

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 01

Subject: Taskforce Cadena enforcement activity data over the last 6 - 12 months

Asked by: Raff Ciccone

Question:

CHAIR: With Taskforce Cadena, I am curious to know over the last three months how much enforcement activity has occurred? Is that some data that you're able to provide to the committee?

Ms Saunders: There has been a reduction, by the pure nature of the measures that we've got in place. In terms of international trends as a result of the travel measures that have been introduced since March we've had a 98 per cent reduction in travel movements across our border, so obviously we're dealing with a smaller population of those that are on temporary visas in the country. The department could probably add further detail in regards to the likely numbers we have of those.

CHAIR: Could you take on notice to provide to the committee any of that data over the last six to 12 months and also any of the enforcement activities?

Answer:

The Australian Border Force (ABF) contributes to the combating of foreign worker exploitation on multiple fronts, through detection, prevention and compliance approaches, whilst working collaboratively with law enforcement partners on the most serious offences of exploitation.

Since Taskforce CADENA (CADENA) was established in 2015, the ABF has built on the foundational knowledge and relationships to develop a more targeted approach, based on threat and risk, to address foreign worker exploitation.

Following on from CADENA, national operations targeting the exploitation of foreign workers in the sex industry (Operation NOONDAY) and unscrupulous labour hire intermediaries (LHIs) (Operation BATTENRUN) were established.

This has resulted in a decrease in CADENA activities, but an increase in targeted national operations such as NOONDAY and BATTENRUN.

Table 1 – Taskforce CADENA activity

Activity/Outcome	2019/2020
Employer sanction awareness visits	<5
S48ZC Migration Act warrants	9
3E Crimes Act warrants	0
Other non-warrant visits	0
Illegal worker warning notices (IWWNs)	19
Identification of organised networks involved in exploitation of foreign workers	<5
Operational activity that disrupts ongoing ability of targets	8
Initiation of proactive field intelligence activity	7
Australian Criminal Intelligence Commission (ACIC) Coercive Hearings	<5
Joint agency enforcement activity	<5
Referrals to partner agencies	14
Human Trafficking referrals	0
Criminal Assets Confiscation Taskforce Referral	<5
ABF Infringement notices	<5
Intelligence Products	<5

Table 2 – Operation BATTENRUN activity

Operation BATTENRUN is a nationally coordinated operation that focuses on LHIs.

Activity/Outcome	2019/2020
Field Activities	842
Cancellations	25
Detentions	153
NOICCs	7
Removals	115
Returns*	38
S251 Warrants executed	72
Awareness activities	102
Field Observations	626
Infringements Issued	<5

*Returns includes BATTENRUN targets that voluntarily departed Australia.

Table 3 – Operation NOONDAY activity

Operation NOONDAY was a Western Australian regional field operation that commenced in October 2019 and concluded its first phase in June 2020.

Activity/Outcome	2019/2020
Clients located	57
Clients detained	<5
Client cancelled	7
Notices of Intentions to Consider Cancellation (NOICC) issued	8
Illegal Worker Warning Notices issued	5
Employer Awareness Activity	provided at all non-warrant visits
S251 warrants	<5

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 02

Subject: Work rights

Asked by: Raff Ciccone

Question:

CHAIR: And how many of those that have valid visas are prevented from working? Do you have those figures?

Ms Saunders: No, I'd have to take that on notice, Senator, unless the department has that.

Mr Willard: Just to clarify, Senator, is that the figure of bridging visa holders who have a work right of some sort?

CHAIR: Yes, those people who can't work, who are prohibited from working under their visa conditions.

Mr Willard: On a bridging visa?

CHAIR: Yes.

Mr Willard: I think the figure is around 65,000 who do not have a work right.

CHAIR: Are you able to provide a breakdown of that 65,000 to the committee?

Mr Willard: Sure. I might need to take that on notice, Senator, but I may have it in my pack if you can bear with me.

CHAIR: Just take it on notice; that would be great.

