




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

Record of Proceedings, 27 November 2019

HOLIDAYS AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WEIR** (Condamine—LNP) (2.55 pm): I rise to make a contribution to the Holidays and Other Legislation Amendment Bill 2019. This bill was introduced into the House and referred to the committee on 19 September 2019 with the committee reporting on 4 November. Unlike a lot of legislation that comes into this House, this one has come back very, very quickly.

The LNP will be opposing this bill, which creates increased costs to both employers and consumers. The committee recommended the bill be passed with no other recommendations. A dissenting report was provided by the LNP members of the committee. The key objective of this bill is to introduce a part-day public holiday for Christmas Eve from 6 pm through to midnight. The explanatory notes state that workers would be entitled to: refuse to work in reasonable circumstances or to the payment of public holiday penalty rates if work is carried out on Christmas Eve after 6 pm.

In August 2019 the government released the consultation RIS and then published a decision regulatory impact statement in December 2019 prior to the bill being introduced into the Legislative Assembly. There were 28 days provided for the consultation RIS process, which closed on 2 September 2019. In total, 1,779 submissions were received. Of the 1,271 submissions that were in support, 1,149 were provided by the members of the Shop, Distributive and Allied Employees Association. Of the 508 submissions that opposed it, 422 were provided by the Chamber of Commerce & Industry Queensland. Some submitters expressed concerns about the department's consultation process, noting that many submissions to the consultation were single-line comments, which seemed fairly inadequate.

With reference to the explanatory notes to the bill, the additional annual wages cost to the Queensland government for the state's public sector was estimated to be within the range of \$9.4 million to \$21 million. These figures pale into something less significant when we consider the estimated additional annual wages for the Queensland private sector are in the range of \$31.9 million to \$115.8 million. The difference between these estimates is staggering. However, one thing we have learned through bitter experience with this Palaszczuk Labor government is to always expect the worst, so the higher figure is the more likely cost.

An analysis of businesses by the department provided that 15,338 Queensland businesses would likely be impacted by the changes. Former Speaker John Mickel provided a report in December 2016 on a review into Queensland's trading hours, which included the issue of a part-day public holiday. While the union supported a part-day public holiday, organisations representing small business and tourism were opposed. In response, the review recommended that non-exempt shops—large retailers—had to close by 6 pm on Christmas Eve. The report stated—

It is considered that the 6pm closing time is a reasonable compromise which allows most workers to go home at a reasonable hour, balancing costs for all industries if a public holiday was to be declared from 6pm.

The government adopted and legislated this recommendation in 2017. In 2019 Queensland had 12 public holidays.

Submissions opposed to the proposed public holiday were received from Clubs Queensland, National Retail Association, Retail Drinks Australia, Hotel & Tourism Management, Australian Retailers Association, Restaurant & Catering Australia, Chamber of Commerce & Industry Queensland and Queensland Tourism Industry Council—all major employers. The LGAQ submission states—

... several councils have expressed concern on the likely impact on small businesses in their communities ...

It concludes—

... the case for the granting of an additional part-date public holiday has not yet been made.

Further, Clubs Queensland advised that most community clubs would trade at a loss if they were to open on a Christmas Eve public holiday and that many community clubs would therefore consider closing at 6 pm. As a result, those employees who ordinarily would have worked that evening would lose shifts and income.

In short, this bill will cost jobs and will increase prices for consumers. It is yet another display of the Palaszczuk Labor government's pro-union, anti-worker and anti-small-business agenda. In the public hearing, the Australian Retailers Association stated—

The case for this proposal is flawed at best and baseless at worst.

These laws are being debated at a time when Queensland has the highest unemployment rate in the nation, with over 117,000 Queenslanders in the unemployment queue. The bill is being rushed in for this Christmas, ahead of the state election next year, to appease the unions—yet again. Two of Queensland's largest employer groups in the service sector that will bear the brunt of this bill are opposed to its introduction. I refer to the Queensland Hotels Association and the Queensland Tourism Industry Council.

Right now in the Condamine electorate, the last thing any small business needs is extra costs and the last thing that consumers need is extra costs. Cafes, restaurants, accommodation providers, clubs and hotels are already feeling the pinch of the enduring drought. Adding the burden of another public holiday with penalty rates could be the straw that breaks the camel's back.

Under this Palaszczuk Labor government, Queensland is now leading the nation in business bankruptcies, accounting for 30 per cent of all bankruptcies in the nation. This bill will only add to that figure, putting additional costs on already struggling businesses. This government has no plans to help small business grow or to boost jobs.

There are 150 workers in the Condamine electorate who would love the opportunity to work on Christmas Eve but who have been put on permanent holidays thanks to this Palaszczuk government's refusal to grant approvals for stage 3 of New Hope's Acland coalmine. These people would love to work on Christmas Eve, Christmas Day, New Year's Day or any day—including tomorrow—but they are being denied by this government. It is in this government's power to give these people the jobs they need. The government has the ability to do it. There is nothing to stop it from doing it. Members opposite say that they are the party for workers—

Mr DEPUTY SPEAKER (Mr Stevens): Member for Condamine, can you return to the bill, please.

Mr WEIR: They need to support this. Those workers do not need to be on permanent holidays. I oppose the bill.