




Speech By
Jessica Pugh

MEMBER FOR MOUNT OMMANEY

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INDUSTRIAL RELATIONS AND OTHER LEGISLATION AMENDMENT BILL

 **Ms PUGH** (Mount Ommaney—ALP) (6.48 pm): I rise to speak to this bill and I want to begin my contribution with an observation. Throughout the parliament, there are a number of research projects that have been put together over many years by the Queensland Parliamentary Library research teams. We all walk past these every day, but as I was walking along the colonnade yesterday I noticed one of the research exhibits that they had prepared with fresh eyes.

At the end of the colonnade as you enter the annexe, there is a story about the number of women elected to the Queensland parliament, and the number really took me by surprise. In the history of this Queensland parliament, the number of women elected to this place—across all political parties, independent and otherwise—is still today fewer than 100. I thank the Parliamentary Library for confirming this detail with me and then very kindly providing me with a list of every single woman who has ever been elected to the parliament. I am very proud that over 60 of them have come from the Queensland Labor Party and many of them are still in the House today.

I bring this up and begin with this point because I think it is really important to have women's voices at the decision-making table and advocating for issues that impact on women in significant numbers, as significant aspects of this bill do around sexual harassment and workplace leave.

It has been really interesting to hear the heartfelt pleas from those opposite about the need for choice, for people to make their own decisions. For a moment, sometimes I could close my eyes and imagine that they were advocating for a woman's right to choose for herself. Like a woman's right to choose, it is no coincidence that the issues that impact women end up being legislated when there are more women in parliament—we know that—and I commend the minister for the fantastic work around sexual harassment and employment standards contained within this bill.

Sexual harassment is a serious issue that permeates all elements of society. Unfortunately, that includes the workplace. The landmark 2020 *Respect@work* report found that addressing sexual harassment in Australia is still complex and confusing for victims and employers to understand and navigate, and it calls for a nationally consistent approach to the issue. I was lucky enough to attend the Commonwealth Women Parliamentarians Conference that was hosted earlier this year, here in the Queensland parliament. One of the speakers appearing was Kate Jenkins who was absolutely fantastic. She really clearly outlined the importance of the *Respect@work* report, all of the work that had been undertaken so far in the federal parliament and all of the work that was still to be done. We know that there is much that is still to be done in our society to ensure that sexual harassment is stamped out. I am really proud that the Palaszczuk government is leading the way in addressing sexual harassment and sex- and gender-based harassment of people.

The bill will address these issues by making three key changes. Firstly, the bill ensures that the definitions of 'sexual harassment' and 'discrimination' within the Industrial Relations Act align with the Sex Discrimination Act and Anti-Discrimination Act respectively. Adopting consistent definitions is really important—it is boring, but it is important. It is vital for building awareness and understanding the issues for workers and workplace delegates, team leaders, frontline managers, human resource practitioners and executive leaders.

Secondly, the bill makes sexual harassment or sex- and gender-based harassment an industrial matter. In practical terms, what this means is that victims can seek assistance from the Queensland Industrial Relations Commission. The commission's powers include early intervention assistance for victims of sexual, sex- or gender-based harassment by making injunctions or interlocutory or interim orders and also has conciliation and arbitration powers.

The final significant change is that a person committing sexual harassment or the other kinds of harassment can summarily be dismissed on the grounds of misconduct. Given the serious nature of the misconduct, the bill gives the parties leave to have legal representation for matters before the commission concerning these issues.

The Palaszczuk government has no tolerance for sexual harassment in the workplace. We expect workers to be able to work free of discrimination or harassment. These are important changes and it is really pleasing to see the broad support that existed for these changes in the submissions and the testimony to the parliamentary committee from a broad range of stakeholders. We have taken the lead on this really important issue and we have delivered pragmatic solutions to change the workplace culture. I really do think that a big part of that comes down to the significant number of women in our caucus because unfortunately all too many of us have lived experience with these issues and that is why it is so important to many members of our caucus.

I will turn now to the provisions around employment standards and pay equity. The Palaszczuk government knows that all strong economies rely on the hard work and the commitment of our workers. These workers, I think we can all agree, deserve fair and decent working conditions—a fair day's pay for a fair day's work. We recognise that when employment standards keep pace with social and economic changes, the community as a whole benefits. We have certainly seen that over COVID where more and more employers have been flexible and have been willing to look at work-from-home arrangements because they recognise the benefit of that for their employees, and when their employees benefit, the whole workplace can benefit as well.

This bill improves on existing employment standards, further promotes collective bargaining and continues our government's efforts to close the gender pay gap. It amends the Queensland Employment Standards to be comparable to those outlined under the National Employment Standards in the Fair Work Act 2009, ensuring that Queensland keeps pace with community expectations. These changes include modernising terminology around parental leave entitlements, ensuring the entitlement to all prospective parents and providing them with the time and support they need during this exciting time.

One element of the bill that has received some negative feedback relates to the removal of gendered language. On this side of the House we firmly believe that Queensland families should be able to make their own decisions on parental care arrangements. The bill ensures that the needs of contemporary family units, in all their many different shapes and sizes, are better accommodated through providing a broader range of options available to parents when it comes to juggling parental arrangements and work. The bill also provides employees with flexible parental leave where they can take up to 30 days of unpaid parental leave within the first two years after the child was born, adopted or began residing with the employee under a surrogacy or cultural recognition arrangement. The changes also clarify the definition of 'child' for the purposes of adoption leave and cultural parental leave and increase the age of a child from five to 16 years.

In another important change, and one that I know will be close to the hearts of many members of this House, sadly due to personal experience, this bill provides that parents of a stillborn baby have equitable access to parental leave provisions under the Industrial Relations Act. We know, of course, that nothing can take away the grief and pain that a family will suffer after such a devastating loss, however, we hope that these amendments will at least allow those parents the time to grieve their loss and recover with dignity and privacy without the pressure of having to return to work before they are ready. This bill clarifies that sick leave is, and always has been, exclusive of any public holiday that falls during that leave period.

The Palaszczuk government is also leading the nation by extending existing entitlements of domestic and family violence leave to casual workers. Under the new arrangements, long- and short-term casuals will be equally entitled to 10 days of domestic and family violence leave per year. These changes will provide critical financial support to those who are experiencing family and domestic violence because nobody should ever have to choose between their personal safety and their economic security.

In the time I have left, I will finish with this: the Palaszczuk government has always been a national leader in supporting gender equality and equal remuneration through the collective bargaining process, and this bill ensures that that proud legacy will continue. I commend the bill to the House.