Answer:

As at 31 July 2020, the following number of Bridging visa holders were subject to condition 8101, which stipulates that the holder must not engage in work in Australia:

Visa Subclass	Total Holders with 8101 condition
010 Bridging A	40,436
020 Bridging B	1,404
030 Bridging C	12,616
050 Bridging E (General)	8,719
051 Bridging E (Protection Visa Applicant)	<5
060 Bridging F	0
070 Bridging R	0

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 03

Subject: How many people who have overstayed, and unsuccessful asylum seekers, have you identified in your compliance operation each year, and over the past five years, including breakdown by industry

Asked by: Raff Ciccone

Question:

CHAIR: You may need to take this one on notice, but how many people who have overstayed, and unsuccessful asylum seekers, have you identified in your compliance operation each year, and over the past five years?

Mr Kefford: I think we'll take that on notice with that span, please.

CHAIR: And if you could, how many of these have been working in agriculture, in retail, in hospitality—any other industries that you may be able to provide information to the committee on?

Mr Kefford: We'll take the question on notice. I'm not sure that we will have that information, but we're happy to come back to the committee with the information that we do have.

Answer:

Non-voluntary * location of unlawful non-citizens by Industry located at	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Accommodation and Food Services	256	244	220	114	86
Agriculture, Forestry and Fishing	563	705	558	250	192
Arts and Recreation Services	7	5	6	<5	<5
Construction	397	396	432	252	172
Education and Training	<5	0	0	<5	<5
Electricity, Gas, Water and Waste Services	<5	<5	<5	<5	0
Financial and Insurance Services	<5	<5	<5	<5	<5
Health Care and Social Assistance	10	<5	9	6	<5
Information Media and Telecommunications	12	<5	<5	<5	<5
Manufacturing	17	29	18	14	7
Mining	<5	<5	<5	<5	<5
Other Services	186	184	164	148	73
Personal and Other Services (Sex Industry)	62	94	125	95	31

Property and Business (Employment Placement)	0	0	0	<5	0
Public Administration and Safety	0	0	<5	0	0
Rental, Hiring and Real Estate Services	17	<5	<5	<5	<5
Retail Trade	51	64	60	37	19
Transport, Postal and Warehousing	65	61	65	33	14
Unknown	2,274	2,131	2,299	1,907	1,625
Wholesale Trade	18	26	10	10	0
<u>Total</u>	3,942	3,955	3,978	2,881	2,231

* "Non voluntary" - where the person has been located in a field operation or by the police.

These figures were extracted from Departmental systems on 3 July 2020. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

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AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 04

Subject: Visa compliance undertaken in last 6-12 months (during the COVID pandemic) and compliance visits undertaken in conjunction with other government agencies

Asked by: Raff Ciccone

Question:

CHAIR: What visa compliance work has the department been undertaking during the COVID pandemic?

Ms Saunders: As I touched on, there has been a range of activity undertaken by different parts of the ABF, which I'm happy to talk through with you. I've touched on Taskforce Cadena. Linked to Taskforce Cadena, which is the joint work with the FWO, we've now undertaken more targeted activity under the auspices of Operation Battenrun, which was established in 2018 and was established to respond to the scale and prevalence of illegal labour hire activities, particularly with cash driven industries, which I've just touched on. To give you an indication of the sort of activity we've undertaken in that space, just in 2019-20—and I'll have to come back to you in regard to a breakdown of the last six months vis a vis the first—there were 842 field activities in that time. In that time there have been 25 cancellations of visas. There have been 153 detained in that time. We've executed search warrants under the Migration Act on 72 occasions. We've undertaken 102 awareness activities, 89 non-warrant visits, 626 field observations and, in that time, issued five infringement notices for those that were facilitating work activity and not complying with their obligations. So that gives you an indication.

