

Fair Pay for a Fair Day's Work on Farms – Preventing the creation of an exploitable workforce from neighbouring countries

August 2021

“And you are to love those who are foreigners, for you yourselves were foreigners in Egypt.”

Deuteronomy 10:19

On 16 June 2021, the Commonwealth Minister for Agriculture and Northern Australia, David Littleproud, announced that the National Party had secured the introduction of a new seasonal agriculture worker visa. The visa will allow people from the ten Association of Southeast Asian Nations (ASEAN) countries to work on Australian farms. The ASEAN nations are Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam.

Our concern is that some Australian farming industry bodies will actively lobby to ensure a minimum of safeguards on the visa against exploitation. In such a case, bringing in exploitable workers on the new visa will gain preference for many farmers over using workers from the Pacific Islands and Timor-Leste on the strongly regulated Seasonal Worker Programme.

Our Pacific neighbours have growing problems with unemployment due to limited opportunities for economic development. For example, even before the COVID-19 pandemic, the Solomon Islands government reported that 18,000 people reach working age each year, but only 3,000 new jobs are created. The impact of COVID-19 has only made the situation worse. Thus, being able to have people go overseas to work and send money back to their families in the Pacific is vital to addressing the problems of poverty in the Pacific Islands. People working overseas and sending money home are now the most significant foreign income source for Fiji, Samoa, Timor-Leste, Tonga, and Vanuatu.

The Australian Government set up the Seasonal Worker Programme (SWP) to allow people to come from the Pacific Islands and Timor-Leste to work on Australian farms for nine months at a time. In the 2019-2020 financial year, the SWP brought in 9,824 people from the Pacific Islands and Timor-Leste. While there have been some problems of exploitation on the program, the people on the program are given safeguards against exploitation that do not exist for other people from overseas working on farms. In addition, people on the SWP are provided with access to unions and community groups, including churches, to ensure they are treated fairly.

Tongan father of six Lafaele Kautai, told *The Australian* newspaper in October 2018 that with the money he earned from working in Australia, “We built a house and I have already bought a light truck for taking some water, for cousins’ and also my cattle.”

In his 16 June media release, Minister Littleproud stated the new seasonal agricultural worker visa would mirror the SWP. He stated:

Like the Seasonal Worker Programme the new visa arrangement will have protections to ensure workers are protected, not subject to exploitation and that the visa is not misused. Pay and conditions, health, and work and safety will also be in line with similar requirements and protections under the Seasonal Worker Programme.

However, the Minister backtracked on that commitment when interviewed by journalist Fran Kelly on the ABC on the same day. He stated that the new visa would not have the same protections as the SWP but is really “an extension of the Working Holiday Maker” visa.

He stated that the new visa would be in place before the end of 2021.

The Minister has publicly downplayed the level of exploitation that occurs on Australian horticulture farms, despite overwhelming evidence to the contrary. On 15 June 2021, Unions NSW released a



survey of 1,300 people on Working Holiday Maker visas that had worked on horticulture farms. They found:

- 78% reported they had been illegally underpaid;
- 80% were underpaid while being paid based on the amount they picked, known as piece rates;
- Some workers on piece rates were paid \$1 an hour; and
- The lowest daily wages were reported by piece-rate workers employed on grape and zucchini farms, earning an average of \$9 per day, followed by blueberry farmworkers who averaged \$10 per day.

‘Kate’, aged 32, came from Taiwan to Australia on a Working Holiday Visa.

“I was working on a mandarin and lemon farm, it was a cash-in-hand job, and they didn’t even provide proper equipment for picking. I’ve earned just \$24 per day. Such hard work.

I also worked on a strawberry farm where the farmer advertised for ‘Asian workers only’. I think that’s so discriminatory.”

Farmers who gain a competitive advantage by exploiting people working on their farms undermine the businesses of farmers who are trying to pay their workers fairly in compliance with the law.

We need to show our concern to those in the Commonwealth Government that we do not want to see a new agricultural visa that lacks proper safeguards against exploitation. We already know that will be a recipe for ruthless wage theft and abuse of the people coming in on the visa at the hands of unscrupulous farmers and labour-hire businesses.

What You Can Do

Write polite and respectful letters to:

Senator The Hon. Michaelia Cash
Minister for Industrial Relations
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

The Hon. Scott Morrison MP
Prime Minister
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Salutation: Dear Minister

Salutation: Dear Prime Minister

Senator The Hon. Marise Payne
Minister for Foreign Affairs
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

The Hon. David Littleproud MP
Minister for Agriculture and Northern Australia
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Salutation: Dear Minister

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Points to make in your letters:

- Welcome the Government’s commitment to increase the number of workers coming from the Pacific Islands and Timor-Leste to work on the Seasonal Worker Programme.
- State that this is the way the government should find the people to work on Australian farms. It makes a real difference to the lives of people in the Pacific Islands and Timor-Leste while meeting the labour needs of Australian farms.
- Seek assurances that any new seasonal agricultural worker visa will have the same safeguards as are provided to people on the Seasonal Worker Programme, to reduce the risks of exploitation.
- Also, point out it is vital to ensure that people from the Pacific Islands and Timor-Leste do not lose their opportunity to work on Australian farms because the government creates a new visa that makes it more attractive to employ people from ASEAN countries.