




Speech By  
**Linus Power**

**MEMBER FOR LOGAN**

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Record of Proceedings, 23 August 2017

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

 **Mr POWER** (Logan—ALP) (9.41 pm): I have been away sick today. I served on the committee that examined the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill. I wanted to come and make a contribution, firstly, because like others in the House, I have family members who spent a lifetime working in the coal industry and recognise—like the member for Mirani does—that the mines are not simply about a piece of black rock but they are about the workers and the communities that go to form them and the commitment that Queenslanders have to treat workers fairly at all levels.

I will not repeat much of the information about the bill because I think it has been well covered by the member for Sunnybank, whom I recognise as the chair, the member for Bulimba, the member for Mirani and, of course, the minister. What we should recognise, though, is that the bill is obviously an amendment to the workers compensation act and influences and trades upon the workers compensation act. I notice today that we had bipartisan support from both sides of parliament. All the LNP members spoke about their commitment to seeing that workers who have this disease have access to workers compensation and of course common law rights. That was not the case not so long ago. We know that many of these members, including the member for Buderim in his former role as LNP member—and he is yet to apologise for it—voted for the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2013. That was a bill that cut off the rights of workers who had a permanent impairment.

**An honourable member** interjected.

**Mr POWER:** The member for Kawana, of course, was the one who led it. That bill cut off the rights of those who had permanent impairment of less than five per cent. We heard through the committee that many of the workers who have the first level of CWP would have less than five per cent permanent impairment. Every member on that side of the House bar the members for Dalrymple and Mount Isa have actually voted against this bill in a form. They voted against coalminers getting early diagnosis. They voted against coalmine workers getting the treatment and the access to common law.

**Mr Pegg:** And they voted against the amendment to repeal their legislation.

**Mr POWER:** As the member for Stretton reminds me, we brought up these very issues in this parliament. We spoke about workers who, although they would only face a five per cent impairment, would face significant loss of income through not being able to work in their chosen field. I spoke about a Logan worker who works for the council who damaged their back. They might be classified as having only a five per cent permanent impairment, but they could no longer work in the field that they chose. They would have no access to workers compensation and no access to common law rights. When we speak of these workers we want them to get the earliest diagnosis possible. We want them to have access to workers compensation at the earliest stage so they can get the diagnosis, so they can get the tests. However, those on the other side of the House have voted against that very principle. Do we

in this place need to have special commissions of inquiry in every single workplace in order to find out that there are workers who are suffering through these things and who deserve to be protected? I would hope that the LNP, through looking at this process and through the other special inquiry process, would see that they are wrongheaded about the five per cent permanent impairment principle.

**Mr Pegg:** We haven't heard that yet.

**Mr POWER:** We certainly have not heard that yet; the member for Stretton is correct.

I noticed that the member for Mermaid Beach spoke about consultation. I noticed that the member for Mermaid Beach spoke about some of the things that could have happened beforehand. However, he did not mention that the Workers Compensation and Rehabilitation and Other Legislation Amendment Bill 2013 for which he voted was introduced into this place on 15 October 2013 and after a long period of consultation of—

**A government member:** How long?

**Mr POWER:**—two days it passed on 17—

**Mr Pegg:** It passed on Thursday.

**Mr POWER:** Tuesday to Thursday, that is how much they cared about this process.

**Mr Bleijie:** You weren't even here, mate. Don't talk to me about it.

**Mr POWER:** The member for Kawana says that I was not here and he is right. If I had been here I would have held him to account and my vote would have counted against it. Instead, we saw people like the member for Burdekin, who proudly claimed that he had the majority—

**Mr BLEIJIE:** I rise to a point of order. Could you please direct the member for Logan to the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill 2017, not a 2013 bill? We are discussing the 2017 bill. This debate has gone on all day in a very polite and bipartisan way. Now the member for Logan is politicising it. I ask you, Madam Deputy Speaker, to draw his attention to the bill we are debating, not the 2013 one.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! The member for Logan has the call.

**Mr MANDER:** I rise to a point of order. If the member for Capalaba would like to interject, could you remind him to be in his seat, thank you?

**Madam DEPUTY SPEAKER:** Thank you, member for Everton. The member for Logan has the call.

**Mr POWER:** I agree: I found the member for Capalaba most disturbing, but I will try to steer through it!

This bill interrelates with the workers compensation bill. If the 2013 bill was still in place, we would have failed the coalminers of Queensland in terms of them getting an early diagnosis, getting treatment and getting the scans they need for diagnosis.

The member for Burdekin spoke proudly about the fact that he represents the majority of coal workers. However, will he tell them that he voted in this parliament against the very principle that would allow them to be diagnosed at the earliest stages of CWP? Would he tell them that previously he shut off their access to common law rights? When we introduced the bill he voted against those workers getting their common law rights when we sought to restore them. We know that he will not talk to them about that, but I hope others will remind those workers.

It is also important that we speak about one of the other objectives which is to ensure that a safety regulator has the power to immediately suspend a person's electrical worker licence if after a death or incident of grievous bodily harm the regulator forms 'a reasonable belief the person may be responsible'. This is a very high burden, but it is very important after some of the issues we have seen.

The member for Mermaid Beach spoke about people being able to access the committee process through being able to be at the hearings. I want to particularly reach out to the affected families: Mr Michael Garrels, Mr Bill Martin, Mr Kevin Fuller, Ms Christine Fuller, Dan Kennedy and Mrs Debbie Kennedy. We also reach out to those who could not raise their voice—their children for whom they were speaking.

After the hearing I reached out to speak to them—I recommend that you go to the transcript—to thank them for coming and speaking to the committee. One of them, who I will not identify, said, 'I hope I just said it right. I didn't have the big words like the lawyers that spoke earlier or those that represented industry.' I said to him, 'You said it perfectly. You said it with passion and directness. That was what we need in this process.' For anyone who wants to be part of the committee process but is not a lawyer or a rep for big business, I recommend that you come forward and speak plainly from the heart about what you feel, because that is the best way to be part of this committee process.

I commend the bill to the House for those workers it protects. I also recommend that we protect others who have impairments which may degenerate and that we protect them early through the WorkCover process.