




Speech By
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MEMBER FOR GREENSLOPES

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**ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL;
WORKERS' COMPENSATION AND REHABILITATION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr KELLY** (Greenslopes—ALP) (9.36 pm): We have plumbed the depths of the conspiracy theory world with the member for Southern Downs. I say to my colleagues on this side of the House that he has really exposed something here tonight. He has exposed the rules and the operations of the Australian Labor Party—something that we have been working on in secret for, what, 134 years! We have updated those rules as times have changed, and we have listed those rules in accordance with all of the laws, and some of the laws we have even made to apply to ourselves.

He is really onto something there. Stop the press! What a shame no-one is in the press gallery to pick this one up because, I tell you what, it will be big news tomorrow! The Australian Labor Party has a relationship with the Australian trade union movement and, as per the rules of our organisation, which are registered and freely available to all those who are interested, the Australian trade union movement has a role in our political party. This is big stuff! This is really big stuff here tonight!

Mr Dametto: The rules are on the ECQ website.

Mr KELLY: Yes, but you would have to be able to google to do that. You would have to get past the conspiracy theories that you normally google to be able to do that. Wait, it gets better. We straightened out the member's understanding of a registered industrial organisation. We have been operating in this country for only 120 years, probably since the Harvester decision was handed down. Back then, they were registered industrial organisations as opposed to registered organisations of employees and registered organisations of employers. That is the way we have been operating. Once upon a time, we even had agricultural boards—some may be familiar with those—and that was the corporatist way we chose to run this country for about 70 years.

Let's get onto the entry of union officials into workplaces—again, stumbling onto another great secret that apparently we have only just found out about because we have read the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill. There is this little piece of legislation called the Workplace Health and Safety Act which has been operational for quite a few years. Jack Munday—the guy from the BLF who used to ride the cranes—had a little bit to do with it. This legislation is to stop workers being killed at work and stop workers being injured at work. It is a well-documented, well-understood, good piece of legislation that allows a certified union official from a registered industrial organisation to enter a workplace without notice if there is a significant and serious risk to workers. Guess what? They can even shut a workplace down if workers are at imminent risk or in danger. The member has stumbled onto something big here. I have only been doing that for 25 years or more as a union official. It is certainly good that we have picked up on that in this bill.

I speak in jest, but this is a very serious piece of legislation. It extends the workers compensation scheme because sadly not every worker who goes to work goes home without being injured or being killed. We need those important compensation schemes in place. This bill does a range of important things to extend those compensatory mechanisms.

I want to talk about a couple of things with regard to that. The first is the extension of the firefighter provisions—the presumptive legislation. This is important legislation. It is groundbreaking and it is being introduced around the world. It will spread to other industries because we know that there are certain occupations where no matter how much we do to try to protect workers it can be presumed that their injuries and their illnesses are related to their workplace. So as to not delay compensation by having to go through tribunals or have the nature of one's injuries questioned we have decided to do the decent thing, the human thing, and speed up that process and presume that people have acquired those injuries from their work. On the odd occasion it may not relate to someone's work and we will get it wrong, but the greater good and greater benefit will prevail. All workers will get a good outcome from this. It is good to see those provisions being extended to firefighters. I say to my colleagues and friends in the United Firefighters Union, 'Thank you for advocating so strongly in relation to this.'

I wanted to touch on the changes in relation to gig workers. This is an area of employment—and I would call it employment, although the people who employ these workers try to find a million ways to dance around them being called employers. I hope they have their own registered industrial organisation of employees to represent them one day. This is an area that has been rapidly growing and has been subject to a great deal of risk as well as exploitation.

I want to use the example of my nephew Tadhg Kelly. He is a food delivery person in another state. He was knocked off his bike and injured. He broke his arm and had quite a serious injury. Thankfully for him—and I will not say who—he was working for a major company that was not operating as a gig industry. It was not a platform company, but it was a food delivery company. His experience was quite positive. He was well looked after by the workers compensation scheme and the company. He managed to get back to work, his injuries healed and his treatment was paid for.

Compare that to the experience of people in the gig industry who do not have the benefit of that sort of situation. Some of these platforms have in-house programs, but we know that they are woefully inadequate. There was the example given in the report of the sad situation of the young man who was killed at work and his family was denied his death cover and his funeral benefits which were required to get him back to his country of birth. It was done on the basis of some pretty disgusting and pretty low writing of the agreement. We need to make sure that these workers are treated the way that every other worker is treated.

The trade union movement and the Australian Labor Party have been conspiring to continue to fight for gig workers and all workers to ensure that they are safe at work and if they do get injured at work they are properly compensated. I think it is important. This bill does a range of other things that I would have liked the time to have gone through in detail. Gig workers are important workers who do not get enough attention. If gig workers get injured at work and they are subjected to schemes that do not do what other schemes do, they face difficult times.

If we look at the genesis and history of the labour movement it is not unusual to meet people who are not much older than me who have had family members terribly injured at work or killed at work who have received zero compensation. I think it is important that all workers have the opportunity for compensation. Our No. 1 priority is that there is no injury or death at work. In the terrible situations where that occurs, we must ensure there is proper compensation. I commend the bill to the House.