



Speech By  
**Jann Stuckey**

**MEMBER FOR CURRUMBIN**

---

Record of Proceedings, 4 June 2015

**INDUSTRIAL RELATIONS (RESTORING FAIRNESS) AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mrs STUCKEY** (Currumbin—LNP) (9.02 pm): I rise to contribute to the debate on the Industrial Relations (Restoring Fairness) and Other Legislation Amendment Bill 2015 introduced in the House on 7 May and referred to the Finance and Administration Committee to report to the House by 1 June, setting a negative precedent for inadequate hearing times. Not surprisingly, the committee report stated—

During its consideration of the Bill it became apparent that the Committee would be unable to reach agreement on this issue.

Rushed legislation such as this, especially when policy is prioritised to cash in an IOU rather than create jobs and govern for all Queenslanders, is destined to cause not only committee but also voter dissent. At the outset I want to acknowledge the important role of unions in the workplace. As the honourable member for Mansfield said earlier, the opposition's argument with this bill is the government's very close relationship with unions. The member for Gaven outlined in his maiden speech his involvement in the formation of EMSPA, the Emergency Medical Services Protection Association. I was delighted to assist in the birth of this association and begin the reform of employee representation in Australia. The honourable member distinguished this movement from some of the larger unions by saying it—

... was established as a professional association to provide representation and support solely for the benefit of ambulance officers and not a political party.

That is exactly what a union should be about—the benefits of workers and not a political weapon utilising membership fees for party political campaigns, not a union according to the honourable member like the LHMU, now United Voice, that not only failed in its duty to represent its union members but was also complicit with QAS management and the Labor government of the time. I therefore place on record my concerns about legislation such as this being rushed through our parliament. It does nothing to quash concerns that members of the public have with the wider union movement's perceived ownership of the Labor Party.

The committee received 1,040 submissions—a substantial number, especially when one considers that it only had a total of 17 working days for consideration of this bill. I commend it for its hard work. It is disappointing that this Labor administration went to the last election with, and continues to spruik, a platform of being a government that listens to the people but before us today we have yet another example of this being no more than a hollow sentiment. Of particular note is the lack of inclusiveness in this process. The committee report notes—

... the non-government Members made the point strongly that the very late inclusion of Councils in the invitation list and the very short time frame for the Councils to make submissions put them at a distinct disadvantage.

In more evidence of the failure to be truly inclusive in its consultation, the committee report states—

The Committee also sought advice from the department regarding why individual unions were consulted as well as the Queensland Council of Unions ... but only the LGAQ and not the individual councils.

Finally, the report notes—

The representatives from the Queensland Law Society ... and the Bar Association of Queensland both advised the Committee that they were consulted on the Bill late the day before the Bill was introduced into the Parliament.

That is simply not fair, but Labor has form here. The Treasurer has failed to articulate the genuine need for such haste. The question as to why this legislation was rushed through deserves an answer. After three months in government, all Labor has to show is more than 40 reviews underway and a state of total inertia. And now this House is being used as a political weapon by those opposite to tear down LNP reforms by repealing the significant inroads we made. Whilst people across greater Queensland might not know of this government's intentions, there are some who do. As the editorial in the *Courier-Mail* titled 'Special privileges for unions a step too far' said—

But one group isn't waiting for any mission statement from George Street Queensland. Unions know a soft touch when they see one and what better way to arrest falling membership numbers than get one of the state's biggest employers to hand out sign-up forms to employees and put in a good word for the shop steward at the same time.

In his introductory speech the Treasurer said that this bill puts fairness back into Queensland's industrial relations system. Fairness? How is it fair that private and personal details of government employees are handed over without consent or knowledge? How is it fair that taxpayer funds will be used to push union agenda? How is it fair that these union encouragement clauses will be forced on the Public Service despite union participation in the public sector shrinking when fewer than two out of five and of all workers four out of five actively choose not to be part of a union? This Labor government's brazen policy says—

**Passive acceptance** by agencies of membership recruitment activity by unions **does not satisfy** the government's commitment.

