

# Frequently Asked Questions

*Q: What are the eligibility requirements for growers?*

A: Growers must be able to demonstrate an unmet demand for labour, and submit a grower application form. Not all growers approved as eligible will receive Pacific seasonal workers. The Pilot is small scale. Further, a grower will need to negotiate acceptable terms with the approved labour hire company.

*Q: Are workers able to move into other related jobs such as off-farm transport or some related manufacturing work?*

A: It is not envisaged that work undertaken by Pacific seasonal workers will extend beyond picking and packing.

*Q: There have been reports that cash-in-hand payments occur within the industry. These illegal arrangements could reduce opportunities for seasonal workers. How will this be prevented?*

A: The Workplace Ombudsman will be actively involved in monitoring workplace compliance.

*Q: What is there to stop labour hire companies placing workers into other jobs when there aren't any seasonal vacancies within the horticulture industry?*

A: This would be a breach of their Special Program Agreement with the Department of Immigration and Citizenship, and the labour hire company in question may have their authority to issue invitations revoked.

*Q: Will there be a contract that growers would have to agree to and sign to provide six months' ongoing work?*

A: These arrangements are a matter of negotiation between the grower and the labour hire company. The Pilot allows the labour hire company to move workers between growers if six months of work is not available with one grower.

*Q: What level of commitment will be given by participating growers?*

A: Growers need to identify the number of workers required over a specific time period, and the number of hours that they propose to offer. The labour hire company can then enter into commercial arrangements with the growers regarding the period of time that the grower will be hosting the worker.

*Q: What type of training will be provided to Pacific seasonal workers by the Government?*

A: Workers will receive financial literacy training as part of their pre-departure and on-arrival briefing. The Government will also create opportunities for workers to access financial literacy, enterprise development and other technical and vocational

skills training during and after their time in Australia. This training will not replace or supplement on-the-job training, which remains the responsibility of employers, and training is most likely to take place in home countries after workers return from Australia. Any training opportunities provided in Australia will only be arranged if they are accessible and do not interfere with work schedules.

*Q: Will there be adequate accommodation in each area for the duration of the seasonal workers' stay?*

A: The initial group of 100 workers will allow us to test some of the settings for the Pilot. This is ultimately a matter is for the labour hire companies to assess themselves.

*Q: Do you have estimates of accommodation costs?*

A: It is up to the labour hire company to assess the availability of accommodation at a fair and reasonable price.

*Q: Has anyone discussed with the growers the statutory requirements under law, such as workers' compensation, payroll tax etc, as this will raise the cost for host employers?*

A: Labour hire companies will need to make their own decisions on the consultations they need to undertake with growers.

*Q: What if something disastrous happens that damages the crops and means that the work is not available?*

A: If something happens, and crops on one particular farm can no longer be harvested, there may be opportunities to relocate the workers to another farm. In extreme circumstances, for example, a major meteorological event that wipes out an entire region's harvest, it may be possible to relocate workers to another region.

*Q: When will Phase 2 commence?*

A: It is expected that an EOI process for labour hire companies interested in employing Pacific seasonal workers in Phase 2 of the Pilot will be conducted later in 2009 once arrangements with Papua New Guinea have been finalised. Labour hire companies should register their interest at [seasonalworker@deewr.gov.au](mailto:seasonalworker@deewr.gov.au) to be advised of developments.

*Q: Shouldn't growers give Australians the opportunity for seasonal work rather than Pacific Islanders?*

A: The Pacific Seasonal Worker Pilot Scheme (the Pilot) will put Australian job seekers, including Indigenous Australians, first. Approval to employ seasonal workers under the Pilot will only occur where growers can demonstrate to the Australian Government they have taken reasonable steps to first recruit Australians.

In addition, growers need to commit to participate in labour market programs for the training and career development of Australians, particularly income support recipients, Indigenous Australians and humanitarian job seekers.

The Australian Government is committed to halving the gap in the level of disadvantage experienced by Indigenous Australians, and has a range of employment and training programs that can support employers to train and employ Indigenous Australians.

*Q: Will Pacific seasonal workers be a cheap labour option?*

A: Pacific seasonal workers will not be a cheap labour option. All seasonal workers will be employed in accordance with Australian work standards, including relevant award rates.

The Pilot will involve greater costs to employers than hiring Australian job seekers, as in addition to meeting Australian standards, employers will need to pay part of the travel costs involved in bringing workers to Australia. See the factsheet on 'labour hire companies' for full details on the cost to employers.

The employer also has pastoral care responsibilities for these workers. See the fact sheet on 'Pastoral care' for more information.

In addition, and consistent with the policy for some other visa sub-classes, the employer may also be liable for the costs of repatriation of workers who do not comply with their visa conditions (up to \$10,000 per worker).

*Q: Who will monitor the labour hire company's compliance to relevant legislation and conditions under the Pilot?*

A: The Australian Government, working with state and territory agencies, will undertake close and coordinated monitoring of these workplaces to ensure that Australian workplace standards and conditions are met for these workers.

*Q: What penalties apply if the labour hire company doesn't comply with the relevant legislation?*

A: As an Australian employer, the labour hire company(s) is subject to the same penalties under Australian laws as any other Australian employer.

In addition, non-compliance with the conditions of the Special Program Agreement may lead to cancellation of the labour hire company(s) authority to offer employment to Pacific seasonal workers.

*Q: Who is eligible to access Pacific seasonal workers?*

A: Australian horticulture growers with a demonstrated unmet demand for labour, apply now for access to Pacific seasonal workers. Growers will need to download a grower application form and advise of the estimated number of Pacific seasonal

workers that they require, the duration of work available, and the specific skills and abilities required by these workers.

*Q: Who will benefit from the Pilot?*

*A: Families and communities in sending countries* – Research from other programs indicate that families with a worker who remits (sends money home) are often able to keep their children in school longer and the family is more likely to achieve a higher level of education. Pacific communities not only benefit from increased income for their residents, but returning workers also bring with them useful new skill-sets developed during their time in Australia. Additionally, AusAID will be supporting capacity building activities such as enterprise development within these sending communities.

*Pacific seasonal workers* will have an opportunity to earn income, make remittances (send wages) back to their home country, benefit from the employment experience and learn valuable skills. There is also the possibility of return in the following season (for the duration of the Pilot).

*Growers* – Horticulture growers experiencing unmet demand for labour will be able to access a reliable source of labour over the period of the harvest. In addition, there is the potential for more experienced workers to return in future seasons, given their work during the Pilot and associated training.

*Regional communities in Australia* where there exists an unmet demand for labour, benefit from a group of workers who are not only purchasing goods and services in the local community over a substantial period of time but also Pacific seasonal workers will be encouraged to participate in community life – whether through church attendance or social activities. In the longer term, linkages between regional communities and Pacific island countries may develop.

*Benefits for Australia* - the Pilot represents the Government's willingness to explore innovative solutions to help our Pacific island neighbours tackle some of the enormous economic and social challenges they face.