




Speech By
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WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr WATTS** (Toowoomba North—LNP) (3.10 pm): I rise to make my contribution to the Work Health and Safety and Other Legislation Amendment Bill. There are a lot of different aspects to this bill, but one thing that always worries me is when regulation creates a monopoly. We hear about supermarket duopolies. We hear about different kinds of monopolies. Monopolies will often lead to price gouging, poor service and poor behaviour and when they are protected by government regulation that can become even worse.

One of the things that worries me about this bill is that the unions will be given monopolistic control over what will happen in particular workplaces. There has been a lot of talk about where these laws came from. It should be noted that in the 2002 review Deidre Swan, a former Queensland Industrial Relations commissioner and former AWU branch vice-president, and Charles Massy, a barrister and former Queensland Council of Unions policy officer, found that this might be a useful idea. It is a bit of a shock to think that people who come from the union movement would think that centralising more control and power in the hands of the unions would, in fact, be a good outcome for the workers of Queensland and the small businesses and other businesses in Queensland.

There are a couple of other things that should be spoken about. One of the unpredictable things coming out of this legislation is that different unions will be able to send their HSR, their health and safety representatives, onto a site where they actually do not represent anybody. Not only are they being given—through their membership to the central body in Queensland—exclusive control over this so that other people cannot do it, the two unions are going to ultimately start pushing back against each other in the duopoly of power and control. We will have CFMEU health and safety representatives being able to walk onto an AWU site. The CFMEU will not have anybody there at all. They will be able to walk onto a site where the only membership is AWU membership, and they will be able to shut that site down.

You have to ask yourself: how comfortable are those on the other side of this chamber, the Labor members, with this factional deal that potentially could blow up in their face? Of course, what would be really interesting would be to have AWU health and safety representatives walk onto a CFMEU site and shut it down. I want to make it very clear: I do not think there is a member in this House who does not want our workplaces to be safe. I think everybody has an expectation that we should have good regulation to ensure that people who go to work can do it in a safe environment and go home safely and see their loved ones. I have had the privilege of going underground on a couple of mine sites. They are particularly difficult environments. The health and safety regulation that this place puts in place around dangerous work sites is very important, but let us be truthful about what is going on here—this is a union deal. This is a union deal so that they can control and close down particular work sites at a whim.

We have to look at the training that is involved. Before someone can close down an entire work site and cost a business millions of dollars, should they be well qualified? Should they have gone through a proper and appropriate training course? Should that training course have been one that their

employer would have endorsed or could they pick any training course they like—particularly one offered by the union that employs them? Will it be a few days, maybe five days—not a certificate course? People can do a certificate IV in a lot of different things. One would think that work and safety in the workplace should at least be a certificate IV qualification.

What concerns me is what this legislation is achieving. Who has brought this legislation forward, under what set of circumstances and why are we here? We know that the AWU donated \$43,000 prior to the election on the weekend. Imagine the AWU's power from this bill when they can walk onto a CFMEU site and shut it down. I will be interested to know what the CFMEU's opinion is on that. They are thinking that this will be great for them and they will be able to walk onto other people's sites and shut them down and they will be able to flex their power and control and increase their union membership by forcing people to sign up. What we could see is the exact reverse of that, and that will be challenging.

Imagine someone from the AWU walking onto a CFMEU site and telling the crane operator, 'I have done my five-day course. This does not look safe to me at all. I think we should shut it down.' What is the recourse internally? What will happen internally within the Labor Party as these unions go to war? They will go to war with each other about power and control over our manufacturing sites, our construction sites and our workplaces.

I think this legislation is somewhat ill-conceived. What concerns me most is the people who will ultimately lose out. That will be the workers and that will be the people who have employed those workers to come and do something for them. Whilst there is a power and control game being played out by the Labor Party and the union movement, everyday ordinary Queenslanders are having their pockets emptied. As often happens with monopolies, there is a potential for people to be gouged because there is no competition around costs in the environment that they are operating in. I do not like monopolies. When there is a natural monopoly, it should be well regulated. It should be carefully considered. We should make sure that it does not give extraordinary powers to someone who comes from that monopoly. That is the exact reason there should certainly be a fit and proper person test applied to someone.

Imagine this: the person in charge of everybody's safety on a site where there is no representation or membership can be not a fit and proper person and unable to pass the test but can walk straight onto a site and shut it down. I will be curious to see what happens when someone who does not qualify as a fit and proper person walks onto an AWU site and shuts the whole thing down to flex their union muscle. I will be curious to see what reaction comes in regulation going forward around this particular piece of legislation because I think a fit and proper person test and a certificate IV should be in place.

There should at least be one person on the site from a union that is looking for representation. None of that should take away from us having a safe workplace for people to go to. Construction sites can be dangerous places. I do not want anybody to misinterpret what I am saying here. I am not against having health and safety officers and regulators and people who can go onto those sites and make sure things are safe, but there should be a proper process. It should not be a reward for someone who has monopolistic control over what is going on. It should not be done so that you can gouge businesses and/or squeeze your competitor out of the market by having control over their work site and the ability to shut them down.

Those are things that I think should not be regulated by this House. That control and power certainly should not be given to someone who then just gives their money to members of parliament who can then come in here and write more regulation to build stronger monopolies and give them more power and control. Interestingly enough, my hope is that the two unions are the ones who blow it up as they fight each other for power and control over our manufacturing and construction sites and our mine sites. Imagine the AWU shutting down a mine site in Queensland.