




Speech By
Brent Mickelberg

MEMBER FOR BUDERIM

Record of Proceedings, 12 October 2021

RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MICKELBERG** (Buderim—LNP) (5.08 pm): I rise to address the Resources and Other Legislation Amendment Bill 2021. Specifically, I would like to address the minister's comments concerning the extension of transitional arrangements for statutory position holders and the requirement that they would be employed directly by mining entities rather than as individual contractors.

The original provisions contained in the bill we debated in May last year would have come into effect on 25 November, hence the hastily moved amendment to this bill. To be frank, it seems a bit like Groundhog Day. In May last year we were debating provisions which required statutory position holders, like SSEs, to be direct employees of mines as opposed to contractors. It was a move driven by the government's union masters in the AWU and the CFMMEU. It was a move that contained no industry consultation—it was hastily drafted—and it was a move that was always destined to fail. It was a move that was an attack on small and family businesses. It was a move that was an attack on SSEs—contractors who were happily making a living in a safe and consistent way. It was a move that the then minister, Anthony Lynham, decided to progress to appease his union masters. At that time, in May last year, I said in relation to the approach of the former minister—

What we should have seen from the man who supposedly cares about mineworkers is genuine engagement with all stakeholders, not just his CFMMEU masters. Perhaps if Minister Lynham did his job properly, he would not have had to come in here today to bring in hastily drafted amendments which apply a sunset clause to the requirement for statutory position holders, specifically SSEs, to be direct employees of mine operators.

It turns out that sunset clause did not work anyway. At that time I also observed that, in relation to the issue of statutory position holders and SSEs being direct employees of mine operators, the chair of the QRC, Ian Macfarlane, said—

We cannot support the bill its entirety with the current provisions on SSEs.

The QRC also said that those specific provisions 'run the risk of diminishing safety by undermining the culture necessary to prioritise safety'. All we saw at that time were amendments that applied a sunset clause to the issue. They did not address the substantive issue and they were driven by a desire by the AWU and the CFMMEU to boost their membership. At the time, I observed that the QRC and the CFMMEU were silent on the fact that that amendment would not achieve the issues that the QRC had identified were of considerable concern such that they would not support the bill, yet we heard nothing when those amendments were brought in here from the QRC or from the union masters. Now here we are, 18 months down the road, dealing with the issue again. I contend that the amendment before the House today will also not resolve the issue, but at least we have a new minister for mines who has come in here to try to at least buy some time so the issue can be resolved better than it is now.

Why did the government try to slide through these provisions when there was no evidence to support the fact that they would improve mine safety? They were provisions which flew in the face of industrial relations law and unnecessarily restricted the rights and freedoms of small business owners, of contractors just trying to earn a living to provide for their families. They should be the people that those opposite are fighting for, not trying to shut down. Unfortunately, we often hear hollow rhetoric that

is not backed up with actions. This is just the latest tangible example. I clarify that my comments are directed at the former minister, not the current minister who is trying to rectify the former minister's failings.

This is just the latest tangible example of how Labor's love affair with the unions hurts ordinary Queenslanders. I call on the minister to have a serious look at this issue. I contend—as do submissions from stakeholders when the previous committee looked at the previous bill, which this bill seeks to amend—that this issue would not help mine safety or resolve the issue. It would only result in unnecessary disadvantage to small businesses, family businesses and independent contractors. It is a move designed to appease the unions. It is move that I encourage the new minister to have a look. He should consider that there is no benefit to mine safety from the proposed amendment and it should be struck away in a future amendment, when we return to the House in the future.

Were this to come into effect on 25 November without this amendment, all we would see would be unemployed SSEs, unemployed statutory office bearers, because they are not prepared to move across and be employed by certain entities. The consequence is that those same mining entities cannot get qualified people to fill those positions. It actually puts in jeopardy Queensland's mining industry; it does not enhance it. It certainly does not enhance mine safety.

I ask the minister to look at this with a fresh set of eyes. The previous minister was not prepared to. He demonstrated that he was arrogant on this issue and was more prepared to listen to his union masters than those who had worked in the industry for the better part of 40 or 50 years. I know that the new minister is better than that, so I ask him to look at it with a fresh set of eyes so that we can come to a better outcome.