These words should be ringing in the ears of innocent Queenslanders—ringing loudly in tones that remind one of socialist rule in faraway countries. Des Houghton raised the alarm on 18 May when he said—

The pact means the State Government will in effect become a recruiting arm of the union movement, with union delegates granted a free run of agencies.

And, if you thought it was just the Public Service that should be fearful, he continues—

Union delegates will be given taxpayer subsidised office space, telephones, computers, noticeboards and other facilities and allowed to recruit members and conduct union business during office hours.

So not only does the policy and this bill seek to invade the privacy of the public sector; it is doing so at the expense of the taxpayer. Patrick Hannaford of the *Australian* on 25 May noted—

The use of taxpayer resources to increase union membership is a fundamental attack on freedom of association ... Rather than acting in the public's interest Palaszczuk has chosen to use people's hard-earned money to empower a special interest group.

In addition to union encouragement clauses, the bill also seeks to remove the notice requirements for an authorised industrial officer to enter a workplace and exercise rights under the act.

I understand that this issue was discussed at length by the committee, with opposition members rightly raising concern about unfettered access that would be inconsistent with the Fair Work Act 2009. A retention of the requirement for a notice period of 24 hours would be appropriate and fair. Letters to the editor headed, 'Union hold over Premier a worry' and 'Recruiting for unions raises ethical issues' show that Queenslanders did not vote for a government that is at the beck and call of its union mates. But that is exactly what is happening when legislation such as this bill is rushed through the parliament.

We know why the government is doing it. If members were witness to the conga line of Labor ministers and members who used their maiden speeches and address-in-reply speeches to thump their chest and thank the unions with more mentions than their own families, they would realise how beholden Labor members are to their beloved unions. They know that they cannot win elections without them to spread malicious, untrue propaganda.

The Local Government Association of Queensland in its submission made the point that councils should be able to operate in an environment of industrial stability and need to have confidence in the integrity of the industrial system in which they operate. In its submission the Local Government Association of Queensland stated—

Elements of this Bill serve to undermine that integrity and stability.

And further that the—

LGAQ welcomed the Award Modernisation process of 2014 ... to thoroughly address what was—  
in their view—

... an untenable and unsustainable system of award regulation.

This bill proposes to reverse this award modernisation process. Despite in some cases seeing up to 96 per cent of employees voting for new certified agreements, local councils have had their certified agreements effectively overridden. The LGAQ states the following in its submission—

A fundamental principle in Industrial Relations that bargains struck lawfully and voluntarily will be honoured by the affected parties—

If those bargains can be affected by third parties, such as the government, then—

... all future bargaining will be approached with scepticism as to their level of certainty and necessary compliance.

I note that councils expressed their strongest possible objections to the proposed amendments. It is disappointing that this government is ignoring those concerns.

Taking away the 'no contracting out provision' means that small businesses in regional towns in particular will feel the burden. Some local councils have already voted for a new certified enterprise bargaining agreement. These views were echoed in the submissions of councils such as Mareeba, Tablelands and North Burnett.

I have listened to many speeches on this bill and heard the nonsense being peddled by Labor members. They talk of work conditions, the treatment of workers, the arrogance of governments and morale. After 11 years as a very proud member for Currumbin, and most of it in opposition, I can say that arrogance reigned in this place under the Labor Party. Nurses did not get paid—

**A government member** interjected.

**Mrs STUCKEY:** The member can laugh that nurses did not get paid. Doctors were told to drink more coffee to combat their ridiculous working hours, ambulance officers were forced to work double shifts and Labor MPs went to jail. In my 11 years in this House, under the Labor government, bills were rushed through the House, others were guillotined to prevent members debating them and gutter language was used to berate the opposition. So I say to those opposite to get their own house in order before they attack ours. They talk about breaching trust, but a number of ministers and members opposite sat around a cabinet table and sold off the state in a fire sale.

*(Time expired)*