




Speech By  
**Jarrold Bleijie**

**MEMBER FOR KAWANA**

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### **COMMUNITY SERVICES INDUSTRY (PORTABLE LONG SERVICE LEAVE) BILL**

 **Mr BLEIJIE** (Kawana—LNP) (4.57 pm): In rising to speak to this bill, the minister's proposed amendments number some 51 pages. The amendments are nearly the same size as the bill.

**Mr Stevens** interjected.

**Mr BLEIJIE:** I take the interjection from the member for Mermaid Beach. There are not as many amendments as the minister moved with her racing bill—some 200 to 300 amendments—but it is close. The bill has been on the *Notice Paper* for quite some time. At the eleventh hour, the government is rushing in and moving amendments that have nothing to do with this bill. It is really a concoction of government bungles that its members now have to cobble together and fix, including those relating to the amendment to the youth justice legislation and to the minister sitting in the back. These amendments that the minister promised in March are finally coming to the House. There are other amendments that the minister just spoke about.

As I said, there are 51 pages of amendments but the bill itself is only 77 pages. The explanatory notes to the amendments are longer than the explanatory notes to the bill! The reason for that is that this government has no clue about what it is doing. In fact, one amendment of note amends the government's own COVID emergency response legislation because the minister failed to provide the regulatory information within the required 14 days—and now they have to fix that up! Let me get to the bill before I get to the amendments. It turns out that I will have to spend more time addressing all the amendments than the substantive nature of the bill. The bill is important, and the LNP will support those aspects of the bill.

I do not think that these amendments should be just tacked on to a bill for the sake of government expediency to get it through the House. It should have been a separate bill that should have gone to a committee—separately debated, separately consulted on. I was envisaging, because there has been all of this talk and rumour with the government about what it is doing with the industrial relations pay freeze, deferral, whatever—

**Mr Stevens:** The freeze has melted.

**Mr BLEIJIE:** It depends on which day the Premier is speaking as to what she is calling it or what it actually is, but I think we now have some clarity around what it is. However, there has been no public consultation with the Queensland community. It is not going before a committee. The bail youth justice amendments are not going before a committee, and the devil is always in the detail.

One of the amendments that the minister will be moving in this bill is that people who are forced into quarantine because of government laws are now going to be forced to pay for all of their accommodation, food and so forth. I have not heard that spoken publicly about in Queensland with regard to people forced into quarantine coming back from overseas. A poor worker who has been forced to work overseas coming back home to the beautiful state of Queensland and forced to go into government quarantine for 14 days will now be slugged by the Queensland government for their accommodation, food and expenses when they have no choice but to do it because the government has made a law to do it. Where was the discussion about that?

This is the bizarreness and the arrogance of the government. This should not be tacked on to this bill. These are substantive amendments that need their own consultation through a proper committee process rather than just tacking it on to a bill just for the sake of getting it through. What people need to understand is that when we go to the Business Committee meeting on Monday when the Leader of the House asks us how many hours we need for various debates and we give a view—and my view is always the same; it is never enough—never are we told that there is going to be 51 pages of amendments, because I can tell members that if we were told there were going to be 51 pages of amendments we would have said that it is going to take a lot more than three hours of debate time.

However, I will tell the House what I did do. I text messaged the Leader of the House following the Business Committee meeting and she advised that there were going to be amendments to this bill. Yesterday I texted the Leader of the House and asked her if we would be provided a copy of those amendments prior to the debate so we could properly look at the amendments. The opposition crossbench are not privy to cabinet deliberations. I am not sure if half the cabinet is even privy to what goes on or what is said, but we are not privy to those discussions. We are not privy to the caucus meetings and what happens in all of those meetings. The first we hear about these amendments is just now when they are tabled as the minister is on her feet.

I asked the Leader of the House for copies of the amendments. She said that she would check with the minister. She obviously checked with the minister and the minister said no. I asked for more than 24 hours notice to be given to this House so we could properly look at these amendments yet, as I said, 51 pages of amendments get lobbed into the parliamentary chamber as we start the debate. As a shadow minister I am expected, whilst the minister is making her little 15-minute contribution, to fully read the 51 pages, understand them and contribute to the debate. Luckily I am good and I have done it. I understand the 51 pages of amendments and what the government is trying to achieve and the bogus way it is trying to achieve it. I did read the 51 pages as the minister was speaking, and once you start reading the amendments it does not take long to work out that this government is a government in complete chaos. It has no idea what it is doing. There should have been a bill introduced and the government should have probably declared it urgent and we would have had the debate of urgency because it says that these are COVID related amendments.

