Speech By

Hon. Grace Grace

MEMBER FOR BRISBANE CENTRAL

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INDUSTRIAL RELATIONS BILL

Hon. G GRACE (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (11.23 pm), in reply: I am pleased to make a final contribution to the debate on the Industrial Relations Bill. I thank all members for their contribution. As is always the case when we discuss industrial relations matters in this House, they arouse a great deal of passion and excitement from members on all sides. Obviously, this bill is no exception.

Before dealing with the matters that were raised specifically, I make the general comment that I was absolutely appalled by the lack of sophisticated debate that came particularly from those opposite. They embarked on one of the most disgusting union bashing, continually broken-record talking about one particular union—the CFMEU—using very derogatory language about officials who are elected by their members, who represent their members and get them their wages and conditions and do an incredible job in this country in looking after and protecting workers.

We also heard a series of inept contributions that either got the details of the legislation completely wrong or were misleading or confused about what this bill is intended to do as far as covering mainly public sector workers and local government. They did not understand the difference between federal obligations and federal coverage and state coverage. It was absolutely gobsmacking to hear some of the contributions that were so far off the mark that it was almost embarrassing for those opposite.

Having said those words, the opposition members who contributed to the debate also condemned the comprehensive review that this government put in place to have a look at these laws. It was one of the most comprehensive reviews of the industrial relations legislation of this state that has taken place in the past 20 years. They denigrated the people who participated in that review as somehow being stacked to the left. There were just absolutely disgraceful performances by those opposite. The people appointed to that review voluntarily gave their time. The organisations that we put in place to review the legislation were denigrated by those opposite for participating.

Let me tell members that a big participant in that review was the LGAQ. I totally reject any accusation from those opposite that those people did not do the job that they were there to do in representing their organisations. They would be disgusted to hear those opposite suggesting for one second that they were not there representing the organisations that they were put there to represent.

This process has been comprehensive. I totally reject anything to the contrary. We received many submissions. The report was brought down and made public in March 2016. There were 68 recommendations to reform the industrial relations legislation. The government has accepted those recommendations and put in place a comprehensive bill that reflects the contemporary working environment of this state.

The bill was also considered by the Finance and Administration Committee. There was another round of public consultation and submissions. To suggest that there was anything other than a full and comprehensive review that entailed submissions from the public and listening to what people had to say in regard to this legislation is absolutely incorrect.

Mr Crandon: Which you just ignore in the end.

Ms GRACE: Let me tell the member that there were not very many issues that came up that I needed to ignore. When I met with many employers and other people about this bill, not very many issues were raised directly with me. In fact, the government did not agree with the LGAQ on one position. We do not understand the big difference between one award with three schedules that had been set out in consultation with the commission, under the auspice of the commission, and it being converted to three identifiable separate awards, exactly like they are in relation to the Brisbane City Council, which has three separate identified occupational categories. That was the only main issue that the LGAQ had. That was it. We agreed to disagree. We thought that this was the better way to go. Yet, because of that incident, the LGAQ raised all of these other matters.

I am someone who has worked in industrial relations for most of my working life. I am very proud of that. I started in the union movement in 1980. I have represented workers and I will put my qualifications and my record against that of anybody opposite at any time. I am a very proud union official. I am very proud to have represented the workers. If members think that all employers in this state are innocent and they are all angels, let me tell them that that is not the case. There are a lot of workers who are bullied in workplaces, there are a lot of workers unfairly sacked and there are a lot of workers in this state injured or killed.

Mr Seeney: When are you going to get a real job?

Ms GRACE: I will take the interjection from the member for Callide, who asks me when I will get a real job. Right back at you, member for Callide. Right back at you!

Mr DEPUTY SPEAKER (Mr Furner): Pause the clock. Minister, take your seat. I call the minister.

Ms GRACE: It is worth remembering that when we looked at it there was a set of guiding principles and they were that we have flexibility, fairness and balance; the ability to protect those who are covered by the legislation; an independent tribunal; a system that promotes secure employment; strong legislation; and strong government. The system should also have an appropriate balance that recognises the protection of both individual rights and collective rights, including the right to collectively bargain. The agreed principles are reflected in the provisions that are in the bill.

