




Speech By
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MEMBER FOR BURDEKIN

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LABOUR HIRE LICENSING BILL

 **Mr LAST** (Burdekin—LNP) (10.11 pm): I rise to oppose the Labour Hire Licensing Bill 2017. The Labour Hire Licensing Bill being debated here tonight highlights fundamental differences between those on that side of the House and those on this side of the House. The bill overregulates the entire sector and throws up numerous unintended consequences, with far-reaching effects right across Queensland.

On a number of occasions in this place I have spoken about the labour hire industry and the impacts on my electorate of Burdekin. Each year, thousands of backpackers descend on Bowen, Gumlu and the Burdekin for the fruit and vegetable picking season, which is at its peak as we speak. Those backpackers provided much needed labour on farms, planting, picking and packing the produce that we see every day on supermarket shelves. Without them, we would not have an industry in the north. I have to say that in the majority of cases those backpackers are employed by reputable labour hire companies and are well looked after. However, there are a select few rogue operators who prey on backpackers, and their shameless exploitation of those workers is nothing short of disgraceful.

Ms Grace interjected.

Mr LAST: The minister should listen. When it came to preparing my speech for this debate, I asked myself three questions: will the legislation stamp out those rogue operators; is there sufficient oversight in place to address the problems associated with rogue operators; and is this problem restricted to Queensland or is it part of a bigger problem across Australia and, thus, warrants federal intervention? One needs look no further than the committee review and stakeholder comments to understand the concerns associated with the bill before the House.

There were 41 submissions before the committee, and it is interesting to see who supported the proposed legislation: the Queensland Nurses' Union, the AMWU, the AMIEU, United Voice and the MUA. However, what is of more interest to me is the organisations that oppose the legislation, such as AgForce, Growcom, WorkPac, the Queensland Law Society and the National Farmers' Federation. Their reasons for opposing the legislation are clear and unambiguous: the definition of 'labour hire' is too broad, the operations are far too broad, the need for a consistent national scheme, the prospect of an additional regulatory scheme, the imposition of significant additional costs, the imposition of another layer of regulation adding to an already significant compliance burden, the undermining of job growth, the creation of an unnecessary layer of legal requirements and that the bill is inconsistent with the federal jurisdiction of the Fair Work Act 2009. Doesn't that ring alarm bells for the minister? When the peak horticultural industry body in Queensland opposes the bill before the House, there is something drastically wrong.

The critical question here is whether the labour hire industry can be adequately monitored and regulated through the existing suite of federal and state laws and agencies, and whether this issue can be better addressed through a national accreditation scheme for labour hire companies. It is my firm belief that existing legislation at both state and federal levels exists to deal with the problem of unscrupulous labour hire companies; it is more a matter of resources and commitment to do something about it.

I have reported a number of instances of unscrupulous behaviour by labour hire companies to the relevant authorities and I will continue to do so, because for me a fair day's work deserves a fair day's pay and there is nothing worse than a rogue labour hire company that takes advantage of workers, in some cases treating them like animals, to feather their own nests. I liken those operators to blood-sucking leeches. Not only should they be prosecuted; they should be permanently removed from the industry. I have had reported to me rogue operators that take the visas and passports of backpackers and lock them in a safe until such time as they deem they have paid their way. I have heard of up to 31 backpackers crammed into a single house. I have heard of backpackers being forced to pay exorbitant fees for rent and food, and the list goes on.

The Fair Work Ombudsman regularly prosecutes and fines companies that breach the law in relation to the hire of labour and appropriate record keeping. Therefore, if there is already a ruling body that works to protect labour hire workers, why do we need the legislation before the parliament tonight? Those opposite would say that the Fair Work Ombudsman does not go above and beyond to protect the rights of labour hire works, but I do not believe that to be the case. In fact, on 26 July 2017 a Queensland labour hire company was fined more than \$84,000 for failing to keep proper records for overseas workers on a strawberry farm near Caboolture.

That proves that there are laws in place to ensure that workers' rights are looked after, so instead of pumping millions of dollars into a new government body, wouldn't we be better off providing more funds to the body that is already there to ensure no-one falls through the cracks? I have also suggested that a national task force with wideranging powers is better placed to investigate and prosecute the unscrupulous labour hire companies and operators that are doing the wrong thing, because those dodgy labour hire companies operate right across Australia and, for that very reason, the policing and compliance regime should be nationally driven.

The policy objectives of the Labour Hire Licensing Bill are to protect labour hire workers from exploitation and restore confidence in the labour hire industry through the regulation of providers of labour hire services in Queensland. Therein lies the problem. It is another layer of regulation that will impose even more red tape on a number of industries that are already struggling for survival. There is no evidence that a licensing regime would address the problems of rogue operators in the highly successful labour hire industry.

This union directed Labor government would proceed with introducing labour hire legislation to further the interests of their union masters, regardless of the outcome of that inquiry. That has occurred through this legislation and the non-government members are still of the opinion that this legislation is a politically inspired opportunity by this government to generate more fees from the industry while, at the same time, promoting union membership. Furthermore, this legislation will not stamp out the abhorrent practices of unscrupulous rogue operators to any significant degree. The objectives of the bill do not line up and, from what I see, this bill is about lining the pockets of the unions.

The LNP does not and will not ever conform to union bosses and their blatant membership drive, which is designed to do nothing but line the union coffers and, in turn, fund the Labor Party in this state. The bill before the House is a case of overkill and, unfortunately, there is no certainty that this legislation will eliminate those rogue operators who continue to operate with relative impunity across the state. Instead of going down the legislative track, the government would be better served in resourcing those agencies with responsibility for enforcing legislation regarding the labour hire industry in Queensland.

This bill is a little bit like asking bikie gangs to become licensed and that all bikie gang members should be fit and proper persons. Rogue labour hire operators have not and will not comply with the legislation before the House because they have no scruples and they have no interest in doing the right thing. They need to be prosecuted and there needs to be an ongoing compliance regime, particularly in the horticultural sector, to ensure labour hire operators are doing the right thing and it should be coordinated at the national level. The LNP will oppose the introduction of this bill because it is nothing more than a pocket liner for the Labor Party and their buddies at the unions.