




Speech By
Andrew Cripps

MEMBER FOR HINCHINBROOK

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WORKERS' COMPENSATION AND REHABILITATION (COAL WORKERS' PNEUMOCONIOSIS) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr CRIPPS** (Hinchinbrook—LNP) (9.50 pm): I rise to make a contribution to the debate on the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill. I do so in my capacity as the shadow minister for mines, and my contribution will pertain only to those amendments to the legislation which deal with those matters regarding coal workers' pneumoconiosis. While I acknowledge that the bill also has some electrical safety amendments, those matters will be dealt with by other members and not by myself. As the explanatory notes accompanying the bill outline—

The *Workers' Compensation and Rehabilitation Act 2003* establishes the Queensland workers' compensation scheme which provides benefits for workers who sustain injury in their employment and for dependants if a worker's injury results in the worker's death ...

That framing statement in the explanatory notes is particularly pertinent when you consider the evidence that has been put forward to the select committee, which is that both the employees potentially impacted by their employment and the families of those employees impacted by their employment are both supported by the provisions of the Workers' Compensation and Rehabilitation Act. The explanatory notes go on to say—

Following the re-identification of CWP in Queensland, Parliament established the Coal Workers' Pneumoconiosis Select Committee on 15 September 2016 to conduct an inquiry and report into CWP in coal mine workers in Queensland. Evidence provided before the Select Committee raised concerns regarding how the workers' compensation scheme operates in relation to CWP. In response to these concerns, the Government established a CWP Stakeholder Reference Group consisting of representatives of employers, unions, the legal profession, insurers and departments relevant to coal mining in December 2016 to provide advice on any gaps in the workers' compensation scheme.

The bill that we have now before the House implements two recommendations that have come forward from that stakeholder reference group. It addresses the concerns about former or retired coal workers not undergoing medical testing for CWP due to the high costs involved. That can be a barrier to former workers employed in the coal sector who may be on low or fixed incomes, and it is important to make sure they are eligible and capable of accessing that testing if they believe it is required. The bill also ensures that workers with CWP and other types of pneumoconiosis, such as silicosis, who experience disease progression can reopen their workers compensation claim and access further entitlements. As part of implementing the recommendations, the bill also introduces an additional lump sum compensation for workers with pneumoconiosis. This additional lump sum compensation recognises the ongoing nature of pneumoconiosis injuries. We have heard extensive contributions from the minister about the progressive nature of this particular disease, which can be debilitating over time. This will ensure that workers with CWP or other pneumoconiosis will have access to compensation for their injury, even in circumstances where they are not suffering from any permanent impairment or incapacity for work.

While recognising that there are provisions in this bill that are retrospective in nature which will allow people who may have already claimed in initial circumstances for the impairment as a result of their employment in the coal sector to gain access once again to the workers compensation framework, I think it is fair to say that the provisions in this bill are somewhat preparatory. It is a preparatory bill in anticipation of significant and perhaps more wideranging reforms to mine safety and health legislation as a result of recommendations of the CWP Select Committee. Although we are preparing for those reforms to that mine safety legislation, this bill remains important because there is no point acknowledging and preparing for the need for continuous improvement in mine safety and health legislation if we do not have appropriate mechanisms in place to support those people who may fall victim to CWP or another type of pneumoconiosis from working in the resources sector.

The remaining recommendations of the CWP select committee are being considered by the government, and it is reasonable to anticipate that there will be substantial reforms to coalmine safety and health legislation and other resource sector workplace health and safety legislation. Given the evidence that the CWP select committee has heard, I think it is also quite reasonable to assume—as the member for Bundamba and the member for Southern Downs have outlined in their contributions—that the potential scope of CWP being identified in resource sector workers—coal sector workers in particular—could be quite significant. We must prepare the arrangements to accommodate the needs of those workers.

I have reflected before in this parliament about the burden of being the minister responsible for these pieces of resource sector safety and health legislation. The Minister for Employment and Industrial Relations carries the burden in this place of generally being responsible for workplace health and safety legislation across the rest of the workforce. So complicated and so nuanced is safety in the resources sector that they have their own sets of workplace health and safety legislation across the coal sector, the gas sector, the minerals sector and the explosives sector. Each has their own unique piece of legislation.

I have been in the circumstance that the Minister for State Development, Natural Resources and Mines, the member for Stafford, has found himself in in the past—and other members in this place have found themselves—where you do get those phone calls and you feel the burden of being responsible for the continuous improvement in those workplace health and safety regimes where people's lives are at stake, and they are important. This preparatory legislation is really quite significant because we are getting ready to overcome what the member for Bundamba—whose contribution was significant—and the member for Southern Downs have said could be a landmark situation, and we need to make sure that our workers compensation legislation is satisfactory to catch those people who are impacted.

In the time remaining I want to touch on the contribution of the member for Mirani. In the latter part of his contribution the member for Mirani made critical remarks about some coalmining companies who are the employers of coalmine workers. He made comments about the value of those workers to the companies who were employing them for the purposes of coalmining. Given that he made those comments in the context of his contribution to the debate on the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) Bill, I hope he was not suggesting that there has been some systemic failure on the part of those companies which has resulted in the issues that have been clearly identified by the select committee into the re-emergence of coal workers' pneumoconiosis in Queensland.

If he was suggesting that—and it was difficult to make out whether or not he was or he was just making general comments, which he sometimes does in this parliament—that is actually not what the select committee has found and the contribution of the member for Southern Downs in particular made that abundantly clear—that is, there was no systemic failure on the part of companies employing individuals engaged in coalmining activities. I hope the member for Mirani was not laying a burden of blame on companies in this regard, because it would be inappropriate for him to do so given the clear evidence and the overwhelming burden of evidence that has been given to the select committee. I just wanted to clarify that matter because I think it would have been unfortunate for the member for Mirani to make that particular assertion during the course of this debate.