



Speech By
Hon. Jann Stuckey

MEMBER FOR CURRUMBIN

INDUSTRIAL RELATIONS (TRANSPARENCY AND ACCOUNTABILITY OF INDUSTRIAL ORGANISATIONS) AND OTHER ACTS AMENDMENT BILL

 **Hon. JA STUCKEY** (Currumbin—LNP) (Minister for Tourism, Major Events, Small Business and the Commonwealth Games) (6.06 pm): Thank you, Mr Deputy Speaker.

Mr Crisafulli interjected.

Mrs STUCKEY: This may not be the good news that some people in the House are looking for. I rise tonight to contribute to the Industrial Relations (Transparency and Accountability of Industrial Organisations) and Other Acts Amendment Bill 2013 introduced into the House by the Attorney-General and Minister for Justice, the honourable member for Kawana, on 30 April this year.

As honourable members have heard, this bill's overarching theme is one of accountability and transparency—core principles which the Newman government will never apologise for upholding or legislating for. This government is 100 per cent committed to governing for all Queenslanders equally and putting the best interests of the people of this state first. The bill before us enshrines these principles in a way that has found a balanced path forward for industrial organisations in this great state. Of note, 32 employer associations and 34 unions will be affected by provisions within the bill.

As the explanatory notes outline, the objectives of this bill are numerous and widespread. But today I intend to mainly focus on the amendments to the Industrial Relations Act 1999. There has been considerable media coverage regarding this bill and numerous sensationalist remarks that have failed to capture the true intent and scope of this legislation. Unfortunately, we have come to expect nothing more from those opposite who are completely absorbed and preoccupied by their own agendas and are incapable of recognising that at the core of this legislation is the desire to create a more level playing field across Queensland. This legislation does not favour one group over another. Groups that have little or no scrutiny placed upon them for decades will now have to clean up their activities—some more so than others.

Recent coverage and comment indicates that very scant examination or analysis of certain organisations' transparency in their dealings and administration methods has been undertaken. This bill has been introduced as a result of ongoing and widespread concerns about the governance and financial accountability of industrial organisations. Headlines have screamed at us over suspected misuse of credit cards and other dubious practices by senior members of the Health Services Union and unanswered questions lurk around the operations of the QRTSA here in Queensland. There are other incidents that have resulted in investigations by various authorities, as the Attorney-General highlighted in his introductory speech, that warrant this approach and this legislation.

Members opposite will bleat that this is an unfounded attack on unions by the LNP but they ignore the many examples that provide ample justification for the need to introduce these reforms into Queensland. As the Premier did earlier, I also place on record my support for unions and the role they

play—those unions that represent their members honestly and for the genuine benefit of them not for their own personal gain.

Back in October 2004 I was contacted by a group of angry ambulance officers who felt disenfranchised by the union that was supposed to be covering them. I speak of the Australian Liquor, Hospitality and Miscellaneous Workers Union, known as the LHMU. They spoke of being too frightened to speak out for fear of reprisal over changes to their rosters. During its many years in power Labor did not just bury our great state in debt; it bred a culture of fear through many departments and front-line workers, a fear intended to choke an individual's democratic right to freedom of speech. It was the manner in which these dedicated ambos were treated that really upset them. It was a total disregard for their rights of expression, which we hear members opposite crowing about now, that led over 80 of these dedicated officers to congregate outside my Currumbin office. That is right, honourable members. Union members had to lobby a Liberal because no Labor members on the Gold Coast in 2004 were interested in their concerns.

Union representatives admitted to me that they felt more like managers than union delegates, as they could not speak up for rank and file members. Union delegates themselves quit left, right and centre in protest over the way they were being treated. Many of these wonderful people were threatened with job losses, and the whisper of a culture of bullying and low morale that was burning out long-serving, dedicated paramedics was rife. I am very pleased to stand before this House and say that I helped them to form a breakaway union, a union called EMSPA, which is now known as APAQ, the Australian Paramedics Association Queensland.

