedings, 4 June 2015

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

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for Multicultural Affairs) (5.52 pm): I rise to speak in favour of the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill and the government amendments. Through my work as an employment lawyer, I have long been committed to fighting for workers' rights and I bring that perspective with me to this House. I believe that government must protect and respect workers, and I am proud to be a member of the Palaszczuk government that has committed to restoring the rights of Queensland workers, who came under attack from the previous LNP government.

Not content with sacking public servants and undermining workers compensation, the previous LNP government went on to attack the conditions of senior medical staff in Queensland public hospitals. They deliberately went after the specialist staff who run emergency departments, provide world's best care and train the next generation of doctors coming into Queensland's public hospitals. Due to the ideological stubbornness of the LNP government, the breakdown in negotiations between doctors and the government reached such a crisis point that we almost lost so many hardworking doctors from our public health system. This would have led to a blowout in wait times and, critically, a loss of capacity to train future specialists in our hospitals. More than 4,000 senior doctors were placed on mandated individual employment contracts called high-income guarantee contracts—all our senior medical officers and most of our visiting medical officers. These amendments deliver on our election commitment to end these unreasonable and unfair contracts and undo the wrongs of the LNP government imposed on our senior medical officers. In just one term, the LNP signed a collective agreement with our doctors, had it certified and then, just 18 months in, ripped it up and forced senior doctors onto unfair contracts.

As the lawyer for senior medical officers, ASMOFQ and Together, I proudly worked with the 'keep our doctors' campaign in support of the many brave doctors who spoke out against these unfair contracts. In an unprecedented show of strength, thousands of normal, everyday doctors rallied together at numerous gatherings known as the 'Pineapple' meetings. They spoke of being denied the ability to speak up collectively to protect their patients. They spoke out about being forced onto contracts by the removal of any other option. It was a case of take it or leave it. Doctors travelled from across the state and queued around the block to speak about their concerns about the impact these contracts would have on their patients, only to be dismissed as 'highly emotional' by the then health minister.

These meetings culminated in a motion of no confidence by doctors in the former health minister, the man who had promised to lead Queensland Health into a new era. It certainly was a new era—an era where people were forced onto individual contracts, prevented from bargaining collectively and stripped of unfair dismissal rights and award coverage. The contracts gave complete power to the employer to vary terms, required little or no consultation on roster changes, and left them

with no ability to take matters to the Queensland Industrial Relations Commission or any other dispute mechanism. But, worse for patients, these high-income doctor contracts removed fatigue provisions and removed protections for doctors who spoke out about patient care.

The belligerent behaviour of the former government resulted in a loss of trust, warnings from other jurisdictions for people to give Queensland a miss and low morale. In fact, I will quote the evidence of Dr Sandy Donald at the public hearing into consideration of this bill. He said—

Far North Queensland lost a number of existing senior doctors as a result of the previous government's attack on the health system, but we also had a number of newly qualified specialists who withdrew their job applications and moved interstate or went into private practice. Amongst the remaining specialists, trust is gone.

Dr Chris Turnbull said—

The contracts have destroyed morale, recruitment and retention of all doctors in the public hospital system, with both junior and senior doctors seeking employment elsewhere.

The loss of dedicated, experienced and expert staff since 2013 has significantly, adversely impacted on the ability of the hospital system to deliver safe, timely and quality health care for all Queenslanders.

The campaign organised by doctors was a once-in-a-generation campaign. To see surgeons, intensive care specialists, paediatricians and anaesthetists standing side by side out the front of our hospitals protesting and rallying was an extraordinary display of their commitment to patient safety and the public health system. I would like to take this opportunity to thank our doctors for their courage and commitment to Queensland patients. These are people like Dr Rob Thomas, who was a highly valued intensive care specialist, anaesthetist and pain medicine specialist at Ipswich Hospital. Dr Thomas had been with Queensland Health for 14 years. He had dedicated his working life to the public health system because he believed people in that system deserve quality care. In the face of these contracts, Dr Thomas is now lost to Queensland. He now works in New South Wales. In considering his resignation he said—

It's not a decision I've taken lightly. Leaving my job will be a huge strain on my young family, but I owe it to the people of Queensland to stand firm against these unfair individual contracts.

I can't sign up to a contract knowing that by doing so I'll be agreeing to put my patients at risk.

There was absolutely no gain in moving to these contracts. It was simply a government with a huge majority picking another fight. The LNP's own Sheldon-Borbidge review pointed out that the LNP had alienated almost every key interest group across the state. Picking fight after fight, such as the one they picked with our state's senior doctors, did not turn out to be such a good plan. Make no mistake: the doctors and the doctors' representatives ran a campaign against a government that had broken its promises. The then health minister was known to say during the dispute that honesty and trust go both ways. Indeed, it does and the LNP government never regained the trust of our doctors.

I am proud to be a member of the Palaszczuk government that is restoring fair conditions for public servants and local government workers and restoring the right to collectively bargain for our senior public sector doctors, without whom our public hospital system would crumble. I commend the bill to the House.