The other thing I thought I should touch on, which is another targeted activity based on risk and our understanding of where the threat lies, relates to operation NOONDAY, which started in WA and was focused on reducing exploitation of foreign nationals, including human trafficking by labour hire intermediaries, to fill information gaps relating to the operations of the sex industry. That kicked off in WA and has since been rolled out as a national program. In relation to that activity, we've done 20 non-warrant visits, we have engaged with 57 foreign workers in that time, we've issued eight notices of intention to consider cancellation and issued illegal worker warning notices on five occasions. That will certainly give you some indication of the type of activity we've undertaken in that time.

CHAIR: Thank you for that. I'm also interested in compliance visits that have been undertaken in conjunction with other government agencies. Are you able to provide any information to the committee?

Ms Saunders: I certainly can. I should say that I've actually looked into referrals to

the Fair Work Ombudsman in that time, and there's only been, that I can identify, three formal referrals in 2019-20. However, having spoken to our sponsor monitoring unit, who undertake a lot of this compliance activity, the engagement with the Fair Work Ombudsman happens routinely with our activity, so there's regular sharing of information and communication, and where we identify matters that would be within the auspices and responsibility of the FWO, that information is provided routinely.

CHAIR: Would you be able to provide that type of data for the last, maybe, five years as well? I'm curious to know how many employers and labour hire firms and others have been referred to the Fair Work Ombudsman.

Ms Saunders: I'm happy to take that on notice.

CHAIR: I don't know if you've also got any other data with respect to the agricultural and hospitality industries. That would be great.

Ms Saunders: Certainly. I'll take that on notice. Just to give you a bit of an indication of the work of the sponsor monitoring unit—knowing that that's of interest to you—there has been a reduction in active sponsors on the back of COVID. We've seen a slight reduction. In 2018-19 we had about 29,000 active sponsors in Australia.

Answer:

The Australian Border Force (ABF) conducts compliance activities including educational/awareness visits and the targeting of known industries, individuals or employers exploiting foreign workers. The ABF works collaboratively with Commonwealth, state and territory partners and refers suspected cases of slavery, human trafficking and other serious forms of exploitation to the Australian Federal Police (AFP).

In addition, the ABF works with the Fair Work Ombudsman (FWO) on compliance visits where worker exploitation is suspected. Operation BATTENRUN provides opportunities for partner agencies, including the FWO, to complement the ABF effort.

Administration Actions				
ACTIVITY	July - December 2018	January - June 2019	July - December 2019	January - June 2020
Employee Awareness Activities	769	322	400	185
Illegal Worker Warning Notices	204	110	139	45
Infringement Notices Total Number	5	7	7	<5
Infringement Notices Sum of Fine Amount	\$75,600	\$103,950	\$171,990	\$37,800

In addition to ABF-led compliance visits and joint operational activity, over the past five years, the following field visits occurred on other agencies warrant activity:

Field Visit - Other Agency Warrant				
2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
10	9	9	11	25

The following operational activity was conducted by Field Operations over the last five years to address visa compliance.

Field Actions - Hospitality and Agriculture						
Visit Type*	Industry Type	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Awareness Visit	Accommodation and Food Services	174	206	169	136	70
	Agriculture, Forestry and Fishing	60	47	68	80	49
General Field Action	Accommodation and Food Services	77	90	75	30	76
	Agriculture, Forestry and Fishing	22	27	26	23	35
Grand Total		333	370	338	269	230

Awareness visits contains field activities where an awareness visit was also conducted and does not include administrative actions. General field action contains all other field activities.

These figures were extracted from Departmental systems on 3 July 2020. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 05

Subject: Market Salary rate assessment

Asked by: Jess Walsh

Question:

Senator WALSH: Is that market salary rate published?

Mr Willard: It depends on the particular occupation and what the going rate is in that occupation. What we see for the TSS is average salaries of around the \$100,000 mark, or a bit over \$100,000. So clearly it's well above the TSMIT threshold of \$53,500. We have a lot of information which we could provide on notice if you're interested, but the different industry sectors obviously have very different salary rates, and that's a reflection of the market salary. An IT professional might be earning a lot more than someone in accounting or some other field.

