




Speech By  
**Lance McCallum**

**MEMBER FOR BUNDAMBA**

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## **INDUSTRIAL RELATIONS AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr McCALLUM** (Bundamba—ALP) (12.22 pm): I rise to contribute to the debate on the Industrial Relations and Other Legislation Amendment Bill. The Palaszczuk government is committed to the transparent and effective representation of industrial interests within Queensland's industrial relations system. The changes to the act contained in this bill provide clear distinctions between registered employer and employee organisations and other bodies that are not registered under the act who seek to represent employees.

The bill acknowledges the primacy of the role registered employer and employee organisations play. It provides protection against those who make false and misleading claims about being able to represent the industrial interests of employers and employees under the act. The bill makes clear the distinction between organisations that are registered under the IR Act and represent the industrial interests of employees and other entities that are not registered under the IR Act and cannot properly represent workers' industrial interests in our industrial courts or in collective bargaining.

The bill also responds to the rise in misrepresentations by entities that purport to represent workers without meeting the registration requirements under our Industrial Relations Act. It does this by making it unlawful to make false or misleading representations that these unregistered organisations have the right to represent a person's industrial interests. Unregistered associations—call them red unions, call them fake unions—are simply not subject to the same level of accountability and reporting that properly registered industrial organisations are. This opens the door to them misrepresenting their registration status and their ability to represent the industrial interests of their members—the people they are taking money from. These reforms make clear that any such misrepresentation will be subject to penalties, as they should be, which are to be determined by an independent umpire—the Queensland Industrial Relations Commission. The reforms also ensure that, under the Associations Incorporation Act, there are consequences for incorporated associations that falsely present themselves as having a right to represent the industrial interests of employees under the IR Act.

The bill also makes amendments to the IR Act to address the misrepresentation of services by paid agents and some legal practitioners in the Queensland Industrial Relations Commission, the Queensland Industrial Court and the Industrial Magistrates Court. The policy intent of the Industrial Relations Act regarding agents was to allow for unpaid advocates like friends or colleague to provide assistance and support to people who are involved in industrial matters. However, recent cases before the commission and the courts have revealed that some agents are charging fees which is clearly inconsistent with the intent of the IR Act.

In written submissions to this bill, the Hon. Justice Peter Davis, President of the Industrial Court of Queensland, and the Queensland Law Society stated that there is an urgent need for the regulation of agents who charge a fee to represent Queenslanders in the QIRC and Industrial Court and are not legal professionals. Justice Davis cited the example of a recent case in the Industrial Court in which an agent represented a party to the case but failed to advance the interests of the client because 'he simply did not have the skill to advocate for the applicant'. That is absolutely shameful. To combat this

unscrupulous and predatory conduct, the bill clarifies the existing provisions in the IR Act which require the commission or court to grant leave to agents to represent people. The amendments provide that the relevant tribunal must have regard to both discretionary considerations in deciding whether to grant leave and mandatory considerations where leave cannot be granted.

With this bill the hardworking people of the Bundamba community and workers right across Queensland will now be protected from what are, in my opinion, predatory con artists who have been deliberately flouting the law. These red unions work hand in glove with the LNP. Their hierarchy has strong connections with the LNP. Their leader was a former chair of the LNP industrial relations committee. Their predatory model is basically a ponzi scheme. That is why they do not want registration. If they were registered they would be outed by the regulator.

These organisations are driven by greed and self-interest. They are deliberately opaque through complex arrangements that are designed to expressly avoid regulation through exploiting loopholes in the current regulatory system. There is no transparency or accountability to the public or to their members. In fact, they hide where their members' money goes. We have seen evidence of this opaqueness thanks to the member for Redlands who, during her contribution, tabled documents which clearly draw the links to the LNP. Ultimately, the true purpose of these organisations is to attack the strength of proper unions and to attack the strength of the true collective power of ordinary working people.

By supporting these red unions and opposing this bill the LNP is continuing a longstanding war on Queensland workers. We have seen it here at the state level and we have seen it at the federal level. After eight long years of the LNP in federal government wages have flatlined or gone backwards. It is the same government that has created a cost-of-living crisis and left us with over \$1 trillion in national debt. There have been deliberate strategies to suppress the wages of ordinary workers, and key to that was attacking registered industrial organisations like unions. All of this at the federal level was aided and abetted by the state LNP, which sat silent while their federal counterparts waged a war on the wages and conditions of ordinary working Queenslanders. In this debate there have been attempts to hide behind the spurious arguments of choice and competition. There is plenty of choice when it comes to unions, and there is plenty of competition when it comes to unions and registered organisations.

When it comes to industrial reform here in Queensland there is a stark choice between the Palaszczuk Labor government and the LNP. The Palaszczuk Labor government introduced labour hire licensing laws, a national first. That was opposed by the LNP. We introduced paid domestic and family violence leave—again a national first, again opposed by the LNP. We introduced industrial manslaughter laws, the first state in Australia to do so, and guess what? That was opposed by the LNP. We made wage theft a criminal offence. The LNP opposed the wage theft inquiry.

Here in Queensland we have delivered nation-leading wage increases in the public sector and a strong framework that protects the rights of workers. Whether it is the prevention of sexual harassment in the workplace, paid domestic violence leave or more progress towards true gender equity in the workplace, there is only one party in this chamber that will stand up for the rights of workers, and that is the Palaszczuk Labor government.