

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21-22 MAY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE12/0208) Program 1.1: Visa and Migration

Senator Xenophon asked:

Cabin crew – 457 visas: It is common ground that foreign cabin crew would require 457 visas to work on domestic flights. Evidence provided to the Senate by Jetstar confirms that their foreign cabin crews are remunerated well below the Aircraft Cabin Crew Award 2010 or the Jetstar Cabin Crew EBAs. If Jetstar employed foreign cabin crew on domestic flights under a 457 sponsorship and it was determined that their remuneration was less than the Aircraft Cabin Crew Award 2010, which agency would investigate the situation and take appropriate enforcement action?

Answer:

The Department monitors employers to ensure they comply with their sponsorship obligations, including providing 457 visa holders with the same terms and conditions of employment as they provide to Australians. Failure to comply with this obligation can result in the Department sanctioning sponsors under the *Worker Protection Act 2008*.

Where monitoring uncovers evidence that breaches of workplace relations laws involving 457 visa holders may have occurred, the allegations are referred to the Office of the Fair Work Ombudsman for investigation.