

# **Senate Select Committee on Temporary Migration** **Submission**

*Authors:*

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We, as community workers and organisations working directly with multicultural communities in Gippsland, have collaborated to present the issues which need addressing in the inquiry into the impact temporary migration has on the Australian economy, wages and jobs, social cohesion and workplace rights and conditions. Our findings are from working directly in the communities and assisting many migrants who have had issues working or settling in Australia. We have addressed these below:

**a. government policy settings, including their impact on the employment prospects and social cohesion of Australians;**

- It is widely understood that the low skills jobs in food and fibre do not attract local workforce, creating a need for temporary migrants to fill the workforce gaps
- The low wages afforded to a workforce under temporary migration may create an underclass of workers. The impact of this includes temporary workers' rights not being met together with a raised sense of fear amongst local residents, within sectors other than food and fibre, of missing out on real wages. This needs close monitoring of requests for temporary migrants in other sectors to ensure all workers' rights are maintained and social cohesion maintained.
- Temporary migrants are often unaware of their eligibility for services and of their rights as temporary workers. We recommend that policy be implemented requiring that all temporary workers are provided with induction packs in relevant languages that include information on: Australian, State and local support services and eligibility for these services including health, housing, finance, legal, family violence and multicultural support; information on workers' rights and organisations that support temporary workers.
- Currently infrastructure for intercultural exchange between the temporary migrants and host communities is missing which creates fear of 'other' and prevents social cohesion. It is recommended that policy includes 'social cohesion' community campaigns and resources

on a national and local level together with designated funding of specialist migrant and multicultural organisations to assist implementation of these programs.

**b. the impact of temporary skilled and unskilled migration on Australia's labour market;**

- The temporary migration, both skilled and unskilled, provides much needed workforce across the board and improves liveability of our cities and regions.

**c. policy responses to challenges posed by temporary migration;**

- There have been reports from regional Australia that they could only access phone interpreting services not face to face, making it difficult to conduct more intensive work with CALD clients/ participants for e.g. Specialist medical examinations such as Neuropsychological assessment. This calls for changes in Translating and Interpreting Service policies to ensure face-to-face translation services in regional areas e.g. funding be provided for transport costs of translators. In the absence of face-to-face interpreting services, practitioners rely on informal / family and friends to interpret which opens space for abuse and exploitation, especially elder abuse, family violence and worker abuse.
- Ensuring support services and facilities are available to temporary migrants
- Ensuring support services and facilities are available to those moving to regional areas beyond five years of initial arrivals in Australia, such as those on Safe Haven Enterprise Visa
- Lack of local leadership and ownership in regions through local government system – Local Action Committees for Multicultural networks who support the workers and temporary migrants should be run and/or governed by community workers who deal directly with migrants.

**d. whether permanent migration offers better long-term benefits for Australia's economy, Australian workers and social cohesion;**

- Permanent migration provides the economy with long term benefits with taxes and money being put back into the economy.
- Permanent migration may cause issues for social cohesion if the migrant is not provided the opportunity to migrate family with them and to receive wrap around supports for them and their family, ensuring basic human needs like Medical, Social and Education are provided and they have adequate supports to assist in accessing these.

**e. the impact of wage theft, breaches of workplace rights and conditions, modern slavery and human trafficking on temporary migrants; and**

- Policy is there to provide induction to the worksites, inclusive of workplace rights and conditions, however, the gap exists in its implementation. A possible solution could be creation of a national register of OH&S inductions and compliance laws directly related to this.
- Culturally/ linguistically specific communications/ signage to create awareness about workplace rights in different languages.

- Role of WorkSafe – only responds to complaints/ incident reports and turn up 4-6 hours later. Fair Work Australia Entry Permit – REO (Right of Entry) allows the unions to enter worksites but can be limiting without any enforcement authority. Needs more enforcement authority made available to the REO. (i.e.: The involvement of local Police Force to enforce the REO or shorter timeframes for WorkSafe to attend onsite).
- Harsher penalties for employers who do not comply with REO. Larger fines and/or jail time.
- Clarity among employers and workers about their eligibility for healthcare, education, and other community services.
- Scrutiny of employer's compliance to existing – Work Health and Safety, wages awards, suitable accommodation, working long hours, incorrect visas
- Harsher penalties for Wage Theft- current policy allows for employers to get away with it without any ramification. Introduction of large fines and jail time may discourage wage theft and worker exploitation.

**We collaborate with many different networks and groups on a regular basis and would like to add into our submission that we also support recommendation of United Workers Union as follows:**

1. Introduce a National Labour Hire Licensing scheme that replicates and scales up the best-practice requirements of the Queensland and Victorian state schemes.
2. Create of a criminal offence of wage theft, with limited defences and exceptions that provides jail time for offenders.
3. Increase access to wage justice for workers by reforming courts and tribunals to enable fast and simple avenues to recover stolen wages.
4. Expand workers' ability to collectively bargain for improved workplace standards with the controlling economic entities across industries and along supply chains.
5. Expand the best-practice employer registration and worker education requirements in the Federal Government's Seasonal Worker Program to all temporary migrant visa categories.
6. Introduce an 'Employment Justice' visa, to protect migrant workers who have experienced exploitation, and encourage them to come forward.
7. Develop a national plan to manage temporary migration, based on the consideration of industry-specific needs and goals, and a formal role for worker representatives.

8. Urgently resolve the immigration status of migrant workers in the Horticulture industry, and ensure they can continue to work in the industry by either expanding the Seasonal Worker Programme, or introducing an Agricultural Visa with strong worker protections.
9. Review Temporary Visa Conditions and Enforcement, remove visa conditions that facilitate exploitation, and ensure enforcement activity protects workers.
10. Expand Australia's permanent migration programme, including by linking temporary and permanent visa pathways.

The recommendations being put in place would make for a safer, fairer and more inclusive workplace for all people wanting to call Australia home.