Turning to what is now not even the substantive nature of the debate because the bill is far less than the actual amendments, I address what we should have been debating and are debating, the Community Services Industry (Portable Long Service Leave) Bill 2019 introduced by the minister in November last year. The purpose of the bill, as has been set out by the minister, is to provide these additional benefits for workers in the community services industries following on from similar arrangements that were made for workers in the contract cleaning and the construction industries in Queensland. This is done by establishing a portable long service leave scheme for workers in the community services industry in Queensland administered by QLeave.

As outlined in the explanatory notes, for members' benefit, the portable long service leave scheme would cover workers listed in schedule 1 of the bill performing community services work. On behalf of all Liberal National Party members, I give a big shout-out to our wonderful community services workers in our electorates for the amazing work they do on the front line in all of our electorates across Queensland. They are an incredible group of people. That is why we are supporting the provisions in these amendments today. They include contract workers engaged by an employer that is established for, or with the purpose of including, providing community services. The description of 'community services' is informed by the sector profile in the Deloitte report, *Forecasting the future: community services in Queensland 2025*, and the scope set out in the Social, Community, Home Care and Disability Services Industry Award 2010.

The bill also covers other workers engaged by an employer to support the provision of community services work; applies to both profit and non-profit organisations in the community services industry; provides workers with a PLSL entitlement after seven years service with accrual at the rate of the existing statutory entitlement of 8.67 weeks after 10 years service so prescribed in the Industrial Relations Act 2016; requires an employer to pay a levy calculated on an employee's ordinary wages and report on an employee's service; be administered by the existing PLSL, QLeave, which currently administers portable long service leave schemes for the building and construction industry and the contract cleaning industry, with oversight by a governing board consisting of a chair, a deputy chair with financial/investment expertise and an equal number of employer and employee representatives; and amends the Industrial Relations Act 2016 to make clear that an employee whose employment is terminated through an illness related incapacity will be entitled to pro-rata long service leave in accordance with these changes under the act.

The community services industry is an important industry that employs thousands of Queenslanders, many of whom support some of the most vulnerable Queenslanders. The sector is growing rapidly and undergoing significant change, in part due to the introduction of the National

Disability Insurance Scheme. Research shows that workers in the community services industry are less likely to accrue a long service leave entitlement due to the high mobility between industry employers and insecure work arrangements. These factors are largely a consequence of the limited life funding arrangements in the community services industry which often lead to staff being engaged on a series of limited term contracts and by different employers within the industry.

As the explanatory notes state, the portable long service leave scheme will be funded by employer contributions by a levy paid on the ordinary wages of their workers. Independent actuarial assessment has calculated the levy to be 1.35 per cent. This level of contribution, alongside a return on investment, will allow the scheme to be administratively self-supporting as well as meet its commitments to pay long service leave to industry workers. QLeave estimates that the cost of establishing and administering the new PLSL scheme for the community services industry is approximately \$1 million in the first year and annual administration costs of approximately \$800,000 thereafter. It is proposed that the initial establishment costs of the scheme be met by a loan from the contract cleaning industry PLSL fund.

The LNP, as I said, does not oppose these additional arrangements to support workers in the community services industry. These entitlements will improve job security and importantly encourage more female participation in the workplace given the gender disposition of these industries. This is important particularly given that under the Palaszczuk Labor government Queensland has the worst unemployment in the nation—I repeat: the worst unemployment in the nation—and that was before COVID-19. Queensland had the worst unemployment in the nation before COVID-19. Under this Labor government Queensland had the worst youth unemployment in the nation and the highest number of long-term unemployed people in the nation before the onset of coronavirus. That is nothing to be proud of. This government ought not be proud of its economic record in terms of the unemployment rate and those looking for employment in Queensland. The bill will also be helpful in encouraging long-term employment and reduced turnover in the industry, leading to better outcomes for clients and less costs in training and development of new staff for industry.

