IEU-QNT SUBMISSION

02 October 2026

Submission: Industrial Relations and Other Legislation Amendment Bill 2026

The Independent Education Union – Queensland and Northern Territory Branch (IEU-QNT) welcomes the opportunity to provide a response to the State Development, Infrastructure and Works Committee's inquiry into the *Industrial Relations and Other Legislation Amendment Bill 2026 [1]*.

We note that the Explanatory Notes [2] state that the primary objective of the Bill is to support workplace productivity and a fair, balanced and sustainable workers' compensation scheme.

We assert that the current workers' compensation scheme functions effectively and efficiently and provides important protections for workers that would be significantly weakened by the proposed changes.

Further, we believe it is disingenuous to claim that the Bill seeks to improve productivity when it is, in fact, an attack on workers' rights and the status of registered trade unions.

About IEU-QNT

IEU-QNT represents ~16,000 teachers, support staff and ancillary staff in non-government education institutions in Queensland and the Northern Territory and consistently engages in industrial and education debate at both state and national levels through its Education and Industrial Committees and through its national counterpart, the Independent Education Union of Australia, which receives input from teachers in all States and Territories.

Our members work in kindergartens, schools and post-secondary institutions and work with students from a wide variety of backgrounds, in a wide variety of sociocultural contexts.

Responses to the proposed amendments

1. Concerns regarding weakening of the existing enterprise bargaining framework

1.1 This Bill introduces a suite of reforms that represent an attack on employee rights and the status of registered trade unions.

1.2 Page 2 of the Explanatory Notes [2] includes a claim that the changes will "promote fair and ethical conduct", but this is a disingenuous claim rooted in an opposition to workers' rights.

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1.3 The Explanatory Notes [2] claim that the Bill will restore "a worker's ability to choose their legal representative in proceedings", but this is a smokescreen for changes that seek to legitimise private organisations that purport to fulfil a similar function to registered trade unions, as recognised under the current Industrial Relations Act.

1.4 These private organisations collect fees from workers, but do not offer service or support as registered trade unions do, which exist to advance worker rights and ensure that increases in productivity are balanced with increases in wages and improvements to working conditions.

1.5 The proposed changes create opportunities for employers to favour less independent representatives, undermining genuine employee choice and the accountability of bargaining processes.

1.6 We also note that the Bill introduces changes that allow an employer to put an agreement directly to ballot if it has agreement from only one representative body, even if other parties are opposed.

1.7 This is a clear attempt to allow employers to progress substandard agreements, without employee assent.

1.8 That challenge to employee rights is further supported by the proposed changes to notice periods of protected industrial action, the expansion of employer rights to withhold pay from employees who withdraw labour, the power to force matters to arbitration, and the creation of Ministerial powers to order employees to return to work, despite those employees having met the legal requirements for the taking of protected industrial action [3].

1.9 The cumulative effect of the proposed amendments would be to diminish the ability of workers to collectively bargain through their chosen representatives.

1.10 The introduction of direct balloting, restrictions on representation arrangements and additional limitations on protected industrial action further increase procedural barriers to collective bargaining and weaken the practical ability of registered unions to advocate on behalf of members.

1.11 The Bill repeatedly references freedom of association and worker choice in representation but several amendments weaken the role of registered employee organisations while facilitating the involvement of alternative bodies that are not subject to equivalent democratic obligations.

1.12 Further, there is already an extensive and robust regulatory framework for trade unions and the overwhelming majority of trade unions are compliant with that framework.

1.13 Registered trade unions operate under extensive statutory regulation, including governance, reporting, election and accountability requirements.

1.14 Trade unions provide representation not only in bargaining disputes but also in workplace health and safety matters, disciplinary proceedings, workers' compensation matters and legal proceedings.

1.15 Taken collectively, the proposed changes have the effect of diminishing the practical capacity of workers to organise, bargain collectively and take protected industrial action.

1.16 We are also concerned that the new fit-and-proper-person requirements introduce unnecessary or subjective barriers to workplace representation, without demonstrating any corresponding improvement in fairness or productivity.

1.17 These amendments risk undermining the balance traditionally maintained within Queensland's industrial relations framework and may have particular consequences in publicly funded sectors where government acts as employer, legislator and regulator.

