



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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EDUCATION AND TRAINING LEGISLATION (SKILLS QUEENSLAND) AMENDMENT BILL

Mr CRIPPS (Hinchinbrook—LNP) (7.59 pm): I rise to contribute to the debate on the Education and Training Legislation (Skills Queensland) Amendment Bill. One of the stated objectives of this bill is to establish an industry led skills commission in Queensland called Skills Queensland in response to what the explanatory notes describe as the challenge for Queensland to ensure that approaches to skills and workforce development keep pace with the demands of a rapidly growing economy and are responsive to economic factors impacting on the state. The explanatory notes go on to say that the establishment of Skills Queensland will respond to the demand for targeting workforce development that is responsive to current and emerging industry and community needs as critical to raising productivity, stimulating innovation and achieving global competitiveness. The explanatory notes also state that it is essential that government is able to respond to emerging issues in a timely way.

In view of this stated objective and the rationale advanced by the government in the explanatory notes for the establishment of Skills Queensland, I want to canvass the experiences, concerns and challenges faced by a constituent of mine, Mr Mario Menso of Bluewater, who has to this point in time been frustrated and disadvantaged professionally and financially by a serious deficiency in the training and licensing of tradesmen working in the composites industry in the state of Queensland. I hope the formation of Skills Queensland, which the explanatory notes insist will be a responsive industry led commission, will be able to prevent this type of issue from occurring again in the future.

The circumstances facing Mr Menso are of serious and pressing concern to all tradesmen in Queensland working as composites technicians who specialise in the use of plastics and rubber for industrial and manufacturing purposes because they relate to their training and their qualification as a professional in their field. The use of composites or the use of plastics and rubber is one of the fastest growing technologies used for industrial and manufacturing purposes. As such, composites technicians are in high demand. Mr Menso undertook his training at PARTEC's composites training centre in Townsville. PARTEC stands for Plastics and Rubber Technical Education Centre. The PARTEC institute is a Queensland Department of Education and Training registered training authority.

To briefly explain how this problem has been revealed, a client of Mr Menso lodged a complaint with the Building Services Authority about his repair work on the shell of a second-hand fibreglass pool that had been relocated to the client's property. Importantly, it should be noted that Mr Menso did not construct or install the pool shell at this location. The pool was not yet plumbed in, secured or filled at this location. The BSA inspected the pool three months after Mr Menso completed his work and subsequently issued a fine against Mr Menso supposedly for unlicensed work. However, Mr Menso contested this breach and provided his qualifications obtained through training from PARTEC and recognition of prior learning assessment by PARTEC, a registered training authority to the BSA. Mr Menso was effectively told by the BSA that his PARTEC qualifications as a composites technician were not worth the paper they were written on. Obviously this alarmed Mr Menso, who believed he had undertaken training provided by a registered

training authority which delivered training in composites technology under Queensland Department of Education and Training guidelines.

This advice also alarmed Mr Mal Biebrick, a qualified composites technician and certified training consultant who has for many years delivered training in composites on behalf of PARTEC to literally hundreds of apprentices in North Queensland, including Mr Menso. Mr Menso and Mr Biebrick attempted to sort this issue out with BSA officers in Townsville as far as the training provided by PARTEC is concerned and the qualifications that trained composites technicians hold. Fundamentally, Mr Menso and Mr Biebrick question the jurisdiction of the BSA to issue a fine to a non-building or construction trade and the technical qualifications of BSA inspectors to scrutinise work of a composites technician. In support of this point, I would note that the Queensland government has published an A to Z of apprenticeships and traineeships. That document lists a composites technician apprenticeship as a manufacturing apprenticeship, not a building and construction apprenticeship, and that fact is very important.

As all members are aware, the BSA is a statutory authority primarily concerned with matters pertaining to the building and construction industry. Given that he was fined for unlicensed work, Mr Menso initially attempted to satisfy the BSA by asking what training he would need to undertake to continue the work he was presently doing on fibreglass pools. The BSA suggested Mr Menso complete a Swimming Pool and Spa Association of Queensland course. Interestingly, upon reviewing the modules and elective subjects in the SPASA course, Mr Menso observed that none of the modules or subjects pertained to his work with fibreglass pools. When Mr Menso pointed this out to the BSA, it inserted a number of modules into the SPASA course specifically to do with the repair of imperfections in composite structures and the repair of damaged composite structures which, ironically, were part of PARTEC's training modules that had been undertaken by Mr Menso. However, it should be noted that there were significant workplace health and safety issues involved here, as these modules can only be undertaken once individuals have completed prerequisite modules which cover the safe handling and use of composites products, which can be prone to volatile chemical imbalances and cause environmental hazards in certain weather conditions. The BSA did not ask if Mr Menso had completed these prerequisite modules.

