



Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

Record of Proceedings, 27 October 2022

INDUSTRIAL RELATIONS AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (11.44 am): The Industrial Relations and Other Legislation Amendment Bill touches on many aspects of industrial relations and employment law. Importantly, the bill provides greater flexibility when it comes to parental leave, and in this day and age when parents are sharing much more of the caring arrangements for their children it makes sense that parents should be able to determine how they want to allocate parental leave within the family. The gender pay gap is an issue that continues to plague women in Queensland and I am proud that the changes to good faith bargaining will mean that detailed information on the gender pay gap must be provided and considered through negotiations for agreements. Transparency around the gender pay gap will go some way to being able to identify the issues and barriers that lead to a pay gap and, importantly, help us close it.

The bill is also focused on making sure that associations or organisations that are seeking to industrially represent workers are subject to the same rules and regulations as registered organisations. The amendments to the Associations Incorporation Act are essential to tackle confusion on the part of employers and employees regarding the ability of an entity to represent their industrial interests where the entity is incorporated under the Associations Incorporation Act but is not a registered organisation under the IR Act. If an association wants to represent the industrial interests of its members, the bill ensures that those associations cannot avoid the obligations that come with being a registered organisation by instead registering as an incorporated association, and there are significant consequences for those associations under the IR Act that, among other things, falsely present themselves as having a right to represent the industrial interests of employees or employers.

Let us talk about why this bill is so important, and the best place to do that is to head on over to the website of the Red Union Support Hub, which at the top of the page states, 'Support without the politics'. There are a number of different organisations which people can join—the Nurses' Professional Association, the Teachers' Professional Association, the Professional Drivers' Association, the Australian Medical Professionals' Society, the Sworn Officers' Professional Association, the Independent Workers' Union and the Business Union. I ask: who are these organisations on this Red Union website? What kinds of entities are they? Are they unions, are they incorporated associations or are they companies?

The Industrial Relations Act has a number of obligations which must be met by industrial organisations, including having rules that set out how the organisation will function, elections to ensure transparency conducted by the ECQ, the conduct of officers who are honest and in the best interests of the organisation, financial reporting and other matters, including membership and financial management training.

The transcript of the public hearing of the Education, Employment and Training Committee in relation to this bill is interesting and at times entertaining and, quite frankly, unbelievable. A read of the transcript will show that not only was the member for Kawana taken to task quite eloquently by Jacqueline King representing the QCU but also the representative of the Red Union Support Hub does not appear to grasp the importance of transparency when it comes to representing workers. Mr Jack McGuire gave evidence that he is not only the managing director of the Red Union Support Hub but holds executive positions on the Australian Medical Professionals' Society, the Sworn Officers' Professional Association, the Independent Workers' Union of Australia and the Teachers' Professional Association, but he was unable to identify which other entities he was in fact a treasurer for. Quite confused he was about what his positions were.

There are three shareholders of the Red Union Support Hub—Mr McGuire and, in his evidence, Graeme and Kath—no last names. Mr McGuire believes that the shareholders are disbursed with wages but could not confirm and that the Red Union Support Hub is a wholly owned subsidiary of the Queensland Association Services Group and—wait for it—the Queensland Association Services Group is owned by Mr McGuire and the same Graeme and Kath. Mr McGuire advised the committee that elections, which are apparently conducted but for which no information was provided, are not conducted by the ECQ or the AEC.

Let us get this straight: those opposite have spent this entire debate saying there needs to be transparency and accountability and that they are not supporting these provisions because they believe that entities such as the Red Union Support Hub should be allowed to exist free of regulation and governance when those organisations, let us be clear, do not hold elections conducted by the ECQ or the AEC, they are unable to recall what positions they hold on the myriad of interrelated entities that exist and we do not know what their rules are or how they report their financial obligations. In short, we have no idea where the members' money goes. Let us talk about transparency and accountability. We have heard the fake outrage from those opposite about how legitimate registered organisations spend their money. Do members know how we know how they spend their money? Because there are rules in place where they have to disclose how they spend members' money. What about the fake unions? There are no rules or regulations in place so that those fake unions have to tell their members where their hard-earned money goes.

Last night the member for Kawana told me I needed to have a water and calm down. I have had a water but I have not calmed down because of the hypocrisy from those opposite claiming that this bill is all about making sure that there is less transparency and accountability. This is all about making sure that those organisations that purport to represent members industrially have the same obligations as every other union. That involves transparency about where members' money goes.

I have said in here before—many times, actually—that the member for Kawana was the worst Attorney-General in history. He was also the industrial relations minister, and given that they sacked 14,000 public servants he was also the worst IR minister we have had. Those opposite talk about these hardworking frontline workers and about their choice to join an organisation. When they describe them as duds working in regional Queensland this seems, again, a little bit hypocritical. It is clear that the members of the opposition are desperately conflicted.

How can the member for Mudgeeraba not be concerned about the lack of transparency across the Nurses' Professional Association of Queensland of which she is a member? What is she doing to ensure her membership fees are, in fact, being utilised for what they should be and are not being used to run anti-vax rallies outside 1 William Street? It turns out that these three characters we have heard about who apparently run these organisations, Jack McGuire and Graeme Haycroft, are not current members of the LNP—but they are former members of the LNP. These three individuals who run all of these entities are former members of the LNP. The LNP are not supporting these provisions because they do not want to know where the members' money is going.

We have heard from those opposite that this bill denies hardworking frontline members a choice. These organisations absolutely can still exist. They can go and be a company limited by guarantee, but they do not want to do that under the Corporations Act—because they have obligations around transparency and accountability under the Corporations Act. This is absolutely not about denying members a choice, this is about these fake unions being able to set up as an incorporated association and have no transparency and absolutely no rules around their governance and being run by three individuals linked to the LNP. This bill absolutely does not deny freedom of association and freedom of choice. To say otherwise is absolutely incorrect.

These provisions are supported by the National Retail Association. These provisions are supported by the Australian Industry Group. Employers support these positions. The LNP comes in here and says this is just Labor cosying up to the unions. The employer groups, the industry groups, support this because they want certainty and they want organisations that are governed by strong

regulation, accountability and transparency. It is absolutely outrageous that the LNP come in here and say that this is just about Labor cosyng up to unions. The Queensland Law Society supports these provisions. The Queensland Law Society says—

It is incongruous that unregistered organisations can operate and attempt to exercise representational and other rights without the correlative obligations that registered organisations are required to comply with ...

Every other stakeholder supports these provisions except for the fake unions and the LNP. Even the Queensland Police Union said we need to crack down on these associations. This bill is a rejection of fake unions that have no accountability and no transparency. It is time we found out where members' money is going.