




Speech By  
**Hon. Grace Grace**

**MEMBER FOR MCCONNEL**

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Record of Proceedings, 21 March 2024

## **WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. G GRACE** (McConnel—ALP) (Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing) (4.25 pm), in reply: Before I begin, I want to extend my condolences to the families and friends of workers who have tragically lost their lives or had injuries as a result of work related incidents and illnesses. We on this side of the House expect that those in control of workplaces comply with all workplace health and safety laws, regulations and codes of practice. In instances where this does not occur, I expect that they will be held to account under our nation-leading laws. We have some of the best laws in the country.

I thank all members for their contribution on the Work Health and Safety and Other Legislation Amendment Bill. I think over the course of the lengthy debate we have had, the key purpose of the bill has been lost in the usual and predictable attacks by those opposite about who pays what to the QCU and where they spend their money. This is such furphy and such irrelevant discussion when we are talking about health and safety laws, in particular workplace health and safety reps.

Let me remind the House of what this bill is all about. It is about improving the safety of workers. It is about ensuring workers are safe at work and, because they are safe at work, they come home safely. As I said in my second reading speech, workers sell their labour, not their health. All this nonsense about payback and payments and everything is just clouding a very important issue, and those opposite should be ashamed of themselves in relation to it.

The key tenets of the bill are: empowering workers to elect their own workplace health and safety representatives; making sure these representatives are properly trained, informed and supported; and ensuring workers are properly and appropriately consulted on work health and safety matters that impact them and their fellow workers. As Craig Dearling from Master Builders Queensland said—

Our position on HSRs is that they are workers—

This is a fact lost by those opposite. He went on to say—

... they understand how to do the work and how to work safely. Good PCBUs will work closely with their workers to understand what the safety issues are.

This bill at its heart is all about ensuring that workers are safe and that safety issues are resolved quickly. It is a shame, but not surprising, that the true nature of this bill has been lost in the debate by those on the opposite side. On this side of the House, we are committed to ensuring workers are safe; those on the other side sadly only care about workers' safety as a political football.

The member for Kawana and others have gone on their usual anti-union rant, repeating the same old tired lines they have been trotting out for ages. Let me be clear: workers can choose to join whatever organisation they want, but industrial representation is enshrined in legislation at both a state and a federal level. One minute the member for Kawana says that they are leaving in droves and joining the fake unions; the next minute he says that they do not have the right to join the organisation they want. Which one is it? During 10 years of a Liberal National Party government federally, they oversaw the

Fair Work Act and consciously had a policy of driving workers' wages down, and they did not change their legislation on registered industrial organisations. They did not change it once, so members should not come in here and talk nonsense because they are talking absolute nonsense. Organisations registered under these acts are required to meet stringent legal requirements around transparency, reporting, prudential standards and democratic processes—an important issue lost on those opposite—at both a state and a federal level.

The registered employer and employee organisations have always played a central role in the industrial relations system, and all colours of governments—federal and state—have not altered this fact, so those opposite should not come in here talking nonsense. As the Law Society in its submission to the committee wrote—

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

One part—no scrutiny, no regulation whatsoever—is trying to come up against those registered under laws at the state and federal level—laws that, I might say, under 10 years of a conservative government, did not alter; did not change. I will tell members why. Employers do not want to see unregulated, unregistered organisations trying to gain entry into their workplace, no matter who or what they are. Can you imagine the outcry? Every worker in their workplace goes out and joins any unregistered organisation they want and then all of a sudden, all of those unregistered organisations have rights to enter their workplace—not controlled.

Let me tell you who will be knocking on the door of those opposite. It will not be the union movement; it will be the employer organisations—the same ones who tried to come up against them when they were unregulated with regard to labour hire. Three of the top employer labour hire organisations knocked on my door when I was QCU secretary because they put in an agreement under the previous conservative government laws that undercut every single one of them. They came knocking on my door to knock it out because it was not a level playing field. Be careful what you ask for and be careful what absolute nonsense you talk about in this House. It is absolute nonsense.

As I said, unregistered organisations do not have to meet the same legal requirements. For example, during the committee hearing for the IR bill in 2022, Mr McGuire, the Managing Director of the red union group, could not remember which positions he held. What election process did that person go through? It is a sham. There is no transparency. We have members saying, 'There is no fit and proper person provision,' and all that kind of thing. It is under the IR Act. It is under both the state and federal IR acts. In fact, it was under the act when the previous federal government, the Morrison government, was in power. It is absolutely mind-boggling the nonsense and misinformation that is spoken in this place.

