

UNITED VOICE QLD

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Committee Secretary
Senate Education, Employment and Workplace Relations Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Via Email: ewer.sen@aph.gov.au.

Dear Sir/Madam,

United Voice Queensland represents 30,000 workers from a variety of industries and backgrounds, roughly half in the Queensland public sector. Many of our members have been impacted by the recent legislative and administrative changes by the LNP Government.

The Newman Government's recent amendments to the Industrial Relations law in Queensland are both unjustified and unfair. The changes introduced by the State Government are in conflict with the standards adopted under the Federal Fair Work Act 2009. Furthermore, they are in breach of Australia's obligations under International Labour Organisational Conventions and ignore the settled industrial history around consultation and organisational change. We support the submission made to the Senate Commission by the Queensland Council of Unions and Together Union Queensland would like to take this opportunity to not only echo these sentiments but add some concerns of our own.

The terms of reference for this inquiry state that it was established because of concerns raised by the Senate over the "recent and growing job losses in State Governments around Australia, as well as the difficulties many State public sector employee's face in bargaining over wages and conditions". This statement is particularly true of the current situation in Queensland and the difficulties faced by workers due to unjustified measures taken by the State Government.

It's been well documented that Premier Campbell Newman reneged on every pre- election promise he made to the public service the moment his government came into power. The LNP Government began a crusade against Queensland's public service, cutting jobs, stripping conditions and taking away entitlements. All of this was done under an air of secrecy, more often than not without any consultation with employees or indeed their unions. This government decided to ignore the union movement and the rights and entitlements workers had fought for years to achieve, namely consultation, bargaining and the right to negotiate redundancy terms. Over 14,000 public service workers were targeted. They learned of their fate via email, faxes over the phone and third hand from their colleagues. The blatant disregard for workers rights, consultation, discussion or any form of redress was a pattern that was repeated as more and more workers were sacked.

As far as a significant number of our members are concerned, teacher aides and school cleaners, the biggest blow and most worrying move came last August. Overnight, the Newman Government literally changed the law to suit their own agenda and enable them to ignore enterprise bargaining agreements. The directive, which was rushed through Parliament and then enacted into law at lightning speed stated that "Where there are provisions for Employment Security or Contracting Out in an industrial instrument, the Employment Security or Contracting Out provisions contained in the industrial instrument do not apply." This effectively rendered enterprise bargaining agreements null and void and meant that the whole bargaining process was a waste of time as this government now had the power to pick and choose which elements they would recognise. In relation to the terms of reference of the Senate Inquiry which questions the "adequacy of protection (public service workers) rights at work as compared with other employees", this proves the inadequacy of protections in relation to Queensland workers.

It is hard to imagine another situation where an employer could negotiate terms and conditions with their employees and then arbitrarily change the rules to make those conditions favourable to the employer null and void. It emphasises the disadvantage state public sector workers experience, especially in unicameral Queensland. Their employer makes the rules of bargaining and can amend them at will to suit their own agenda.

Furthermore this legislation change paves the way for future job losses as services are privatised. It's now become quite clear that this government plans to contract out as many services as possible including radiography, pathology, other health services and ambulance services. Despite most enterprise bargaining agreements having a 'no contracting out' clause, the legislation change means this can be ignored. Already tenders have been sought for the emergency rescue helicopter service, EMQ, which, in a vast State like Queensland, prone to flooding and bushfires provides a vital community service. Privatisation will inevitably lead to scaling back of resources, cost cutting and staff layoffs. The main focus of the service will be as a profitable business and not as is currently the case, an emergency service for the community.

While there are also discussions behind closed government doors about the prospect of privatising our ambulance service. At the moment we, the ambulance officers union are involved in a battle with this government over our member's enterprise bargaining agreement. A miserable wage offer of just 2.2% was dependant on paramedics giving up consultation rights, limiting roster projections and sacrificing meal allowances. This is despite the fact that pre-election, Mr Newman pledged to scrap the Bligh Government's 2.5% cap on wages describing it as "arbitrary and unfair". The government refused to negotiate in good faith and this issue has now been moved to arbitration. Further changes to the Industrial Relations Act 1999 mean that the arbitration process will be even more difficult than ever before. New commissioners have been appointed with LNP backgrounds and a history of siding with employers. The Industrial Relations changes also pressure the Commission to adhere to the state's fiscal strategy which is to limit wages growth. This further proves the difficulties faced by workers and unions in relation to bargaining under State legislation as is specified under the terms of reference of the Senate inquiry.

The Newman Government in its first year in power has decimated the public service and created an air of secrecy among management and uncertainty among working Queenslanders. The most worrying aspect for us as a union is the fact that this government has changed the law to suit its own agenda. Campbell Newman has used his power to quash workers rights which hard working Queenslanders have fought for years to achieve. His dictatorship means that bargaining over wages and conditions has become impossible and instead will be arbitrated under a newly regulated Industrial Relations regime where fiscal policy dictates the outcome. Currently there is no redress for the hard working people of Queensland. Every protection won in the past is being wiped out by the LNP Government and workers have nowhere to turn. Already a legal challenge brought by the Together Union and supported by United Voice over the unjustified changes to the Industrial Relations Act has been defeated. The only form of redress for the thousands of workers already affected and hundreds of thousands which will be affected in the future is through Federal action.

Most public services are delivered by state governments. These actions by the Newman Government and their counterparts attack workers delivering vital public services, like paramedics, health professionals, teachers and teachers' aides. We urge the Committee to recommend that the Commonwealth Parliament legislate to ensure State Governments observe and implement our international obligations with regards to the treatment of workers, and ensure that these workers are no worse off than those whose terms and conditions of employment are determined by the Commonwealth Fair Work Act.

Yours sincerely,

Gary Bullock
Branch Secretary