




Speech By
Hon. Grace Grace

MEMBER FOR MCCONNEL

Record of Proceedings, 8 November 2022

**COAL MINING SAFETY AND HEALTH AND OTHER LEGISLATION
AMENDMENT BILL**

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education, Minister for Industrial Relations and Minister for Racing) (5.34 pm): I rise to support the Coal Mining Safety and Health and Other Legislation Amendment Bill. As many of us have said in here today—and it is true and there is no doubt about it whatsoever—the health and safety of workers is a key priority for the Palaszczuk government and obviously for many in this House. As I have said numerous times in this House, every worker deserves to return home safe and healthy from each and every day's work. We run under the mantra that you sell your labour, not your health. Ensuring that we have a strong health and safety culture as this bill aims to provide in the resources sector through the facilitation of direct employment requirements for coalmining statutory positions is fundamentally important.

My understanding of the bill is that it will ensure holders of statutory roles at coalmines can make safety complaints, raise safety issues or give help to an official in relation to a safety issue without fear of reprisal. I was speaking to an electrician who has just been employed directly in a mine. They had been with a contractor at some stage—and this was really just a couple of weekends ago—and I was asking how they were going and they were saying that they have now been directly employed and the difference that it made to that worker. They were happy to now be directly employed because previously there was that underbelly of fear that if you did raise health and safety concerns or if you did raise something you may not be flying to that mine in a week's time or whatever on the basis of how the employment situation was.

Direct employment has to be a big plus and has to be a big tick. There was fear of reprisal and impact on their employment. Whether we like it or not, it is an everyday occurrence. Direct employment requirements came into effect. There has been no change to those at all and they are coming into effect on 25 November 2022. There has been a 2½-year transition period for this to happen and it ends there. Importantly, the bill provides a way of implementing the direct employment requirements that do not unreasonably disrupt current corporate structures and employment arrangements while upholding the intent of the original legislation.

Importantly, the bill will ensure that coalmine operators hold the ultimate responsibility for the safety of workers, and that is absolutely imperative. By placing coalmine operators at the centre of safety responsibility, this ensures that responsibility for safety is not fragmented across multiple employers or entities. When it comes to safety, it is vitally important that lines of responsibility are clear. When it comes to the coalmining industry, those who undertake coalmining operations must fulfil their primary responsibility to ensure the safety and health of coal workers, and the Palaszczuk government expects nothing less.

This bill is before the House because there were representations made that there were some issues around direct employment. The tripartite working party was established representing the industry, workers and the regulator to find solutions to identified issues, and the amendments are basically allowing limited exceptions to the direct employment requirements while still achieving their intent. That is all the legislation is doing.

Those opposite come in here and suggest that there has not been enough time and that we need to extend further. Rather, this bill is acknowledging that there is an issue in some parts of this industry. On balance, there is one lot that say that we should not extend at all as it has to happen and then there are others who say, 'No, we can't do it.' To come up with a solution a working group was established which came up with these limited exceptions, and that is what this bill is implementing.

On the one hand, in debate on a previous bill those opposite talked about how long it took for it to come in and said it took too long. They said the government was filibustering and not getting on with the job. On the other hand, on an important issue like cultural change—where we identified that there might be some exceptions, so we said, 'Let's talk about this. Let's put them into a bill,' but it does not change the original intent; we just identified an area where we may be able to make some changes—those opposite now want another 12 months for something that, I think, is accommodated for in this legislation.

I commend the minister and the committee. It is often not easy to facilitate these outcomes. There are many different views. Sometimes in industrial relations and health and safety when both sides are not happy you know you have probably struck the right balance. I have experienced that on several occasions. Sometimes there are extreme positions: some want to extend indefinitely and others say, 'Do not extend. Let it happen the way it was supposed to.' If it is in the middle, we will strike the right balance.

The bill builds upon the Palaszczuk government's proud record when it comes to workers' rights, safety and workers compensation in this state. In relation to many of these issues those opposite have been dragged kicking and screaming all the way. In 2017 we introduced industrial manslaughter laws under the Work Health and Safety Act—the first Australian state to do so. In 2020 industrial manslaughter laws were introduced in the mining and resources sector.

We have continually strengthened the rights of Queensland workers when it comes to safety, including through the establishment of the independent Office of the Work Health and Safety Prosecutor. From 1 July 2020 serious resources safety and health prosecutions were referred to the Office of the Work Health and Safety Prosecutor. We are continually improving. We led the nation in response to occupational dust lung diseases, including coal workers' pneumoconiosis and silicosis. We have ensured workers injured or made ill as a result of their work receive the care and support they need. We have also made a number of reforms to workers compensation, including improvements to compensation and support for workers with coalminers' pneumoconiosis and other work related lung diseases; improvements to support workers suffering psychological injuries; and providing presumptive legislation for first responders suffering from PTSD.

Many of these mine sites see some pretty horrific injuries. We established a one-stop shop to provide support and assistance for workers and their families suffering from coal workers' pneumoconiosis and other mining related lung diseases and we restored the rights of injured workers to common law workers compensation that was stripped away by the LNP against their own committee's recommendation where they held the majority—when one thinks about it, it is absolutely unbelievable. We have enacted additional compensation for workers impacted by the common law threshold.

It is vitally important that we pass these laws today. These laws are sensible exceptions, not removing the intent. They have been to the committee. The minister has tirelessly explained all of the questions that were put by the committee. With those few words, I commend the bill to the House.