I now turn to matters during the debate. We know that those opposite are hell-bent on stripping away workers' rights. I note the comments of the member for Kawana questioning the independence of the review. That is exactly his style: 'Let's not talk about the issues. Let's not talk about health and safety reps. Let's not talk about the five-year review. Let's talk about the reviewers; let's attack them personally.' They are three eminently qualified people who consulted widely with all registered industrial organisations. To suggest otherwise is nothing but base politics. When it comes to ceasing workers' notice—

**Mr Bleijie:** Union hack.

**Ms GRACE:** I will take that interjection from the member for Kawana because that is disrespectful to those people. I will take that—disrespect.

**Mr Bleijie:** Two union hacks. Two out of three.

**Ms GRACE:** No. I will take the first interjection, not the rest that you are trying to convey.

**Mr Bleijie** interjected.

**Madam DEPUTY SPEAKER** (Ms Bush): Order, member for Kawana!

**Mr Bleijie** interjected.

**Ms GRACE:** It was the member for Kawana who introduced a bill when he was the IR minister which cut the rights of workers to cease unsafe work. Can you believe it? Think about it. They came into this place and deliberately stripped away the rights of workers to stop unsafe work. It was this government which restored them. The member for Kawana and others talked about alleged additional powers to shut down worksites.

It is important that this furphy is cleared up. The bill does not create a new right. It clarifies an existing right for HSRs to protect their fellow workers and to ensure unsafe work stops; that is all. That power has been around for ages and there has been minimal misuse of that power. Do not just take my word for it. Once again, Craig Dearling from Master Builders Queensland stated in his committee testimony—

One of the things I noticed in reading a lot of the other submissions is that it has perhaps been forgotten or missed that HSRs have existing powers to cease work. What is happening here is that is being put in writing.

As I said earlier, it is about empowering HSRs to conduct their role. It is about ensuring training is provided and removing the financial and practical roadblocks so that experienced workers who want to take on the role have those rights under this legislation. It is about ensuring barriers are removed.

There was the suggestion that workers are denied representation—the nonsense just continues—and that unions are bleeding dry. The last time I had a look at unions—real unions—that report to the QIRC and the federal commission, they are growing. The two that he mentioned as losing members are growing. The QNMU is now at 70,000 members. It grew by 3.5 per cent. The QTU is at nearly 50,000 members, according to their report. It is nonsense for those opposite to come in here and say they are bleeding.

I was looking on Facebook the other day and I noticed that the teachers' fake union has \$1 membership. They are doing so well that they are selling \$1 membership. 'We are trying to harness you now for a buck, but that's only for a limited time. You then have to pay the full fees.' What absolute rubbish coming from those opposite. They have no obligation to report. Outside of parliament, Jack McGuire claimed the red union had a membership of 17,000. When he came before the committee it was 11,000. He did not really know. Who really knows? There is no reporting, and that is the issue.

Then we talk about the links. The Labor Party has always been very open about our links to the labour movement. We have never hidden it. Affiliated unions, QCU—we never have ever hidden that. The member for Southern Downs has a lot to say on this.

**Mr Lister:** Oh, I am not finished yet either!

**Ms GRACE:** I am glad that he finally admitted he was a member of one of the fake unions.

**Mr Lister** interjected.

**Ms GRACE:** I am glad the member finally owned up to being a member.

**Madam DEPUTY SPEAKER:** Order, member for Southern Downs!

**Ms GRACE:** You had the choice. You are a member. Nobody has taken it away from you!

**Madam DEPUTY SPEAKER:** Pause the clock! Member for Southern Downs, I will not have you yelling across the chamber. Any repeated behaviour like that will result in a warning.

**Mr POWELL:** Madam Deputy Speaker, I rise to a point of order. The minister was referring to the member as 'you'. I believe the member had every right to respond when he is being personally spoken to in that way.

**Madam DEPUTY SPEAKER:** Thank you, member. I was present and I saw what happened, and that is the call I have made. The minister was not taking the interjections. I understand it was a provocative debate, but that yelling across the chamber I am cautioning him to not repeat.

**Ms GRACE:** If I was a member of a fake union, like the member for Southern Downs, I would be provoked, too.

**Madam DEPUTY SPEAKER:** Minister, it would help if you just moved on.

**Ms GRACE:** Members opposite have at length discussed registered unions' links to the Labor Party like it is some sort of secret; that nobody knows that that is the case. However, I notice that not one of them talks about the links of the fake unions to the LNP.

**Mr Lister:** Well then, don't take their cash!

**Ms GRACE:** Let's have a look at who is running these fake unions.

**Madam DEPUTY SPEAKER:** Pause the clock! Member for Southern Downs, I did caution you. You are now warned under the standing orders.

**Ms GRACE:** Let us have a look at who is running these fake unions. Graeme Haycroft, the creator, was a member of the 'Joh for pm' campaign. No wonder those opposite like him. He was a member of the National Party and has been a chair of the LNP's industrial relations and employment policy committee. They have never admitted to that, have they? Jack McGuire, managing director of

the red union group, when he can remember what position he holds, was a president of the QUT LNP club. Kara Thomas, NPAQ president, was a state LNP candidate for Pine Rivers in 2020 and the LNP candidate for Bancroft in 2017.

