




Speech By  
**Julianne Gilbert**

**MEMBER FOR MACKAY**

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Record of Proceedings, 19 May 2020

**MINERAL AND ENERGY RESOURCES AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mrs GILBERT** (Mackay—ALP) (4.31 pm): I rise to contribute to the Mineral and Energy Resources and Other Legislation Amendment Bill. The member for Buderim should have followed the media of the member for Burdekin. He flew into Moranbah and did some media there and spent the whole time saying that it was the minister's fault, calling for his resignation. He should have had a look at the response in the media because that is not what miners and their families were saying. They were appalled by the media, so those opposite do not have the backing of the mining communities and they do not support what those opposite are saying.

This bill is very necessary and will further strengthen the safety of the men and women who work in the mining industry. I want to convey to the five men who were recently injured near Moranbah that I hope each day brings them closer to a full recovery and our thoughts are with them and their families and friends. Because of the nature of mining—the intense use of heavy machinery, working in confined spaces kilometres under the ground—there needs to be the strongest legislation possible to protect every person involved in the chain of operation. This bill will strengthen the safety culture in the resource sector.

The mining industry and its workers do not want to be in the headlines because of industrial accidents. The communities that support mining go into shock every time there is an incident. When I spoke to Mayor Baker, the mayor of the Isaac Regional Council, just a couple of weeks ago, her whole community was on tenterhooks. It was shocked. It was anxiously waiting for news of the workers injured in that recent underground explosion. It does not matter to them whether it is a worker who chooses to live permanently in a mining town or to drive-in drive-out or fly-in fly-out; these mining industry townships embrace each and every worker as one of their own because they choose to come into their community to work. I do not want to hear the pain and despair in Anne's voice ever again as she speaks about another accident in her community. Workers deserve to be able to arrive home in the same physical state as they left. A safe working environment is what all workers and their families and the mining companies want for everyone.

After the safety reset held in 2019, it was reported by stakeholders that there was still a reluctance for workers to raise safety complaints due to fear of reprisals. The large number of contract and labour hire workers in the industry does not give workers the perceived power to be able to speak up, and unfortunately those contract workers still exist. This bill includes amendments to provide a specific offence of industrial manslaughter to the resource safety legislation. The Labor state government is committed to the safety of all workers across all industries. This bill will ensure the consistent treatment of serious breaches of safety and health obligations by employers, corporations and senior officers that result in the death of a worker on Queensland's work sites.

This bill also includes the requirement that statutory office holders for coalmining operations must be employees of the coalmine operator. This amendment has caused pushback by some of those contractors because they have set up business based contract companies to work on mine sites and

to be paid underneath a company name. This change will interfere with the way that they do business. It will interfere with the way that they claim different items on tax, but instead of considering the way that some people claim their taxation we must put safety first. There needs to be an assurance that statutory office holders can raise safety issues and make reports about dangerous conditions without fear of reprisal or impact on their employment. Contractors in the mining industry know that at the end of any shift they may be given notice of the end of their employment. Some people might think that that does not happen, but just last week at a mine at Coppabella 160 workers at the end of their shift and others just about to start their shift were told that they were no longer needed. This is 160 families without employment. For those who are contract workers there is no certainty. We need safety officers in secure work who are tied to their employer.

The coal industry is an economic lifeline for my community and that is why I have focused on it, but this is not the only area that is covered in this bill. It is just as important for all other mining sites and quarries to be covered. This bill will amend the Coal Mining Safety and Health Act 1999, the Mining and Quarrying Safety and Health Act 1999, the Explosives Act 1999 and the Petroleum and Gas (Production and Safety) Act 2004 to include the offence of industrial manslaughter for an employer or senior officer where a worker dies in the course of undertaking work, or if that worker is injured and later dies, and the employer or senior officers' conduct causes the death and the employer or senior officer is negligent about causing the death. There are maximum penalties provided for individuals of 20 years imprisonment and for a body corporate 100,000 penalty points. This bill is for mining communities as much as it is for mining and quarry workers. Queensland knows how to mine. We are good at it and we need to be as safe as possible at it as well. I commend the bill to the House.