As a former minister who administered the QLeave scheme, I certainly appreciate and support the benefits it provides to both Queensland workers and businesses. In reforms made to the scheme under the LNP government, we were able to reduce the premium rate for building and construction projects and support large-scale resource projects whilst maintaining entitlements for workers in those industries. This government has been talking about levy increases—no surprise at all from a high-taxing, low-growth economic plan that has seen Queensland continue to have the worst unemployment rate in the nation. As I understand, these changes were under active consideration by the government but then snuck through as a regulatory change in March this year. During coronavirus the government just snuck this little regulatory change in. This is yet another Labor tax on jobs and another Labor tax on investment snuck through under the cover of the coronavirus.

These changes were subject to only industry consultation through an RIS process. In relation to those changes to the QLeave scheme it is worth noting the following comments from the submitters. Master Builders Queensland stated—

The case has not been made that the scheme is unsustainable into the medium-term.

The Regulatory Impact Statement (RIS) is inadequate. It does not provide financial modelling for the future costs and income of the scheme. Nor does it consider the future expected construction activity or industry employment trends.

The information that has been included in the RIS states that the funding ratio of assets to the Accrued Benefits Liabilities of the scheme is still within the target range of 105%-120%—a full four years after the 2014 changes that are the focus of the RIS.

Master Electricians Australia said they oppose any change being made to the current levy, stating—

no analysis of the impact on the industry has been undertaken.

How can there be an increase in the levy and no analysis of that tax on the industry? That is how Labor governments work: just tax them and it will be right. If you tax industry, businesses have to fork out the money. The MEA goes on—

no analysis or explanation as to the level of the underfunding in the medium term and whether or not the additional \$7 million in funding is too much or too little to address the situation.

MEA opposes the imposition or reintroduction of GST into the calculation. GST is a tax and as such we see a tax on a tax being implemented.

How is that from the Labor government? A tax on a tax. Master Electricians Australia further stated—

The RIS again gives limited explanation concerning the so-called medium term lack of funds to justify the increase to the PLSL rate.

**Ms Grace:** This isn't a part of the bill.

**Mr BLEIJIE:** Well, it is, because it is the PLSL rate that you increased through regulation and you had a regulatory impact statement so it is pretty relevant to QLeave which we are debating today.

MEA opposes the increasing of the PLSL rate.

**Government members** interjected.

**Mr BLEIJIE:** Those opposite do not like what they hear, that is the problem.

**Ms Grace:** You don't even know what you're talking about. There is no GST.

**Mr BLEIJIE:** No, because we got rid of it and you are bringing it back. That is the problem.

**Ms Grace:** Well, what are you talking about then?

**Mr BLEIJIE:** Guess what, I am not going to be lectured to by the Labor Party on the GST when their leader did not even know the GST rate.

The Housing Industry Association stated—

HIA opposes proposals that would see an increase in levies payable and the reversal of the move made in 2014 that excluded GST in the cost of building and construction work on which the levies are calculated. There is little in the Consultation RIS to justify such moves. If adapted, the industry would see levies increase from 0.475 to 0.53% with those percentages calculated on a higher—

Ready for it, Minister—wait for it—

GST inclusive amount. HIA does not agree with the Consultation RIS that the benefits of these changes outweigh the negative impacts that increased costs will have on levy payers in the building and construction industry.

The Consultation RIS notes that the proposed levy in the RIS should be considered within the industry's broader regulatory environment yet fails to acknowledge that the amount of legislative change that has affected the Queensland building industry over the past few years has been without precedent. It has in particular adversely affected the small residential builders by whom a majority of residential construction work in Queensland is built. Any legislative changes must be simple, for example, re-introducing the GST into the cost of building and construction work complicates matters at a time when small players are already struggling with the plethora of business processes the government has introduced.

Those opposite will never get the record for reducing red tape when the Housing Industry Association is saying small players are struggling with a plethora of business processes the government has introduced. The HIA further stated—

HIA strongly recommends that no changes are made at this time.