**Ms Boyd:** She also ran for Bancroft.

**Ms GRACE:** And ran for Bancroft as well—I will take that interjection—in 2017. Aenghas Hopkinson-Pearson, the current 2IC of the red union—if he knows that that is his position—was the LNP Moggill SEC treasurer for the member for Moggill and was thanked in parliament by the member for his efforts. Come clean! ‘We do not want registered unions or unions that have any kind of affiliation or link to the Labor Party. We like the fake unregistered unions that have links to the LNP.’

**Opposition members** interjected.

**Madam DEPUTY SPEAKER:** Order, members!

**Ms GRACE:** They don’t like it, Madam Deputy Speaker. They don’t like it over there when the truth is borne out. What nonsense they come in here talking. What hypocritical nonsense is raised in this House when nothing is said about the truth of the links that those opposite know exist.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER (Mr Kelly):** The House will come to order! Members, I have taken the chair because the level of interjection is not facilitating good debate in relation to this bill. I will start to warn people and to eject people.

**Ms GRACE:** The member for Buderim argued that stopping businesses being able to insure against workplace health and safety monetary penalties for noncompliance is the same as a nurse taking out professional indemnity insurance. As a proud former official of the QNMU, I can say this is rubbish. Professional indemnity insurance exists to protect highly skilled medical professionals from legal action arising from an error or omission in the performance of their professional service. It is nonsense to equate this to insurance for noncompliance with health and safety laws.

The member for Warrego discussed entry permit holders being able to remain in the workplace. There are workplaces now that operate around the clock. Allowing unions to represent their members in relation to contraventions from only 9 to 5 is out of step with modern workplaces and we are fixing that.

The member for Hinchinbrook recognised the importance of workers being able to stop work and address safety issues when they arise. I thank him for bringing his lived experience as a former miner to this debate. I also thank the member for Hinchinbrook for his recognition of the importance of cease work notices in saving workers’ lives.

A lot of issues have been raised in this House with regard to this legislation. A lot of it is based on misinformation, on misunderstanding and on confusing a workplace health and safety representative—elected by their workplace and trained in the industry in which they work and operate—with a registered union official who may be able to enter the workplace, registered under the IR Act and the federal Fair Work (Registered Organisations) Act and subject to the fit and proper person test that applies to them, and the manner in which they use right of entry under the workplace health and safety laws. That, members opposite, is how it works. That is what we are talking about here. Members should not confuse these issues.

In government, we will always stand up for workers being able to be represented. This bill strengthens the right of health and safety representatives to undertake their job without barriers. It gives them the ability to take time off to have training. If you are trained, of course your workplace is going to be safer. Even employers recognise this. We will give time for transition so that changes can be implemented. It is about lifting the standard of health and safety representation in the workplace. That is a key element. We do not want to take away, like those opposite did previously, the right to cease unsafe work. Entry permit holders should not be delayed 24 hours when there are serious safety issues. If there is a serious and imminent safety issue, they should be able to go into the workplace and represent their workers. We want to ensure workers have the right to do that. One injury or death in the workplace is one injury or death too many.

As I have said previously in this House, my father had a very bad industrial accident while working in a tannery in Stafford. We were six girls in the family. My father could basically never return to that workplace and he never worked again. He had his left arm caught in a faulty machine through which pelts were fed in order to turn hides into leather. It chewed his arm right to his elbow. My mother refused to have that arm severed. They did a number of skin grafts from his abdomen and wrapped him up, and he had back issues. My father went through a lot of issues. Following a back operation he could not walk, and he was never able to work again.

I thank those members—yourself included, Deputy Speaker Kelly—who shared their stories. They are heartbreaking. I know the difficulty my mother went through. If it was not for the union at the time—the Miscellaneous Workers’ Union of which he was a member, who helped him through WorkCover—our family would have suffered. He had common law rights taken away by those opposite. There were common law rights because the machine was faulty. When he pressed the ‘stop’ button it did not automatically stop; it kept going, and that was the cause of the accident. It was that common law action that managed to save our family from destitution when my father could not work. Let me tell you: it played on his mind every single day of the rest of his life, God bless his soul.

In conclusion, I would like to thank the Education, Employment, Skills and Training Committee for their detailed consideration of the bill. I thank those on this side of the House for defending the rights and the obligations contained in this legislation. I would like to thank the independent reviewers—Charles Massey, Deidre Swan, Craig Allen—and those who made submissions and attended public hearings on this bill. I thank the mighty union movement for their contribution as well. I know that health and safety will always be in their DNA. This bill strengthens protections and representation for workers and, in doing so, makes our workplaces safer and more productive—the best laws in the country. I commend the bill to the House.