2. Concerns regarding restrictions on protected industrial action

2.1 The Explanatory Notes [2] repeatedly suggest that the proposed amendments will align Queensland's industrial relations system with federal arrangements. However, several key provisions relating to protected industrial action go significantly further than the Fair Work Act.

2.2 Most notably, the Bill has the practical effect of confining the period during which protected industrial action may be taken to a narrow bargaining window. Protected action ceases to be available during conciliation proceedings, during arbitration proceedings and once an application is made to certify an agreement. As a consequence, employees may be left with only a limited period in which to exercise meaningful industrial leverage during bargaining.

2.3 The Government's own Explanatory Notes [2] acknowledge that prohibiting protected industrial action during conciliation proceedings is not a feature expressly adopted in other Australian jurisdictions.

2.4 This provision cannot accurately be characterised as an alignment measure. Rather, it represents a significant departure from established bargaining frameworks elsewhere in Australia.

2.5 By substantially restricting the circumstances in which protected industrial action may occur, the Bill risks undermining the bargaining power necessary to achieve genuinely negotiated outcomes.

2.6 This is particularly concerning in sectors such as education, where employees already operate within highly constrained bargaining environments.

3. Concerns regarding arbitration and intractable bargaining

3.1 The Bill substantially expands ministerial powers beyond those that exist under the federal industrial relations framework.

3.2 Under the federal Fair Work Act, ministerial intervention in protected industrial action is generally confined to circumstances involving threats to life, personal safety, health or welfare, or significant economic harm. In contrast, the Bill introduces additional grounds based upon disruption to public services and broad public-interest considerations.

3.3 Of particular concern in this Bill is the proposed power to terminate industrial action where the Minister considers that the action is having a "significant effect" that is contrary to the public interest.

3.4 The breadth and subjectivity of this criterion creates substantial uncertainty for employees, unions and employers alike.

3.5 The proposed powers allowing the Minister to terminate protected industrial action are a significant departure from established principles of independent industrial regulation.

3.6 Queensland's industrial relations system has historically relied upon the independent expertise of the Queensland Industrial Relations Commission to resolve industrial disputes and balance competing interests.

3.7 Under the proposed framework, powers currently exercised through an independent tribunal may instead be exercised by a political office-holder.

3.8 Industrial rights should not be subject to direct ministerial intervention except in genuinely exceptional circumstances.

3.9 Particular concerns arise where ministerial intervention powers may be exercised in disputes involving publicly funded services.

3.10 In such circumstances, government may simultaneously hold interests as funder, employer, policy-maker and decision-maker, creating a heightened need for independent industrial processes.

3.11 The ability of workers to engage in protected industrial action is a fundamental component of collective bargaining.

3.12 International labour standards, including those developed through the International Labour Organization [4], recognise collective bargaining and freedom of association as core workplace rights.

3.13 The proposed ministerial powers risk undermining confidence in the independence and neutrality of Queensland's industrial relations system. Expanding executive authority to intervene in industrial disputes may create perceptions of political influence and reduce confidence that bargaining outcomes will be determined through independent processes.

3.14 Industrial disputes are most appropriately resolved through independent tribunals operating according to established legal principles. Any ministerial intervention powers should be narrowly confined, subject to clear statutory criteria and accompanied by robust accountability mechanisms.

3.15 Public-interest powers should be narrowly drafted and exercised only in exceptional circumstances. The proposed amendments to the Act provide insufficient guidance as to the circumstances in which intervention may occur, creating a significant risk that lawful industrial action could be terminated for reasons extending well beyond those recognised under federal law.

3.16 This concern is magnified in the public sector context. Unlike an independent industrial tribunal, the Minister is not a neutral decision-maker but is a member of the Executive Government that is frequently the employer party in the relevant industrial dispute.

3.17 The concentration of these powers in the Executive risks undermining confidence in the independence and integrity of Queensland's industrial relations system.

3.18 The Bill also proposes significant changes to the circumstances in which bargaining disputes may be referred to arbitration.

3.19 Compared with the federal framework, the proposed Queensland provisions permit movement to compulsory arbitration substantially earlier in the bargaining process and in broader circumstances.

