




Speech By
Charis Mullen

MEMBER FOR JORDAN

Record of Proceedings, 18 August 2022

TRADING (ALLOWABLE HOURS) AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs MULLEN** (Jordan—ALP) (4.19 pm): I am pleased to make a contribution to the Trading (Allowable Hours) and Other Legislation Amendment Bill 2022. There are now more than 448,000 small businesses in Queensland, which account for 97 per cent of the business sector and contribute around \$117 billion to our state's economy.

The Palaszczuk government understands that small businesses are the backbone of the Queensland economy, working across every industry sector and employing almost one million Queenslanders. We also know that supporting Queensland small business means helping local families and communities to prosper. Small businesses are our families, they are our friends and they are our neighbours. When it comes to the small business retail sector, it is comforting to see that since June 2021 retail trade turnover has increased by 11.6 per cent, well and truly surpassing its pre COVID-19 levels. Whilst this certainly speaks to the resilience and energy of the sector, and I certainly see this in my own electorate of Jordan, I also appreciate that it does not always reflect the ongoing challenges that small retailers face, particularly when facing competition from some of those bigger and global retailers in our communities.

I recognise that there is always significant interest when trading hours are being reviewed. This was reflected in the number of submissions received by the committee from all relevant stakeholder groups, including employer and employee representatives, tourism groups, industry and regional bodies as well as local councils. I commend the committee for their dedicated consultation on this bill, including facilitating four public briefing sessions and seven public hearings in metropolitan and regional areas in Queensland. Overall, the committee found the Trading (Allowable Hours) Act 1990 operates effectively to regulate trading hours arrangements and the 2017 reforms have provided consistent and stable trading arrangements benefiting the retail sector as a whole, as well as small businesses, employees and consumers.

The committee did not identify a need or demand for substantial deregulation of trading hours arrangements. However, the committee recommended a range of amendments aimed at further reducing the regulatory burden and complexity for industry stakeholders, including streamlining the categories of core trading hours for non-exempt shops by reducing the number of categories from five to four and re-categorising the Mossman and Port Douglas tourist area to support the local tourism industry; clarifying some powers of the Queensland Industrial Relations Commission in relation to special event declarations and making orders for non-exempt shops; ensuring consistent voluntary work protections for employees from working extended hours, including where extended hours arise due to an order or special declaration of the QIRC, unless the employee has freely elected to work those extended hours; extending two existing moratoriums for a further 12 months until 31 August 2023 to ensure ongoing stability for the retail industry and community; and retaining previous reforms that have been found to be working effectively. The bill before us reflects the committee's recommendations through the amendments proposed.

The 2017 reforms included those two transitional arrangements for five-year moratoriums, both expiring on 31 August 2022 to exempt all shops in the Mossman and Port Douglas tourist area from trading hour restrictions; and restrict making applications for, and the QIRC's powers to make, trading hours orders under section 21 of the T(AH) Act. I am pleased to see the government has accepted the committee's recommendation to extend both moratoriums for a further 12 months. This will ensure ongoing stability and certainty for the retail sector and our communities. This was an important matter raised with me by local small retailers and I know they feel some assurance with what is being proposed. To achieve this objective the bill includes two transitional arrangements to extend both moratorium periods for a further 12 months until 31 August 2023.

Another important provision in the bill inserts a new section, section 36BA, including a corresponding offence and penalty provision, which protects voluntary work by employees during extended trading hours. This was supported by the majority of submitters, including the National Retailers Association and the Shop, Distributive and Allied Employees Association, Queensland Branch, which is a real union.

The SDA told the committee that over the last two years they had received a number of complaints from workers, especially casual and part-time employees, who were threatened with being rostered to work less in future if they did not elect to work during a period of extended trading hours. As they explained, for the workers who are very vulnerable, the flow-on effect of that is that if you are offered hours during extended trading later on down the track, you take them because you saw what happened to the person last week who did not and they are now not getting shifts. The SDA submitted that the insertion of the new clause, 36BA, will enshrine the protections to employees that have to this point been based on non-enforceable handshake agreements between the employers and union groups and unable to be empowered by way of formal order of the QIRC. These changes will positively protect the working lives of Queensland retail workers.

In speaking to this bill I must acknowledge a couple of wonderful small retail traders in my own electorate of Jordan. Firstly, the Springfield Lakes IGA. It is a very popular store. Owners Terry and Frances Slaughter are two wonderful people and so community minded. I do agree with comments by the member for Traeger that smaller retailers tend to be more connected to their local communities. I certainly saw this when we had the hailstorms in Springfield Lakes in 2020. Terry and Frances were there offering free food, water and a range of supplies to locals who were impacted. During the recent floods they donated a heap of hard-to-find wheelbarrows and cleaning products to support the Goodna community—so not even in their own patch. I am very grateful to them and all that they are doing for our community.

Those wheelbarrows came from another great local small business, Gailles Home Hardware. In early July this wonderful store celebrated 50 years in our Gailles community. It is hard to imagine any business being open for 50 years, but Ian and Marina are no ordinary people. They will go out of their way to help customers and find them the right product for their need. The individual customer service they provide from this little hardware store in Gailles is second to none. It is rare to get that kind of service from your big hardware stores. It is why they have been so successful and why the community continues to support them and have supported the family for half a century. Being in business is hard. I am in awe of those who take that step, but particularly our small retailers and especially in these past few years. The legislation today gives them further certainty at a time they need it.

Finally, I wish to comment on some of the speeches we have heard from the opposition in relation to small business. You can certainly feel a rising panic in the LNP. What was once a clear and certain voter base that has been taken for granted for many years is splintering. The respectful and meaningful engagement that our government is having with chambers of commerce, business groups and individual businesses is growing every day. Our small business minister is well regarded and hardworking and members on this side of the House are strongly involved and engaged with businesses in their electorates. You can hear the LNP becoming more shrill and blatant, full of bogus claims and scare tactics. It is not working because the business community are not fooled. They want support, they want encouragement and they want certainty and that is what they are getting from the Palaszczuk Labor government. I commend the bill to the House.