As part of this debate, which includes the impact on the entire QLeave scheme, I call on the minister to come clean on why this new building tax was snuck through under the cover of the coronavirus through regulation and implemented. As I said, it is just another Labor tax on jobs and another Labor tax on Queensland investment. In the middle of the coronavirus with—what did the Premier say today?—over 100,000 Queenslanders losing their jobs, this government sneakily goes about taxing industry. It did it with WorkCover. The Labor Party believed that an increase in WorkCover would have no effect. As I have always said, small businesses pay for it. The money does not grow on trees. The government does not hand the businesses the money to pay the increased tax. They literally think it grows on trees. It does not. Small business owners in Queensland work hard for it. I am glad that I am a member of a party that backs small business in this state. I am glad to be a member of a party that has a leader, Deb Frecklington, who has announced no new taxes under her government.

**An opposition member:** How refreshing!

**Mr BLEIJIE:** That is refreshing. I take the interjection. What a refreshing attitude. All we have seen over the last five years of this Labor Palaszczuk state government is tax, tax, tax and now we have taxes on taxes. Debt and taxes is all they know.

At a time when Queenslanders are concerned about jobs and job security, particularly in the middle of the worst economic crisis in almost a century, it is disappointing that it has taken a number of months to debate these changes. The committee report was tabled on 14 February. It has taken over four months to get these legislative amendments to the floor of the House. As I said at the beginning of my contribution, the Liberal National Party will not oppose the provisions with respect to the portable long service leave. It works well in the construction industry and the contract cleaning industry. The date of implementation will be by proclamation, which is God knows when.

Since this bill was introduced people have been relying on it as an entitlement that they were able to get and now they will not be able to get it. The reason that is important is because there are people transitioning between jobs at the moment because of the coronavirus. There will be no certainty now. This was meant to be implemented on 1 July. Someone who starts in the next three weeks will likely not have this. In fact, if the proclamation is not made until the end of the year—the problem is that the proclamation could be made whenever—there will be many people who will possibly miss out because of their working arrangements.

These people are not going to hold off taking employment with the acknowledgement that they may, if they hold out, be entitled to this portable long service leave. They cannot do that because they cannot afford to put food on their table at the moment because of job losses through coronavirus. Thank goodness the federal government has had a clear and concise plan with respect to JobSeeker, JobKeeper and JobMaker.

I was talking to people after the Premier's announcements this morning, the motion we had and the Premier's press conference where she had 30 people behind her talking about various things. There is genuine confusion in the community and among business owners as to what on earth applies to them when it comes to the Queensland government assistance as opposed to the federal government assistance. Scott Morrison, the Prime Minister, has set out clearly the process of transitioning and recovering from COVID. Every day this government is announcing \$10 million here, \$15 million there, we are cutting this, we are stopping that, we are delaying this, we are going to proclaim this at a later date. There is no consistency and no plan for recovery. People need certainty. This amendment is now not by 1 July but some date with proclamation. Again we do not have certainty.

I will now address some of the issues the minister just raised. For honourable members who were not in the House at the time, as the minister was speaking her amendments to this bill were tabled. There are 51 pages. I note that is not a record. The minister does hold the record on the racing bill.

**Ms Grace:** You actually hold the record. Your IR changes hold the record.

**Mr BLEIJIE:** No, you are just a bit above me, Minister. We have had that debate once before, Minister.

**Madam DEPUTY SPEAKER (Ms McMillan):** Order! Come back to the bill. Direct your comments through the chair and return to the bill.

**Mr BLEIJIE:** I know I passed 53 bills between 2012 and 2015—the most bills that a minister has ever passed.

**Madam DEPUTY SPEAKER:** Member for Kawana.

**Mr BLEIJIE:** More than this minister has passed in five years.

**Madam DEPUTY SPEAKER:** Member for Kawana.

**Mr BLEIJIE:** I did it in 2½ years.

**Madam DEPUTY SPEAKER:** Member for Kawana! I do not expect to have to ask you three times. You are well aware of the rules of this chamber. I ask you to return to the bill, please.

**Mr BLEIJIE:** The minister certainly beats it with amendments on bills.

**Madam DEPUTY SPEAKER:** Member for Kawana, you are warned under the standing orders. Come back to the bill, please.

**Mr BLEIJIE:** I am talking about 51 pages of amendments. The minister spoke about the amendment to the Youth Justice Act, which relates to the government's own legislation with respect to bail. It is extraordinary that the government passed that legislation and now they sneak in this little amendment to get rid of their own provisions in the Youth Justice Act. They are not getting rid of an LNP amendment to the Youth Justice Act; they are getting rid of their own amendment. I might add that the minister responsible for youth promised that would be legislated on, I believe, 17 March 2020. The explanatory notes to the amendments tabled state—

The amendments to the YJA will ensure that a child is remanded in custody where there is an unacceptable risk that the child ...

