




Speech By  
**Michael Berkman**

**MEMBER FOR MAIWAR**

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

 **Mr BERKMAN** (Maiwar—Grn) (3.30 pm): I rise to give my contribution on the Work Health and Safety and Other Legislation Amendment Bill. Workplace health and safety laws are fundamental to upholding workers' welfare and their right to safety. These laws are not mere concessions to workers and they are not just nice to have; they are absolutely critical to a just society, a fair economy and a good life for all. Corporations do not want to improve working conditions because improving working conditions costs owners and shareholders money, and this is the reality of our capitalist economy that puts businesses and company profits in direct competition with workers' conditions and safety. So long as it remains in the interests of the profit makers to cut corners and to spend as little time and money on workers' welfare as they can get away with, workers will have to organise and fight for fair and safe working conditions. The Greens absolutely commend and support this bill and the tools it gives workers to do just that.

The improvements to workplace health and safety laws in this bill will make it easier for workers to organise, negotiate and participate in workplace health and safety work groups. Health and safety representatives of these work groups will have greater rights and powers to represent their co-workers and ensure that their health and safety are appropriately protected in the workplace. Unions acting in the interests of workers will have a greater ability to assist workers in negotiating workplace conditions and enforcing safety standards, workplaces will have a greater responsibility to reduce risks to workers' health and the Queensland Industrial Relations Commission will have greater jurisdiction to decide disputes between workers and their workplaces over health and safety. The Greens unreservedly support all of this. We support workers' rights to safety and we support workers and their unions having a say in workplace conditions.

This bill improves workers' ability to protect themselves against obvious risks to their physical health, whether they are working on a busy construction site or stocking shelves in a grocery store. While we support this bill, we also challenge the Labor Party to go further in backing workers' rights to organise. The Work Health and Safety Act appropriately includes psychological health within the meaning of 'health', but workers have little ability to bargain over the myriad issues that impact their mental wellbeing. I think every worker knows that there is no way to separate their mental wellbeing from their working conditions more generally. There is simply no amount of PPE you can wear to protect against the precarity caused by casualisation or the stress and mental anguish of unfair workloads, falling wages and the rising cost of living.

More than ever workers need the rights, powers and protections required to organise in the workplace and stand up for their interests in all aspects of their work and not just those facets of work that the legislation attempts to separate out into matters of health and safety, because every worker knows that there is no bright white line between their wellbeing and their general working conditions. In this regard, our existing legislation is sorely lacking. Workers in Queensland are still tightly constrained

in how they can organise to collectively bargain for better working conditions. They are limited in the types of industrial action they can take, when they can take it and by the number of bureaucratic hurdles they need to address in overcoming that action.

Now more than ever workers need to be free to organise in their workplaces to negotiate better conditions. After three decades it is clear that the restrictive industrial relations regime introduced by Labor in the nineties is not fit for purpose and has been a disaster for workers and union organising. Real wages have stagnated while corporate profits soar. More and more workers are stuck in casual and insecure work without the rights of permanent employees. Since 1992 when the first of Labor's accords was passed, union membership has fallen from 41 per cent of the workforce to just 12 per cent, leaving the vast majority of workers without the protection of a union and without the ability to collectively organise and bargain for better working conditions. If we want workers to be able to stand up for their health and safety as well as their rights and conditions more generally, then we need to fix Labor's broken industrial relations laws which are, in many respects, doing the LNP's job for it. Until we do, workers will not get a fair share of the enormous wealth they create for this country or the rights they deserve, including the right to come home from work fit and healthy in body and in mind.

The Reserve Bank reports that workers' share of national income has continually fallen for the last three decades as increased profits for owners and shareholders outpace wages growth year after year. This is a longstanding trend and it is only getting worse. Since 2019 corporate profits have risen 43.6 per cent, more than double wages growth. Pay packets have not kept up with the cost of living and real wages have fallen so far that they are back to 2006 levels. If instead wages had grown at the same rate as profits in the last four years, workers would have an extra \$5,000 in their pockets. Workers' share of income now is the lowest it has been since the 1950s according to the RBA, with workers making on average just 52 cents out of every dollar they earn for their employer. Let us pause on that for a moment. For every dollar workers make, their employer is taking 48 cents out of the dollar. We cannot turn these things around without giving workers the tools and protections needed to organise. The punitive restrictions on industrial action within the existing IR framework fail to protect actions taken by workers unless they navigate these very complex bureaucratic obstacle courses.

The Greens are calling for workers to be given the ability to bargain at any level and at any time by ending laws that restrict workers to bargaining and taking action during narrow bargaining periods and only at the enterprise level. Without a doubt there are some great improvements for workers to negotiate with their employers and ensure their safety in this bill, but for workers to properly protect their rights, including their rights to a safe workplace, workers have to be able to organise and take action at whatever level they consider appropriate, including at an industry level when they need to and not just at the expiry of existing agreements which can last up to four years. If we want to see working conditions improve and if we want to see wages increasing in line with profits, then we need better laws that give workers the ability to organise and take the industrial action that is required to do just that.