




Speech By  
**Ray Stevens**

**MEMBER FOR MERMAID BEACH**

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

 **Mr STEVENS** (Mermaid Beach—LNP) (8.22 pm): I rise to speak on this very important bill, Mr Deputy Speaker Elmes, and also congratulate you on your admirable chaperoning of the debate this evening, allowing appropriate latitude to the speaker who has the call yet controlling the interference and interjection where inappropriate. Very well done, Mr Deputy Speaker. It is a very important bill and it seeks to address a catastrophic failure of regulatory and health surveillance systems in identifying a terrible preventable disease we thought was eradicated—coal workers' pneumoconiosis, CWP, or more colloquially black lung disease. CWP is a debilitating latent onset injury contracted through workplace exposure to coaldust over a period of time. This bill will seek to address this by introducing measures to address medical examination requirements as well as further lump sum payment arrangements.

This is a fundamental health and safety issue which should be above politics, with the re-emergence of black lung in our coalmining industry affecting hardworking Queensland workers and their families. I am very pleased to hear the bipartisan support around the House tonight and I am sure there will be an appropriate outcome with this bill coming into legislation very shortly. That is a very important part of the job we do—that is, we come together on probably about 90 per cent of the better legislation that comes into this House. These are workers and their families whom we must recognise as being a vital part of the economic growth we experienced in years past when it was Queensland miners who provided the jobs that industry needed to grow Queensland into the wonderful state we live in today.

In my mind there should be no doubt that, when safety issues come into mind, individual workers should not suffer or be compromised, particularly so a minister's dignity may not suffer. I refer of course to the slap-in-the-face comments made by the Minister for Natural Resources and Mines—comments which caused even the militant Labor supporting Construction, Forestry, Mining and Energy Union, the CFMEU, to call into question the actions of this slipshod Palaszczuk Labor government in relation to addressing the needs of this identified debilitating disease and particularly the training wheels Minister for Natural Resources and Mines. The CFMEU clearly stated—

Black lung victims ... have no time for a Minister to prevaricate and delay just because his department is nervous about their negligence.

Unfortunately, this was a minister that even the stalwarts of Labor called for to be sacked following his insensitive and head-in-the-sand comments questioning the scientific evidence given in the Queensland inquiry into black lung disease. At this point in time I want to make mention of the excellent work that the members for Bundamba and Southern Downs have done on their committee, which has done a lot of investigative work and supported all aspects of resolving the issues which arise out of this quite clear and dangerous neglect in terms of the avoidance, if you like, of appropriate measures of safety considering that black lung disease was a disease of yesterday. It is not—that has been identified—and it is very pleasing that this House is coming together tonight to address those issues.

At the time of the re-emergence of coal workers' pneumoconiosis, the LNP in August 2016 led the way and called for the establishment of a royal commission or commission of inquiry into the re-emergence of coal workers' pneumoconiosis. Unfortunately, that was a call that was summarily rejected by the Palaszczuk government which instead took another month to establish a parliamentary select committee. It was very successful in the end. The Finance and Administration Committee was very supportive and the chair, the member for Sunnybank, did a great job in terms of giving everybody the opportunity to have their say on this very important issue.

At the end of the process we have received yet another demonstration, unfortunately, of Labor's training wheel legislation creating more questions than answers, with the Finance and Administration Committee report No. 44 on the Workers' Compensation and Rehabilitation (Coal Workers' Pneumoconiosis) and Other Legislation Amendment Bill providing four out of the five recommendations requesting clarification and information from the Minister for Employment and Industrial Relations. The minister must almost be used to being sent back with recommendations requiring amendments. Only recently in the House we had the wonderful experience of the Trading (Allowable Hours) Amendment Bill coming back to life after 32 amendments and a hiatus of several months while the minister got the legislation correct. It reads like a bad report card to me, with recommendations requesting that the minister update the House on progress to date in establishing and implementing an Australian B reader program which, for those who are not in the know, refers to the qualification and equipment needed by Australian radiologists to identify black lung disease using the International Labour Organization, ILO, system—a system recognised worldwide.

Further recommendations request the minister to provide—and using my favourite word in this debate—'clarity' around the application of the 'once and for all' rule in common law to dust disease sufferers whereas they have received compensation under common law and develop a new disease or see their current disease progress at a later stage; 'clarity' on who bears the responsibility for the medical examination costs for miners who demonstrate six months of exposure at more than one Queensland work site and the costs associated with travelling to those examinations; and, lastly, 'clarity' on the intent behind proposed section 727, including whether it is to exclude workers who have been assessed under section 179 of the Workers' Compensation and Rehabilitation Act 2003 before the commencement of the act from accessing both the initial lump sum payment as proposed under chapter 3, part 3, division 5, subdivision 1—proposed sections 128F to 128H—and the additional lump sum payment under chapter 3, part 3, division 5, subdivision 2—proposed sections 128I to 128K. That sure is a lot of clarity that is needed!

The introduction of a medical examination process for retired and former coal workers who are concerned about CWP or coalmine dust lung disease, as well as the introduction of an additional lump sum compensation entitlement to workers with pneumoconiosis, is a cornerstone of this bill. Issues surrounding the clarity of who can access this support should be of great concern to the Palaszczuk Labor government following the findings of the Coal Workers' Pneumoconiosis Select Committee in May 2017 that the current workers compensation scheme in Queensland is not adequate and does not provide for the needs of retired coal workers, the needs of miners with no permanent impairment who may not otherwise be entitled to lump sum payments or the needs of miners whose disease has progressed following some form of lump sum payment.

To turn to another important part of the bill, we did identify amendments to the Electrical Safety Act. The committee heard from a very moving group of parents affected by matters in relation to electrical safety. Those good folk who appeared before the committee were very satisfied that we had made appropriate movements in direction on some of the issues relating to electrical contractors whose work was not of a safe standard. This legislation will provide opportunities in the future for an immediate closure, subject to a serious fault—an identified accident—in providing electrical safety across the workplace. I reiterate our support for any moves that protect worker safety now and in the future in terms of these life-threatening issues. With just one slip it can be all over for a person working in dangerous electrical places. As someone who many years ago lost their father to an electrical accident, I support 100 per cent any moves in that direction.

This bill before the House is an excellent bill which is being supported by all members, I hope. It was my pleasure to be part of the Finance and Administration Committee, which receives wonderful support from its administration team in facilitating everyone having a fair say. It is my pleasure to support this bill before the House.