3.20 The Bill contains no equivalent safeguard to provisions of the Fair Work Act that prevent arbitrated outcomes from producing terms and conditions that are less favourable than those contained in an existing enterprise agreement.

3.21 The proposed amendments may diminish incentives for employers to engage constructively in bargaining and may undermine employees' capacity to negotiate improvements to wages and conditions through collective bargaining.

3.22 The proposed amendments relating to formal directives that can be issued by the industrial tribunal (scope orders) also exceed the requirements of the federal framework.

3.23 In addition to considerations concerning fair and efficient bargaining, the Bill requires consideration of whether a proposed scope order may adversely affect the employer's business or financial position.

3.24 This additional consideration risks introducing employer convenience as a barrier to the establishment of appropriate bargaining groups, potentially limiting employees' access to effective collective bargaining arrangements.

4. Concerns regarding restrictions on psychological injury claims

4.1 The proposed amendments to the Workers' Compensation and Rehabilitation Act represent one of the most significant reductions in access to compensation for injured workers in Queensland in recent decades.

4.2 The Bill proposes to increase the causation threshold for psychological injuries by requiring employment to be the "major significant contributing factor" to an injury,

replacing the current requirement that employment be a "significant contributing factor" [3].

4.3 This change substantially alters the practical operation of the workers' compensation scheme and will likely exclude a range of workers whose injuries arise from complex interactions between workplace and non-workplace factors.

4.4 The Explanatory Notes [2] indicate that the amendment is intended to reduce claim acceptance rates and address growth in psychological injury claims, but the increasing incidence of psychological injury claims should not be viewed in isolation from broader developments in workplace health and safety law and workplace conditions.

4.5 IEU-QNT notes that Queensland employers currently benefit from among the lowest average workers' compensation premium rates in Australia.

4.6 Under those circumstances, caution should be exercised before adopting reforms which restrict access to compensation for injured workers, particularly where alternative preventative measures have not been fully explored.

4.7 Queensland was the first Australian jurisdiction to introduce explicit psychosocial hazard regulations and subsequently adopted the *Managing the Risk of Psychosocial Hazards at Work Code of Practice 2022* [4].

4.8 Similar frameworks have now been implemented across all Australian jurisdictions, reflecting national recognition that psychosocial risks are workplace health and safety risks that require prevention and management in the same way as physical hazards.

4.9 Psychological injuries frequently arise not from a single event but from cumulative exposure to workplace hazards including excessive workload, occupational violence, bullying, traumatic incidents, low job control and inadequate organisational support [5].

4.10 Rising rates of psychological injury should primarily be addressed through prevention strategies aimed at reducing exposure to psychosocial hazards.

4.11 For education workers, these hazards include excessive workload, occupational violence, traumatic incidents, insufficient staffing and escalating administrative demands.

4.12 Teachers, school leaders and support staff continue to report increasing workload demands, escalating behavioural complexity in classrooms, growing administrative burdens and exposure to violence and aggression [6-9].

4.13 Members working in specialist education settings, boarding facilities and student-support roles may also experience cumulative trauma arising from their work with vulnerable children and young people.

4.14 Rather than viewing increased psychological injury claims as evidence of inappropriate access to compensation, it is equally reasonable to conclude that such

claims reflect increasing recognition of genuine workplace injury and improved understanding of psychosocial hazards.

4.15 The proposed threshold change risks excluding workers whose employment materially contributed to their injury but who cannot establish that employment was the predominant or overriding cause.

4.16 The practical outcome may be that workers suffering genuine work-related psychological harm are denied access to treatment, rehabilitation and compensation despite their employment being a significant contributor to their condition.

4.17 It is not unreasonable to expect employers to identify reasonably foreseeable psychosocial hazards, assess risks, implement controls and regularly review them.

4.18 We also question whether restrictions on worker entitlements are proportionate to the issues identified by Government.

4.19 Stronger workplace prevention measures, earlier intervention and improved psychosocial risk management would represent more effective long-term responses to increases in psychological injury claims.

4.20 While the long-term sustainability of the workers' compensation scheme is an important consideration, sustainability objectives must be balanced against the rights of injured workers to access treatment, rehabilitation and compensation.

