




Speech By
Lance McCallum

MEMBER FOR BUNDAMBA

Record of Proceedings, 9 September 2020

**CRIMINAL CODE AND OTHER LEGISLATION (WAGE THEFT) AMENDMENT
BILL**

 **Mr McCALLUM** (Bundamba—ALP) (12.51 pm): It gives me great pleasure today to rise in support of the Criminal Code and Other Legislation (Wage Theft) Amendment Bill 2020. Every Queensland worker deserves a fair day's pay for a fair day's work. Unfortunately, every year in our state more than 400,000 workers are underpaid by dishonest employers. Wage theft leaves our workers about \$1.2 billion out of pocket. Shortfalls in superannuation contribute to a further \$1.1 billion. That is more than \$2 billion withheld from Queensland workers, their families and their local communities. It comes in many forms—underpayment, unpaid penalty rates and entitlements, unauthorised deductions and the misuse of ABNs. It is clear that the current regulatory framework is not doing the job. Something needs to change to stop wage theft. Stronger penalty and deterrence measures are needed for those who commit wage theft. The deliberate theft of workers' legal entitlements not only hurts workers and their families but also the broader economy and those businesses doing the right thing.

The public inquiry showed that there is broad support for criminalisation from unions and also from employer organisations and employers who do do the right thing and have to compete with those who do not. As a government with a proven record of protecting the rights of Queensland workers, we are putting a stop to this. We are making wage theft a crime. While we continue to unite and recover, it is more important than ever that every dollar earned and owed ends up in the pockets of our Queensland workers. This is about providing Queenslanders with increased financial security during these uncertain times. It is also about assisting with the household budget, ensuring that correct entitlements are paid and protecting the rights of our workers.

We are committed to uniting and recovering, not cutting jobs and slashing productivity like the LNP before us. We are proudly delivering security and certainty for Queensland workers. The Queensland public expects that workers will get a fair day's pay for a fair day's work. The changes proposed in this bill will rectify the fact that currently under the Criminal Code it is an aggravated offence for an employee who deliberately steals from their employer, but there is no reciprocal penalty for an employer who effectively deliberately 'steals' from their workers.

Employers who steal from their workers will now face the same penalties under the Criminal Code as workers who steal from their employers. This will send a strong message to the community that deliberate wage theft by employers is not acceptable—that it is, in fact, a crime. Maximum penalties under the Criminal Code for employers found guilty of wage theft are up to 10 years in prison for stealing or 14 years for fraud. Importantly, this new legislation will also support our workers with a simple, quick and low-cost wage recovery process for Queenslanders who are underpaid.

I would like to acknowledge the critical work of unions and their members in making this legislation a reality. As a unionist, it gives me great pride to be able to stand here today in this place and advocate for this bill, which will protect the everyday workers in the Bundamba community from unscrupulous employers. This legislation will ensure that the over 400,000 workers who are underpaid every year in Queensland will be paid each and every cent they are owed. It will ensure that the over

\$2 billion that was once withheld from Queensland workers, families and communities ends up in the pockets of the people who have earned it and who can then spend it in our local economy as we unite and recover from coronavirus. It will ensure that every worker receives a fair day's pay for a fair day's work. I commend the bill to the House.