
The Parliament of the Commonwealth of Australia

Seasonal change

Inquiry into the Seasonal Worker Programme

Joint Standing Committee on Migration

May 2016
Canberra

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ISBN 978-1-74366-488-9 (Printed version)

ISBN 978-1-74366-489-6 (HTML version)

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Foreword

The Seasonal Worker Programme is extremely important to both the developing nations of the Pacific islands and Timor Leste as well as the Australian horticulture industry. It assists these nations by providing valuable employment opportunities, economic development through remittances and new skills and training for seasonal workers. It also supports the Australian horticulture industry by filling a significant industry labour shortage with hard working, reliable, and productive employees. 2,801 Seasonal Worker Programme places were taken up between 1 July 2014 to 31 May 2015 with over half of the participants having returned.

Overall submitters were very supportive of the programme and its objectives to contribute to economic development and support Australian employers in the horticulture industry. However, the Committee received evidence that there were a number of impediments preventing the programme from reaching its full potential.

Most notably is the horticulture industry's significant reliance on Working Holiday Maker visa holders. Over 41,000 second Working Holiday visas were granted in the last financial year (2014-15) and over 92 per cent indicated that they had engaged in agricultural work.

While the impetus for establishing the working holiday visa is for cultural exchange, the reality is it fills a significant labour gap within the industry and is in direct competition with the Seasonal Worker Programme.

The Committee has therefore recommended that the Australian Government undertake a comprehensive review of the changes to the seasonal worker and working holiday maker programmes by December 2017 to ensure they are meeting their stated goals, and not adversely impacting on each other or the local labour market.

Other possible impediments that submitters suggested were preventing greater employer participation included the requirement to undertake labour market testing, administration for superannuation payments, and travel and up front costs. In order to reduce inconsistencies and additional regulatory burden on employers, the Committee recommended that the Australian Government:

- standardise the labour market testing requirements across the range of temporary work visas; and
- undertake a review of current superannuation requirements for Seasonal Worker Programme participants.

Before employers can engage seasonal workers, they must first check the local labour market. Providing job opportunities for Australians, particularly in areas of labour shortages, is fundamentally important. Currently, there appears to be a poor perception surrounding the agriculture industry and in particular, that it lacks viable career pathways. More needs to be done to change this misconception and to support youth employment pathways. The Committee therefore recommended the Australian Government allocate funds to establish a three year pilot programme for 17-24 year olds to train and work in the agricultural sector, a *Future Force*, similar to the Green Army programme model with appropriate adjustments.

Female participation in the programme remains very low with only thirteen per cent of participants in the 1 July 2014 to 31 May 2015 period. Gender equality and empowering women has been shown to contribute to economic growth, development, stability and poverty reduction. The Committee has made a number of recommendations aimed at increasing gender equality and providing women greater employment opportunities.

Lastly, the Seasonal Worker Programme has the potential to provide a significant benefit to industries that have experienced long-term labour shortages. The programme could advance beyond the level of an unskilled labour migration scheme to address these labour shortages in additional industry sectors such as aged care, child care, and disability care.

Some of these sectors, however, require relevant qualifications in which to work. Enhancing the programme to broaden its remit to provide new skills and training would be a considerable advantage to Seasonal Worker Programme participants, their home countries and these Australian industry sectors that struggle to find appropriate workers.

The Australia Pacific Technical College currently offers Australian qualifications to Pacific Islanders from 14 Pacific Island Countries in the health and community services industry sectors. This important mechanism can provide a valuable employment pathway for Australia Pacific Technical College graduates.

The Committee would like to sincerely thank all of the stakeholders, the Governments of Seasonal Worker Programme participating countries, approved employers and growers, peak bodies, government departments, academics, unions, organisations and individuals for their time, effort and resources to make submissions and appear at public hearings. I would also like to thank my hard working colleagues on the Committee.

Mrs Louise Markus MP
Chair



Membership of the Committee

Chair Mrs Louise Markus MP

Deputy Chair Ms Maria Vamvakinou MP

Members

Senator Chris Back <i>(from 26/6/14)</i>	Hon Kevin Andrews MP <i>(from 19/10/15)</i>
Senator Sam Dastyari	Mr Craig Kelly MP
Senator Sean Edwards	Mr Craig Laundy MP <i>(until 13/10/15)</i>
Senator Sarah Hanson-Young	Hon Matt Thistlethwaite MP
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Terms of reference

The Joint Standing Committee on Migration shall inquire into the Seasonal Worker Programme. In conducting its inquiry, the Committee shall have particular regard to:

- The role of seasonal workers in the horticulture industry;
- Expanding the Seasonal Worker Programme to other countries and sectors;
- The current and projected future workforce requirements for sectors that may benefit from seasonal workers;
- The impact on the Australian labour force of the current and projected Seasonal Worker Programme;
- The merits and challenges of increased recruitment of overseas workers, in particular providing increased access for women and youth workers;
- The role of the Seasonal Worker Programme in supporting development assistance in the Pacific;
- Any legislative and other impediments in attracting seasonal workers;
- The visa regime for seasonal workers, including compliance and related issues.



