



Speech By
Jann Stuckey

MEMBER FOR CURRUMBIN

Record of Proceedings, 14 October 2015

WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs STUCKEY** (Currumbin—LNP) (4.05 pm): I rise to contribute to the debate on the Work Health and Safety and Other Legislation Amendment Bill 2015, introduced into the House by the Treasurer on 7 May of this year. The objectives of the bill, as outlined in the explanatory notes, purport to focus on implementing the Palaszczuk government's Improving Safety for Queenslanders at Work policy. That was the same justification that was used for the IR bill, which was debated earlier this year. But we all saw the real motivation behind that, did we not? After robust debate in this House, it became quite clear that the bill was more about the government cashing in IOUs to its union mates than improving the safety of Queenslanders at work. And here we are again debating legislation with the sole aim of appeasing union heavyweights rather than improving the Queensland economy and creating jobs.

Some of the key amendments to this legislation will allow work health and safety entry permit holders immediate entry to a workplace, removing the 24-hour notice requirement; allow health and safety representatives to request the assistance of any person if the health and safety representative requires access to the workplace, removing the 24-hour notice requirement; and require employers to notify the regulator when a worker is absent for more than four days due to a work related incident.

At the outset, it should be acknowledged that, yet again, we have a bill before the House that does not have the confidence of the bipartisan committee. Yet again, we have a committee report that fails to recommend that the bill be passed. Despite a thorough consultation process with a wide range of stakeholders, the committee simply could not recommend that this bill be passed.

Upon close examination of the legislative intent of this bill, it becomes apparent why that was the case. A number of submissions, which I will speak to further, have been critical—one might say damning—of the legislation proposed by the government, which exposes employers to unnecessarily onerous practices that cause work to stop or slow down. The CCIQ finished its submission by urging the Queensland Legislative Assembly to refrain from passing this bill. The Australian Chamber of Commerce and Industry summed it up well when it said—

Legislation should encourage co-operative rather than adversarial approaches. It should not be an enabler of misuse ... should not be used as a tool to obtain workplace relations outcomes and WHS legislation should not provide such an opportunity.

When in government, in April 2014 the LNP introduced the 24-hour notice requirement for entry to a workplace, because we understood the need to level the playing field and provide fairness whilst still recognising the importance of workplace health and safety—I repeat: still recognising the importance of workplace health and safety. The ACCI acknowledged this when it said that this move 'recognised the need for early genuine consultation' and that it 'strongly supports 24 hour notification'.

Over the past few months the number of unsavoury union related incidents highlighted by the media is both staggering and sickening. An alarming number of incidents have also been brought to my attention. It seems that whenever I am out and about in the electorate, somebody has a story to tell—

whether it is at the local butcher, or at Anzac Day this year, when one would expect that the only conversation was to be about our diggers. I was told of recent threats at a mine site in our state where a site manager was told that, if he put \$10,000 in a paper bag and left it behind the bar in the workers club, he would not have any trouble.

That happened on Anzac Day in the electorate of Currumbin. It was another example of thuggery and standover tactics. No wonder Labor support the watering down of criminal bikie laws; they endorse antisocial bullying behaviour themselves. Shutting down worksites costs those involved an exorbitant amount of money and countless jobs. There is the obvious loss to the employers, but there is also the employees on site who do not get paid if they do not work. So every single time a union forces a strike or unjustly shuts down a site there are steelies, concreters and other tradesmen who do not take home any wages. Without a 24-hour-notice period we are sure to go back to the old days of shutting down worksites without just cause. Or perhaps we will see more antics like the CFMEU-backed illegal strike on a \$60 million worksite all because project managers refused to fly the CFMEU flag; or at Bond University on the Gold Coast where CFMEU tactics saw a crane company lose up to \$780,000 worth of business. The *Courier-Mail* editorial on 30 May recognised the welcome sight of cranes swinging across the Brisbane skyline, but also acknowledged that times are tough and that is why 'attempts to stifle this by unions hell-bent on something as trivial as flying a flag must be condemned'. This behaviour hurts everyone except a handful of handsomely paid union officials. Even if bigger companies can absorb days lost to strikes, the smaller businesses with a handful of tradies working for them see their wages dry up and their families punished as they struggle to make ends meet.

The ABC program 7.30 on Friday, 4 September once again revealed thuggish tactics that are the hallmark of unions like the CFMEU and recent reports have indicated that CFMEU strike action has been extremely questionable. They face up to \$20 million in fines for almost 100 days of allegedly illegal strikes and work stoppages. But we have a Labor government in Queensland rolling out the red carpet for them. One tradesman told me a story of unions throwing their weight around on a worksite on the Gold Coast. The union representative came onto the site and threatened to shut it down due to a minor electrical issue that could have been easily rectified. But get this: the irony in this story is that the union rep waltzed onto the worksite without high-vis or the legally required PPE gear. One set of rules for them and one for everyone else it seems. The LNP were committed to achieving a balance and the 24-hour-notice requirement realised this. Now we have a government that does not just turn a blind eye to it; no, it actively praises the unions and gives them greater power, greater access and all at the expense of our economy and our small businesses.

I now turn to the red-tape requirements that the bill seeks to impose. The submission by QTIC outlined its concerns. Specifically they said they could see no additional benefit of amending the clause and that current parameters were sufficient. They rightly pointed out that creating this additional requirement would stretch small businesses already under enormous pressure. The ACCI said that it placed a disproportionate regulatory burden that is not justified by work health and safety outcomes. The City of Gold Coast submission said that additional resources as well as modification to documentation and incident reporting software will be needed. This will come as a cost to the organisation. The impost of supervisors will also impact on business delivery and detract from their key role of supporting workers, including monitoring their health and safety. CCIQ's submission said that these amendments will increase costs and make it harder for business to achieve improved safety outcomes and best practice approaches. So while those opposite stand in this House and claim to be defending workplace rights, they are, in fact, endangering them. They are hurting employers and costing precious jobs. How many Labor MPs in this House have praised their union comrades even though they behave like thugs, intimidating and assaulting employers? How many belong to unions such as the AWU which has the hide to say they stand up for workers when they condone ripping them off? We have peak industry bodies raising real objections to the amendments proposed here today. When will this government listen to the public and consult, as opposed to bowing to the commands of their union mates?

All honourable members in this House recognise that a worker has the right to a safe and a healthy worksite and that is not in dispute. What is in dispute is the motive of those opposite. Day after day we read the impassioned pleas of business leaders for this government to get the state going, to stop the bland talking and deliver some action. However, amendments such as these are going to cost our state dearly and restrict growth and jobs at the hands of this Palaszczuk union controlled government.