Madam DEPUTY SPEAKER (Ms Farmer): Order! While I appreciate the member's concern for this issue, we have listened to it for a while now. Could I ask you to return to the long title of the bill as soon as you are able, please?

Mr CRIPPS: Madam Deputy Speaker, I am happy to speak to clause 4(3) of the bill which states—
to strengthen Queensland's economic base by providing a skilled workforce that meets the current and future needs of industry, Government and the community.

I am speaking specifically to circumstances concerning a constituent of mine who has undertaken training with a registered training authority in the state of Queensland but who subsequently has been involved in difficulties confirming that training with the statutory authority in Queensland that has applied regulatory arrangements to that individual, and I am trying to give an understanding to members present that there are concerns from me and from Mr Menso that these government regulations are not appropriately providing for these professionals in their particular field.

Madam DEPUTY SPEAKER: Order! I will allow that.

Mr CRIPPS: The failure of the BSA to require Mr Menso to complete these prerequisites is a serious workplace health and safety oversight and underlines the charge advanced by Mr Menso and Mr Biebrick that the BSA does not have the technical qualifications to be responsible for the regulatory oversight of the composites industry, which is a type of manufacturing industry and not related to the building or construction industries. When the BSA was advised that Mr Menso had already completed these electives as part of his PARTEC training, which the BSA had said were not worth the paper they were written on, the BSA then asked Mr Menso to complete a waterproofer or painter and decorator trade. This further confused and frustrated Mr Menso and Mr Biebrick, as neither a waterproofer nor a painter and decorator are qualified to be composites technicians.

Mr Biebrick then decided to test the issue and the system for himself by applying for a BSA licence that would allow him to undertake work as a composites technician. Mr Biebrick had owned his own manufacturing business for 16 years and had been a plastics consultant and trainer for PARTEC, the Queensland Department of Education and Training registered training authority for this industry, for 10 years. On 11 August 2009 Mr Cameron Murphy, the manager of Regulatory Services of the BSA, wrote to Mr Biebrick and advised that the Queensland Building Services Authority Regulation 2003, which contains the list of licensed classes the BSA is authorised to issue, did not contain a licence class known as a composites technician. The trade known as 'composites technician' has existed formally since the year 2000 when it was approved by the Queensland government and recognised by the Australian government. The trade was covered by the rubber and plastics award in Queensland and the national peak body for the industry is known as Composites Australia.

In view of this information, the obvious question to ask is: if a licence class known as composites technician is not listed as a trade by the Queensland Building Services Authority Regulation 2003, under which the BSA derives its jurisdiction and authority to issue licences pertaining to the building and

construction industry, how could the BSA have possibly issued Mr Menso with a fine for unlicensed work? If the BSA is the correct authority with the jurisdiction to inspect work by composites technicians, it does not presently recognise as valid the trade training being delivered by PARTEC, which is a Queensland Department of Education and Training registered training authority. This would mean that literally hundreds of composites technicians who did their apprenticeships with PARTEC would not be recognised by the BSA. However, if the BSA has no jurisdiction to inspect work completed by composites technicians, it is not presently aware of this or that training provided by PARTEC is delivered under Queensland Department of Education and Training guidelines. If that is the case, Mr Menso has been subject to an injustice and he has been professionally and financially disadvantaged as a result. It would appear that, presently, the Building Services Authority and the Department of Education and Training are operating in isolation without appropriate reference to each other in respect of the training and regulation of the composites industry in Queensland.

I first drew this matter to the attention of the Minister for Public Works and Information and Communication Technology and the Minister for Education and Training in late January of this year. Minister Wilson confirmed that the composites technician apprenticeship was based on the national qualification of a certificate III in polymer training, which had been declared an apprenticeship in Queensland in the year 2000. Minister Wilson went on to confirm that the qualification is a nationally recognised qualification developed in accordance with the Australian qualification framework for the manufacturing industry.

Then, inexplicably, Minister Wilson stated that, in general, matters concerning work undertaken in a building and construction environment fall within the scope of the BSA. That statement in isolation is true and accurate. However, in the context of this issue, that statement is completely irrelevant. Minister Wilson then referred the matter to Minister Schwarten as the minister responsible for the BSA, ignoring the obvious implications for PARTEC, a registered training authority overseen by his department.

