




Speech By
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MEMBER FOR MAIWAR

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

 **Mr BERKMAN** (Maiwar—Grn) (6.18 pm): I rise to make my contribution this evening on the Coal Mining Safety and Health and Other Legislation Amendment Bill 2022 and to explain why the Greens cannot support the dangerous antiworker parts of this bill. We support removing the ability of mining companies to negotiate enforcement penalties and the requirement of a resource holder to agree to the penalty which has in the past meant significant delays in enforcement penalties. It does seem fairly nonsensical to ask a corporation for its permission to enforce the rules and to invite it to negotiate the penalty that it will ultimately face. However, we cannot support those provisions in the bill that would allow the site senior executives, open-cut examiners and safety-critical statutory positions at underground mines to be contracted out.

These parts of the bill are a step backwards for worker rights and safety. It is another case of this Labor government bowing to pressure from coalmining bosses and sidelining the concerns of workers. The CFMEU submission on the bill is scathing and crystal clear. It says—

... the proposed changes will allow employers to again push production and industrial considerations into the statutory roles of the OCE and ERZC at the expense of core safety matters. These changes will be to the detriment of their employees and other coal mine workers.

By contracting out these positions, statutory ticketholders cannot or will not focus solely on the safety of mineworkers. That is the essence of the concern we have heard from the CFMEU. They will have other objectives related to production and profit. If they dare to prioritise safety over those objectives, they face serious risks of reprisal. The CFMEU's submission spoke about statutory ticketholders who put safety ahead of production being unceremoniously shunted out of their roles. For contractors, it is all too easy to be kicked off the job altogether. When your income or job security in these positions relies on prioritising bosses' profits, worker safety suffers.

In hearings on the bill, the union told the committee that contract OCEs and deputies are 'a joke in the industry' and they are seen as 'cash-for-comment people'. Instead of listening to the people who actually do the work and put their bodies on the line at these mines, it appears the government is legislating for the whining, profit-driven bosses who see safety requirements as an annoyance or as a barrier to unfettered production and profiteering from others' hard work.

They are making it easier for these corporations to rely on unsustainable, exploitative FIFO models, while regional towns suffer. The Isaac Regional Council's submission raised concerns that this bill will further entrench contract or labour hire practices at mines, meaning more FIFO and fewer people living in these regions.

This obsession with outsourcing and contracting out every possible position has left these communities with a dearth of secure local jobs, a vulnerable local economy and an imbalanced housing market that prioritises short-term accommodation. It has driven the boom-and-bust cycle that has wrecked some Queensland towns, all while the FIFO workers who this supposedly benefits are enduring markedly poorer mental health and wellbeing.

If these mining corporations want to make money digging up and selling Queenslanders' resources, they should at least invest in those jobs that are based in local communities. That is not to mention how much more they should be paying in resource royalties and corporate taxes. If the government were willing to tax them properly so they could better afford to invest in public services and infrastructure, it would create better, more livable communities in rural and regional Queensland.

As one mine safety worker pointed out in their submission, coalmining corporations have had 2½ years to get ready to comply with the direct employment requirements under the amended Coal Mining Safety and Health Act. They could have developed training schemes for permanent employees to perform the statutory official roles who could then do other work until they are required to fill in—for example, in the case of another staff member's absence.

These companies need to get it together to implement the law as it was originally intended. Only the operator should be able to hire all statutory officials and those officials should be solely focused on health and safety. Instead, what we are seeing is mine owners crying poor, claiming it is just too hard. The mine safety worker who made a submission puts it about as well as anyone could, I think. This is a quote from that submission—

They tell me regularly they are struggling yet their yearly financial reports say otherwise. The likes of BHP make billions in profits, enough to pay the CEO in excess of \$21 million for 2022 with a 5% increase for 2023.

This submitter also makes a really salient point that I expect could easily be overlooked in this debate, so I want to put it on the record right now. They say—

If government again rolls over in favour of industry they are clearly putting business before people. Business may lose some money or have to spend a little more to train and retain but us coal mine workers will lose life and limb. Our loved ones and work mates will continue to be killed at work and leave families without providers.

Who will look after my family if and when I'm killed or maimed?

I am not the first one to observe in this debate that workers deserve to come home safely. Of course that means, in my view, that they deserve deputies and OCEs who are primarily, exclusively, concerned with their safety, not torn between that role and the profit-based KPIs on which their job could ultimately, tenuously, rest. Coalmining corporations, on the other hand, do not deserve another special deal or handout or shortcut from government.

In addition to rolling over these bosses who want to contract out more positions in coalmines, this bill also proposes to allow mining corporations to defer rent payments for certain critical minerals and use those repayments as funds for their startup capital. There is no doubt that we will need to expand critical mineral extraction in this state to meet the needs of a decarbonised economy as we tackle climate change. Queensland is incredibly lucky to have an abundance of these minerals like copper, lithium, nickel and cobalt.

As the renewable energy industry grows, there will be great demand for these resources. I have no doubt that countless mining companies will be scrambling to capitalise on that demand. They stand to make enormous profits, particularly with the state government charging paltry royalties and their federal colleagues refusing to raise the corporate tax rate. These companies do not need more handouts and they certainly cannot be allowed to scrimp on worker safety. This is why we will not be supporting those parts of this bill.