Queensland is leading the way with a new entitlement to domestic and family violence leave. I hear, 'Why isn't this put in different legislation?' The misunderstanding of industrial relations by those opposite is breathtaking. This is an industrial entitlement. Industrial entitlements belong in the industrial relations legislation. That is what governs the entitlements of workers in their workplace. To suggest that it be put somewhere else is gobsmackingly, unbelievably naive. Amendments to strengthen the conversion arrangements for long-term temporary and casual employees to move into permanent employment is another principle, as is a new right for flexible working arrangements, a bargaining model that recognises the right of employees to collectively bargain and be represented and that encourages parties to reach agreement, and a set of robust governance and accountability requirements that apply equally to all registered organisations.

Let me give members a bit of information when it comes to us saying we will not have different reporting regulations for employee organisations and employer organisations. I note the member for Kawana went on about the credit cards of unions. There has not been one action taken against a union since all of those records have been publicly available. I would like to see the credit cards of those employer organisations published to see exactly what their entertainment expenses may have been like, but we will never know because the member for Kawana, when he brought that provision into the act, only applied it to unions and not to employers. When it came to the point of discussing this on the committee we talked about not having two separate conditions for employers and unions and guess who were the ones who thought, 'All that red tape? Oh dear, no.' They were the most vocal in not wanting their credit cards to be published. It was the employers' side that did not want it to flow to them. The employer organisations did not want it; it was too much red tape. They were very much against that happening and it did not get into this bill.

In regard to a number of the members opposite making allegations about how having three separate awards in local government was going to lead to an additional amount of money being spent—$100 million has been put forward; all of these extra costs—and to people being laid off, there is not one shred of evidence that that was going to be the case.

Mr Bleijie: Haven't you read the LGAQ submission?

Ms GRACE: I will take that interjection. The LGAQ has not provided a shred of evidence. We heard from members in the western areas talking about the western councils. They are operating with more than one award right now and I do not hear anybody complaining about laying off staff or it costing them extra money. I do not understand how, if conditions remain constant, they can say that this is going to cause additional expense. It is absolutely preposterous. It makes no economic sense. Anybody who peddles it, like those opposite did time and time again, are not only misleading this House but they are misleading themselves and they are misleading the people of Queensland.

There are other matters on which the member for Kawana is just plain wrong. He says those provisions remove the ability of the state to intervene in disputes. The bill does no such thing. I refer the member to clause 240. Those opposite either have not read or do not understand the bill. They do not know what it means. They get up and make these accusations and they are totally wrong. I refer the member for Kawana to clause 240 where it is clear that the minister has a power to apply to the commission to stop industrial action that is causing significant economic harm. It is right there in clause 240. The bill removes the ability of the minister to unilaterally stop industrial action. This implements a recommendation of the reference group that this provision should be removed because it is clearly not appropriate for the minister to have this power when the government is also an employer of a large part of the industrial relations jurisdiction. That is a direct conflict of interest and that should never have been in there. The member for Kawana gave it to himself.

The member for Kawana also tried to run the line that the bill waters down the accountability requirements for registered organisations. From his speech it is clear that he has not even read the relevant provisions of the bill. He tried to suggest there is no requirement for registers that detail the salaries of union officials. That is plain wrong. To the member for Kawana, the member for Toowoomba North and all of the rest of the members over there who said that, clauses 745 and 746 of the bill provide that an organisation must prepare a remuneration register that details the remuneration paid to the five most highly paid officers of the organisation. Under clause 764—wait for it, member for Kawana—that remuneration register must be included in the operating report that each organisation prepares at the end of each financial year. That operating report is freely available to all members under the reporting requirements at clause 778. Those opposite do not even read the legislation.

I reiterate that strong accountability and transparency requirements are placed on state registered organisations. It is simply false that those requirements have been removed under the bill. The requirements are very much in line with the new federal provisions. As I said, they also include that gifts and hospitality must be reported, there must be continuing financial management, policies in place to act honestly and compliance with the requirements of the Electoral Act in regard to political spending and reporting. Misinformation was peddled by those opposite. Those requirements are actually in the bill. If they read it they would find out.

The stringent requirements placed on registered organisations under this bill stand in stark contrast to the complete lack of scrutiny applied to unregistered organisations that those opposite advocate for. We heard them mention a couple of these associations not registered under the legislation. They do need to show how many members they have. They talked about these organisations having all of these members. How would they know? They never have to disclose it. They do not have to report anything to the commission. They are unregistered. They do not have to abide by any of the conditions.

Mr Cramp interjected.

Mr DEPUTY SPEAKER (Mr Furner): Order! Member for Gaven, you are already warned. I am getting very close to taking this matter further.