They were saying that bail was the preferred option and we should let the kids out. Of course, there was community angst and across Queensland crime rates have increased. Now we are amending the act to get rid of that provision, because they know it is a bit of an issue, particularly in North Queensland. I am really looking forward to the contribution from the minister responsible for the Youth Justice Act, in which she will talk about getting rid of laws that she so fiercely defended when she introduced them. At that time she spoke about how important they were to give young kids a chance. Now she will be forced to delete provisions of her own legislation. I am looking forward to that debate.

The amendment to the Industrial Relations Act temporarily puts on hold Queensland's public sector wage increases and modifies agreement certification requirements. Members will recall the Premier's morning press conference at which she advised the people of Queensland, to the surprise of the Queensland Public Service, that she was going to freeze the certified agreements that had been signed off. I think that came as a complete shock to not only the Public Service but also her government. The Treasurer then came out and defended that. He said, 'No, we're sticking to the Premier's commitment.' As always happens with the Labor Party, when the unions, including the AWU, started bellowing and saying that they were not supportive, things changed. There were tweaks. When the Premier was asked, she said that it might not be a freeze; it might just be a deferral.

If that is the case, what is the difference between public servants receiving a 2.5 per cent rise this financial year and a 2.5 per cent rise next financial year—because already we are nearly at 1 July—and a five per cent deferral, giving them the wage increase in one hit, as is now going to happen? Are they seriously trying to suggest that in six months time the economy of Queensland will have recovered—

**An opposition member:** The rivers of gold.

**Mr BLEIJIE:** Will rivers of gold be flowing in Queensland? Will the money just be there, even though apparently it is not there now? How can Queenslanders have any faith in the government if that is how they do policy direction in this state? Apparently, all of a sudden the money will be there. We know why they changed their position. It is because the Premier's own union was going to campaign against them in the lead-up to the election.

The explanatory notes state that the amendment will amend the COVID-19 Emergency Response Act to insert a new part to validate the Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation. Why? Because the regulation was not tabled within the 14 days as required under the COVID-19 Emergency Response Act. The minister has failed to respond to their own laws, so now they have to do a fix-up job.

Amendments to the Public Health Act and the Public Health Regulation will mean that, if you have been working overseas, when you come home and the government tells you that you have to quarantine for 14 days, they will charge you for that. The government will hit you up for accommodation and expenses when it has forced you into quarantine.

**Ms Boyd:** People are having a good time.

**Mr BLEIJIE:** I take the interjection. Were they having a good time?

**Honourable members** interjected.

**Madam DEPUTY SPEAKER** (Ms McMillan): Order! Thank you, members. Let us come back to the long title of the bill, please, member for Kawana.

**Mr BLEIJIE:** I cannot imagine that the constituents who were stuck in Ecuador, trying to get back to Australia and to Queensland, were having a good time. I cannot imagine they were having a fantastic time, stuck in a foreign country. There are workers who, while thankful to still have job, have to travel overseas for that job. They are required to quarantine for 14 days before they can return to their families. I cannot imagine that they will be happy that the government now says that they will have to quarantine in a hotel at their own expense.

**Mr Last:** At \$200 a day.

**Mr BLEIJIE:** I take the interjection. It could be \$200 a day; it could be more. They cover it up in here by saying that there will be a scheme for hardship and so forth. We know how the Labor Party works with business hardship schemes: no-one will get it. The reality is that this is a mess. The government are in chaos. They have no road to recovery through the ruin that was the health crisis and is now an economic crisis. There is no road or path to show where we are going. I move—

That the words 'now read a second time' be deleted and the following words inserted:

'referred back to the Education, Employment and Small Business Committee to undertake full and proper examination of all foreshadowed government amendments to the bill and report back to the House by no earlier than 23 July 2020 so as to ensure compliance with and adherence to the spirit of s.26B of the Constitution Act 2001.'