4.21 Measures which merely restrict eligibility risk transferring the cost of workplace injury onto workers and their families without addressing the underlying causes of harm.

4.22 A previous review of the Workers Compensation Scheme made 54 recommendations which predominantly concerned coverage and administration of the Workers' Compensation Scheme itself, including some specific recommendations to better support the return of injured workers to employment [10].

4.23 This is in comparison with the 2026 review, which combined the review of the Workers' Compensation Scheme with a review of the current Industrial Relations arrangements in the state.

4.24 Provision of support, rehabilitation and compensation to injured workers is the responsibility of employers.

5. Concerns regarding changes to workers' compensation

5.1 We have significant concerns regarding the proposal to permit prospective employers to obtain claims-history summaries from the Regulator.

5.2 While the Bill relies upon consent as a safeguard, there is a significant power imbalance inherent in recruitment processes.

5.3 A prospective employee may feel compelled to provide consent in circumstances where refusal could be perceived as detrimental to their employment prospects.

5.4 This raises concerns regarding both privacy and discrimination.

5.5 The workers' compensation system exists to support workers who have been injured in the course of their employment. Accessing a worker's claims history as part of a recruitment process risks creating disincentives for workers to report injuries or seek compensation.

5.6 Expanded access to workers' compensation claims histories creates a perception that previous workplace injuries could adversely affect future employment opportunities. Such perceptions may discourage workers from reporting injuries, seeking treatment or lodging legitimate compensation claims.

5.7 Such provisions may also contribute to unconscious bias in recruitment processes, particularly where applicants have experienced previous psychological injuries, musculoskeletal injuries or other workplace-related conditions.

5.8 The proposal is inconsistent with broader public policy objectives that encourage injured workers to recover, return to work and continue meaningful participation in the labour market.

5.9 Injured workers should not suffer ongoing employment consequences for exercising rights available under Queensland's workers' compensation framework.

5.10 Any disclosure regime should be carefully limited to circumstances where a demonstrable safety justification exists and should not undermine rehabilitation, return-to-work objectives or workers' confidence in the compensation system.

5.11 We would also suggest that reducing the review period from 3 months to 20 business days unfairly disadvantages injured workers, who need time to obtain medical evidence or advice, potentially denying access to legitimate entitlements.

5.12 Further, we would suggest that the increased reporting requirements and potential suspension of payments disproportionately penalise injured workers for administrative noncompliance, rather than supporting recovery and return to work.

Concluding Comments

IEU-QNT thanks the State Development, Infrastructure and Works Committee for the opportunity to provide feedback in response to the *Education Legislation (Registration of Early Childhood Teachers) Amendment Bill 2026*.

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IEU-QNT submits that the Bill is not merely an administrative reform measure. Rather, it represents a significant rebalancing of Queensland's industrial relations and workers' compensation systems in favour of employers and executive government.

The proposed amendments would:

- reduce the effectiveness of collective bargaining;
- weaken the capacity of workers and unions to engage in industrial action;
- expand executive intervention in industrial disputes;
- restrict access to compensation for psychological injury;
- increase privacy risks for injured workers; and
- diminish longstanding workplace protections.

The combined changes to industrial action, direct balloting and compulsory arbitration shift bargaining power towards employers, reducing incentives for genuine negotiation and potentially increasing workplace dissatisfaction and conflict.

IEU-QNT recommends that the Committee reject the provisions of the Bill that reduce employee bargaining rights, expand ministerial intervention powers, restrict access to psychological injury compensation, and unfairly disadvantage injured workers or permit disclosure of workers' compensation claims histories to prospective employers.

Kind regards,



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Branch Secretary
Independent Education Union of Australia - Queensland and Northern Territory Branch
Monday 02 November 2026

References

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6. Arnold, B. and M. Rahimi, *Teachers' working conditions, wellbeing and retention: an exploratory analysis to identify the key factors associated with teachers' intention to leave.* The Australian Educational Researcher, 2025.
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10. Fisher, G. and D. Peetz, *2023 Review of the operation of the Queensland workers' compensation scheme FINAL REPORT*. 2023.

Note

Microsoft CoPilot365 was used to support the writing of this submission. All output was reviewed and refined by humans to generate the final submission. Prompts and responses are available on request.