For his own part, Minister Schwarten acknowledged that Mr Menso was a qualified composites technician. However, having taken advice from the BSA, Minister Schwarten simply repeated the chronology of events as far as the infringement notices issued to Mr Menso were concerned and reiterated suggestions about the types of training and qualifications that Mr Menso might like to undertake to satisfy the BSA. The suggestions that came forward from Minister Schwarten included pool construction, pool installation, waterproofing and painting and decorating. Mr Menso, as a composites technician, does not work in any of these areas. Mr Menso does not construct, or install, or waterproof, or paint, or decorate pools. Mr Menso is a composites technician who works with plastics and rubber. Mr Menso has a nationally recognised qualification and has been trained by a Queensland government registered training authority to manipulate and repair composites materials, which include fibreglass pools.

This situation is a serious anomaly in the regulation of an important and growing industry in Queensland. Currently, composites technicians like Mr Menso are being regulated by the BSA, a statutory authority of the Queensland government, in relation to matters outside of its area of expertise. These composites technicians have been trained by PARTEC, a registered training organisation with the Queensland government.

I wrote to Ministers Wilson and Schwarten again in May to outline these inconsistencies and I urged them to reconsider their responses to this issue. As I mentioned, Mr Menso has been frustrated and disadvantaged by this problem and he is not the only one threatened by a case of the left hand of the government not knowing what the right hand of the government is doing. Action needs to be taken to address this serious issue.

Mr Schwarten: It's not construction. We discussed this, you and I did. It is on the record.

Mr CRIPPS: Minister, if it is building or construction—

Madam DEPUTY SPEAKER (Ms Farmer): Order! Members will direct their comments through the chair.

Mr CRIPPS: I take the interjection from the Minister for Public Works. If it is not a building or construction matter then why is the Building Services Authority, which is the statutory authority in Queensland pertaining to the building and construction industry, regulating the composites industry? That is the fundamental point that I have been advancing all night and the Minister for Public Works has refused to accept that fundamental point tonight. He has refused to accept that fundamental point on two occasions that I have written to him on behalf of Mr Menso and I will continue to make representations on his behalf until I get a satisfactory answer.

Mr Schwarten: But you haven't got a solution to it.

Mr CRIPPS: Skills Queensland ought to take an immediate interest in this issue once it is constituted under this legislation. Composites are durable, light and strong, are corrosion resistant, have low conductivity as far as electricity, heat and cold is concerned, cannot be detected by radar and are not non-magnetic substances. I ask all members to seriously consider the potential consequences for the

Queensland economy of the development of the composites industry being stifled in terms of productivity innovation and global competitiveness.

Mr Schwarten: I'm just signing a letter to Les Tyrrell now on that subject

Mr CRIPPS: I take the repeated interjections from the Minister for Public Works. He advances the proposition that I have no solution.

Mr Schwarten: No, you don't.

Mr CRIPPS: I will give him a solution: Minister Schwarten ought to speak to Minister Wilson about this matter. They ought to recognise that a qualification given by a registered training authority under the guidelines put down by the Queensland Department of Education and Training means nothing as far as the pursuit of that profession is concerned for Mr Menso in the community, because the organisation—the statutory authority that has been given the responsibility to regulate his industry, the BSA—does not have the necessary expertise to regulate the industry because it is charged with regulating the building and construction industry.

Mr Schwarten: That's right.

Mr CRIPPS: The minister has continually interjected on me tonight, insisting that a composites technician is not involved in the building or construction industry. So a licence class for a composites technician needs to be created so that they can go and practise the profession that they trained for, that they were provided training with by a registered training authority in the state of Queensland by the Department of Education and Training, without the need to take up the suggestion by the BSA that they become a painter and decorator or a waterproofer. Mr Menso is none of those things. He does not undertake—

Mr Schwarten: He needs to be licensed to carry out swimming pool repairs.

Mr CRIPPS: Mr Menso and other composites technicians—

Madam DEPUTY SPEAKER: Order! I ask the minister to cease interjecting.

Mr CRIPPS: They do not undertake the activities of a painter and decorator or a waterproofer.

Mr SCHWARTEN: Madam Deputy Speaker, I seek your ruling on this. I have been under constant attack from the honourable member making all sorts of ludicrous statements. Are you saying that I am not entitled to respond?

Mr CRIPPS: Madam Deputy Speaker—

Madam DEPUTY SPEAKER: Order! The House will come to order. The member for Hinchinbrook has the call.

Mr CRIPPS: Thank you, Madam Deputy Speaker. I simply seek a reasonable and fair resolution to this serious issue on behalf of my constituent who has, for the past period of time, been unable to practise his profession in the state of Queensland.