




Speech By
Bart Mellish

MEMBER FOR ASPLEY

Record of Proceedings, 27 October 2022

INDUSTRIAL RELATIONS AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MELLISH** (Aspley—ALP) (5.32 pm): I rise to speak on this bill, particularly the provisions around independent courier drivers. These are very welcome provisions which I thank the reviewers of the IR Act for recognising and the minister for acting on. At the moment in Queensland, sadly, many independent couriers have to make the choice between operating unsafely and going insolvent. We are taking action to address these well-known issues of exploitation and mistreatment of independent courier drivers. We are addressing these issues using a model that has been in use successfully in New South Wales for more than 40 years. This is a rare issue on which New South Wales has historically done a better job than we have here in Queensland.

Whilst we have known about food delivery apps and rideshare apps for a while, it has been a trend in recent years for this on-demand gig economy type employment to be creeping in to the parcel delivery industry. I refer to the submission from the Transport Workers' Union. It states—

Gig transport companies are now moving into more traditional forms of transport including heavy freight and the parcel delivery sector and in doing so, threatening to extend these worrying effects to new frontiers.

I spoke in my maiden speech in this place of the rise of the gig economy and the risks inherent in it, and I am very pleased to see that we are taking action regarding the independent courier sector in particular in this bill. Far from being an unnecessary intervention by government into a formerly unregulated area of commerce, as some of those opposite would say, the new laws in this bill implement a well-understood and time-proven approach to an issue identified in the review of the act. The purpose of the independent courier provisions is to ensure the safe performance of work, reduce fatalities and injuries on Queensland roads, reduce the economic cost of transport related crashes, and address unsafe economic and contracting practices.

It has been noted in the past—I refer again to the Transport Workers' Union submission—that in 2019 a third of all worker fatalities that occurred were within the transport, postal and warehousing sector. Seventy-two per cent of all worker fatalities in Australia were related to vehicles, with worker fatalities resulting from vehicle collision increasing 79 per cent between 2018 and 2019. You can clearly see that the economic pressures and the contracting pressures coming from the top of some of these supply chains really are causing issues further down for workers in the sector.

These workplace injuries, traumas and deaths have immense social and economic impacts on drivers, their families, businesses and the general public. The economic cost of road crashes alone equates to over \$27 billion per year, with approximately 1,500 crashes resulting in hospitalisation and a further 11,000 crashes leading to injuries. The committee noted that the underlying economic and contracting pressures are the leading causes of this safety crisis.

Drivers risking their lives and wellbeing must be supported by an appropriate regulatory framework administered by an independent body and designed to address these underlying economic and contracting pressures, with an emphasis on safe rates and payments for drivers and companies as well as a safe workplace. I know that there were findings presented by Professor David Peetz, from Griffith University, who found that fatal accidents declined by two per cent a year across the country

between 1989 and 2020 but in New South Wales deadly accidents decreased by over five per cent a year over the same period. Professor Peetz went on to highlight that the key issues the New South Wales provisions address for transport workers include long hours, below-average hourly rates, and higher debt levels for owner-drivers and business owners. This situation is directly linked to a propensity to take increased risks including speeding, skipping breaks, taking drugs and overloading trucks to make ends meet.

The independent courier provision in chapter 10A of this bill will address these matters, providing safer roads for Queenslanders. The model established by these new laws will benefit the independent courier sector by empowering the commission to set minimum standards for courier services contracts where the parties want those standards to be established. The commission then gets out of the way and lets the parties run their businesses unless or until a dispute arises, at which point it sets out a pathway for the dispute to be resolved quickly, simply and, above all, cheaply. It has worked in New South Wales for decades and it will work just as well in Queensland.

More broadly, this bill strengthens protections against workplace sexual harassment, supports effective representation of employees and employers by registered industrial organisations and maintains the integrity of the registration framework for industrial organisations. I note the submission from the Red Union Support Hub. It goes to the core of some of these issues. No-one even put their name to this submission. It was just lobbed in by an anonymous organisation. No-one knows who is in charge—who the president is or who the secretary is. I am glad that is being addressed by this bill.

Other measures that this bill looks at are: empowering the QIRC to set minimum standards for courier drivers, as I mentioned; updating the collective bargaining framework to ensure access to arbitration by a single commissioner during negotiations; including equal remuneration as an aspect of good faith bargaining; and many other well-supported measures. I commend the bill to the House.