Ms GRACE: Those are the organisations that are supported by members opposite. They talk about being apolitical. I refer to the advisory panel connected to that nursing association and all the Liberal National Party members who sit on that advisory panel, yet they come into this House and tell us that they are apolitical. They have to be joking! Those organisations do not have to abide by any regulation whatsoever and they are the ones that they support. I find that absolutely breathtaking. They might like to explain the reports of significant financial irregularities with one of those organisations, the Australian Paramedics Association, over its financial arrangements for 2013-14 and 2014-15. The member for Kawana talks about union stacked reference groups. I refer to the people who represented the AIG, Nick Behrens of the CCIQ—he has resigned now, but I understand that he might be running in Brisbane Central and I welcome him; I have worked with him quite well and we are all free in this place—people from the Bar Association and the Queensland Law Society. To suggest that none of them were representing their organisations is disgraceful.

I turn to the question of Easter Sunday being declared a public holiday. My goodness. Apparently, the whole world is going to collapse because Easter Sunday is going to be declared a public holiday. The Gold Coast is going to close, the Sunshine Coast is going to close and the Whitsundays are going

to close. They are all going to close. Dear me! We are declaring Easter Sunday a public holiday. We made that known in August, but in 2017 Easter Sunday will not come around until April. Therefore, there will have been eight months notice. At the same time, we have made it clear in declaring that we wanted to look at trading hours in Queensland. We have put a very robust group together, chaired by John Mickel, to look at the trading hours and how Easter Sunday can be better accommodated within those trading hours. That is a very sensible and practical approach. I look forward to the report. They are working with the chair, John Mickel. That is the way it should be. Of the last public holiday change, an editorial in the *Courier-Mail* stated—

Inserting a new public holiday into the calendar is the kind of ... innovative thinking that is going to keep this state moving. A public holiday might not seem like an obvious way to churn the cash but it is actually exactly when people really are going to spend money. And it is going to do their health and wellbeing some good, too.

That editorial talked about the benefits that come from having a public holiday—in that case talking about the October public holiday recently gone. To those who oppose the move, I ask: where is the evidence that the economies of New South Wales, Victoria and the ACT have collapsed? Where is the evidence that the tourist areas in those states are all closing, that nothing is happening and that businesses are not employing? Where is the evidence? I can tell the House that there is none. There is not a shred of evidence. They do not know what they are talking about. They do not know what small business wants.

During the last campaign something that absolutely astounded me and made me realise I was going to win my seat was that the biggest complainers were small businesses. The government drove them to the wall. They were closing all over the place. I heard more complaints from small business than from any other any sector and far more than at any other time that I have run for an election, yet they make out that they stand for small business. I have never seen so many small businesses close as when the LNP was in government, because its sacking of staff impacted on small business. However, they come in here and say, 'Oh dear, if we have three awards in local government, they are going to sack people.' Theirs was the government that sacked thousands upon thousands of public servants. They cry crocodile tears about some bogus report that says that, because we will have three awards instead of one award and three schedules, staff are going to be sacked. That is an absolute joke. They are a joke. They have no idea. It is absolutely amazing that they would even say what they said.

I have covered the area of awards. Honestly, it seems as if the sky will fall in when it comes to adverse action. Adverse action is available. The Abbott and Turnbull governments left it in the industrial relations legislation. Adverse action mirrors the federal conditions. We heard one member talk about a particular case that came out of a federal circuit court decision where even the judge described the action of the employer in sacking an injured worker and the adverse action taken against that worker in the mining sector as absolutely disgraceful. Members opposite talked about an award. An award of $1.3 million was given to that worker for injuries, pain, suffering and loss of money. That money did not go to the union. It did not go to the mining division of the CFMEU. It went to the worker and the union was reimbursed a small amount—I think about $30,000—for legal fees. It was not $1.3 million—

Mr DEPUTY SPEAKER (Mr Furner): Order! Pause the clock. Take your seat, Minister.

Ms GRACE: It was not $1.3 million. They intimated that the sky was going to fall and that the union was going to make all of this money. Adverse action is exactly what the member for Cairns was talking about. Not only will staff have rights to bullying provisions; they will also have rights to adverse action. This is best practice. It is the way that you incentivise and ensure that employers do not engage in adverse action.

In conclusion, this bill continues to build on the Palaszczuk government's program of economic and social reform. Industrial relations has always been a mix of economic and social considerations and this bill will form yet another part of Labor's proud tradition of progressive industrial relations reform that strikes the right balance between the two. The bill will provide a new framework for cooperative industrial relations that is fair and balanced, and supports the delivery of high-quality services, economic prosperity and social justice for Queenslanders. That is what it is going to provide to the people of Queensland. Once more, I commend the bill to the House.