Workers who invest their money and their trust in unions do so with certain expectations of that union, yet all too often they are left with a reality that falls way short of what they expect and deserve, as I have just related. Amendments to the Industrial Relations Act will see elected officials of industrial organisations registered in Queensland required to meet the same standard of accountability and transparency that is demanded of elected public officials and local government officials in Queensland. There are a number of specific amendments which will legislate this and require registers to be kept up to date and publicly available from 1 July this year.

As the Minister for Small Business, I am all too aware of the burden of red tape and regulation. Since becoming the government, the LNP has from day one been committed to reducing unnecessary red tape, but that is the key here—unnecessary red tape. Regulations proposed by this legislation weigh up the benefits versus keeping the status quo, and quite simply transparency and accountability are not unnecessary concepts.

Perhaps one of the most important changes proposed by this legislation is the support of an employee's right to choose whether to join a union or not. Any provisions in industrial instruments, policies and procedures that encourage compulsory membership will no longer have effect. Further, any provisions that require an employer to make available its facilities, resources or premises which require an employer to provide union information about employees or access to its employees will be deemed to have no effect.

In opposition as the shadow minister for manufacturing, I saw firsthand the damage the Labor Party did to small business and manufacturers. An example of this was the Mandatory Code of Practice for Outworkers that commenced on 1 January 2011 and was received most unfavourably by many stakeholders in the industry. In opposition the LNP vehemently opposed this code of practice, which in a private member's statement on 13 October 2011 I described as 'a union-led witch-hunt of local clothing manufacturers and retailers'. The Attorney-General, to his credit, repealed this legislation in November 2012 which was welcome news. It was widely believed this code was nothing more than legalised extortion by the Textile, Clothing and Footwear Union of Australia, the TCF. It did nothing to prevent workers from so-called sweatshop conditions, rather it was implemented to boost union membership in what was witnessed by many small businesses as deceitful and forceful behaviour.

As I discussed in my contribution to the debate earlier this year, manufacturers were only exempt from the code if accredited to the Ethical Clothing Australia code. Clauses in the ECA stipulated that fees paid were to primarily go to the TCF. The TCF had the responsibility for enforcing compliance and a standard letter was to be supplied that had phrases such as—and I will give honourable members a direct quote—'As your employer, I support the TCFUA and you joining that union and you will not be discriminated against if you do so.' Heavy-handed tactics such as these by a union or any other industrial employer organisation have no place in today's Queensland. They do not contribute to the creation of jobs or to growing a thriving economy in Queensland.

The freedom of association that will come about through the passage of this bill is a genuine hallmark of democracy, and I am proud to be part of a government that recognises that and acts to promote it. Too often we have seen individuals acting dishonestly and contrary to the best interests of organisations, and the new provisions will see a penalty of up to \$340,000 and/or five years imprisonment for such an offence. These provisions require the best effort to be applied to satisfy the disclosure requirements, and what is reasonable will be taken into account before any penalties are considered.

However, one of the important outcomes from this legislation is that it creates a level playing field. It epitomises the fundamental principles of accountability and transparency. Those opposing this legislation are essentially opposing concepts that are the backbone of a democratic state which, and I am sure honourable members will agree with me, is quite baffling.

May I congratulate heartily the Attorney-General and his department for legislation that is fair for all Queenslanders, and I might add that it has been a long time coming but then we have not had the honour of governing this state for long. Since coming to government in March 2012, this government has not shied away from difficult or controversial issues that affect the lives of Queenslanders. Unlike the Labor government, we will never be a government that sweeps things under the carpet, a government that is only interested in being re-elected. We will not sit by and watch as the money of members contributed to unions or any other organisations like that is misused or squandered. We will always stand up for all Queenslanders and do what is fair and just to protect them from corruption and the misuse of trust and position.

(Time expired)