List of abbreviations

ABS	Australian Bureau of Statistics
ADF	Australian Dairy Farmers
ACFA	Aged Care Financing Authority
ACTU	Australian Council of Trade Unions
APAL	Apple & Pear Australia Limited
APTC	Australia Pacific Technical College
CPH	Census of Population and Housing
DoA	Department of Agriculture
DoE	Department of Employment
DFAT	Department of Foreign Affairs and Trade
DIBP	Department of Immigration and Border Protection
DPC	Development Policy Centre
EAS	Economic Activity Survey
FIC	Forum Island Countries
FWO	Fair Work Ombudsman
HLS	Harvest Labour Services
ILO	International Labour Organisation
LFS	Labour Force Survey

LMU	Labour Mobility Unit
MFAET	Ministry of Foreign Affairs and External Trade
NFF	National Farmers' Federation
NHLIS	National Harvest Labour Information Service
NUW	National Union of Workers
OCTA	Office of the Chief Trade Advisor
OPW	Owen Pacific Workforce Pty Ltd
PACER	Pacific Agreement on Closer Economic Relations
PNG	Papua New Guinea
PSWPS	Pacific Seasonal Worker Pilot Scheme
RSE	Recognised Seasonal Employer
SSGMP	State, Society and Governance in Melanesia Program
SSPTEP	Secretary of State for Professional Training and Employment Policy
SWP	Seasonal Worker Programme
TAA	Tourism Accommodation Australia
TSA	Tourism Satellite Account
TTF	Tourism and Transport Forum
TQ	TAFE Queensland
UAB	Union Aid Abroad - APHEDA
UCA	Uniting Church Australia
VFF	Victorian Farmers Federation
WHM	Working Holiday Maker



List of recommendations

3 Role of seasonal workers in the horticulture industry

Recommendation 1

The Committee recommends that a comprehensive review of the changes to the seasonal worker and working holiday maker programmes be undertaken by December 2017 to ensure they are meeting their stated goals, and not impacting on each other or the local labour market in unintended ways.

4 Workforce requirements for sectors that may benefit from seasonal workers

Recommendation 2

The Committee recommends that the Australian Government undertake improved qualitative and quantitative research on full-time, part-time and seasonal labour workforce requirements to better inform Government policy.

5 Expanding the Seasonal Worker Programme

Recommendation 3

The Committee recommends the Australian Government consider expanding the Seasonal Worker Programme to include the aged, child, and disability care sectors, which have already been included in the White Paper on Developing Northern Australia.

6 Impact on the Australian labour force

Recommendation 4

The Committee recommends that the Australian Government allocate funds to establish a three year pilot programme for 17-24 year olds to train and work in the agricultural sector, a 'Future Force', similar to the Green Army programme model with appropriate adjustments.

7 Increased access for women and youth workers

Recommendation 5

The Committee recommends that the Australian Government implement the following measures to increase gender equality and provide women greater employment opportunities:

- The Department of Employment review the memorandums of understanding with Seasonal Worker Programme participating countries;
- The Australian Government assist interested countries in the establishment and development of programmes focused on gender equality;
- That Pacific Agreement on Closer Economic Relations Plus negotiations include discussions on gender equality.

8 Development outcomes in the Pacific

Recommendation 6

The Committee recommends that the Seasonal Worker Programme provide an employment pathway for Australia Pacific Technical College health and community services industry sector graduates.

9 Possible legislative and other impediments

Recommendation 7

That the Australian Government standardise the labour market testing requirements across the range of temporary work visas.

Recommendation 8

The Committee recommends that the Department of Treasury undertake a review of current superannuation arrangements for Seasonal Worker Programme participants, having regard to:

- whether or not current arrangements meet the objectives of the Seasonal Worker Programme;
- the barriers to accessing accumulated superannuation funds for seasonal workers and measures to improve access.

The review should be conducted primarily with a view to ensuring seasonal workers receive their full entitlements as efficiently and quickly as possible.

10 Compliance and related issues

Recommendation 9

The Committee recommends that the Australian Government implement Recommendation 32 of the Senate Education and Employment References Committee report on the impact of Australia's temporary work visa programs on the Australian labour market and on the temporary work visa holders.