Senator WALSH: But who determines what the market rate is, and is it published?

Mr Willard: It's determined on a case-by-case basis, and it looks at things like: For a larger company, what is the going rate in their enterprise agreement for that particular occupation? What are other people who are undertaking that occupation getting paid? It really depends on the circumstance, the role and the specific occupation. So it's an assessment on that individual case basis.

Senator WALSH: So the employer determines what the market rate is and advises—

Mr Willard: They have to provide evidence to show that they're paying the market salary rate, and then a decision-maker in the Department of Home Affairs makes an assessment on the basis on that evidence.

Senator WALSH: Does the decision maker in the department have independent information about what the market rate is, and is that information published or are they relying on the advice of the employer?

Mr Willard: They draw on a range of information. The evidence the employer provides is a key part of that assessment, but they're also familiar with what people have been paid in particular fields, because they're processing a lot of those visas. We have a detailed procedures advice manual about how decision-makers make assessments in that respect. Again, if you're interested, we could certainly provide that outline of how we assess the market salary rate.

Senator WALSH: That would be useful, thank you. You mentioned, for example, that the market rate for an IT professional might be, say, \$100,000. Again, I'm just a little unclear as to whether there's a published figure about what the market rate is for different occupations?

Mr Willard: The department doesn't publish a figure for market salary rates, because it has to be assessed on that individual basis. We do publish detailed information about what the remuneration rates are for the different fields—for the different industries of people who hold the TSS visa. I can provide some of those if you're interested, or it could be provided later?

Answer:

The Annual Market Salary Rate for a nominated position is determined by the relevant fair work instrument, state industrial instrument or transitional instrument as published by the Fair Work Ombudsman.

Where there is no fair work instrument, state industrial instrument or transitional instrument applicable to the nominated occupation, the Annual Market Salary Rate is determined by reference to relevant information that would apply to an equivalent Australian worker, such as (but not limited to):

- information published on the Australian Government's Job Outlook website;
- job advertisements from a national recruitment website or national print media that are in English and specify the salary arrangements for the advertised position;
- written advice from registered employer associations and/or unions;
- remuneration surveys generated across the relevant industry by a reputable organisation or body.

Employers must demonstrate in the nomination application that the earnings for the nominated position are the same as what an Australian worker earns or would earn for performing equivalent work on a full-time basis for a year in the same workplace and at the same location.

When making an assessment on a nomination application, decision makers are not restricted in only accepting evidence from the sponsor. Decision makers are able to do their own research or make a request for further evidence, if they are concerned that the sponsor has not provided the correct current earnings. A nomination application will be refused where the nominated overseas worker will be paid less than an equivalent Australian worker.

The method for determining the Annual Market Salary Rate is prescribed in legislation; *Migration (IMMI 18/033: Specification of Income Threshold and Annual Earnings and Methodology of Annual Market Salary Rate) Instrument 2018*.

The below table refers to the average nominated base salary for TSS primary applications granted in 2019-20 to 30 June 2020 by Major Group of the nominated occupation and nominated position location.

Nominated Occupation	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Not Spec	Total
1 Managers	\$130,700	\$161,600	\$105,200	\$157,200	\$146,500	\$116,900	\$162,300	\$194,700		\$163,800
2 Professionals	\$109,800	\$104,500	\$105,900	\$106,600	\$106,500	\$108,000	\$98,900	\$124,700		\$105,000
3 Technicians and Trades Workers	\$65,800	\$66,800	\$75,800	\$65,500	\$75,000	\$61,400	\$65,200	\$89,100		\$71,300
4 Community and Personal Service Workers	< 5	\$62,500	\$56,300	\$64,600	\$69,000	< 5	\$76,500	\$71,700		\$66,000
5 Clerical and Administrative Workers	< 5	\$95,300	\$73,400	\$112,700	\$94,300		\$91,700	\$114,400		\$96,200
6 Sales Workers		\$91,000	< 5	< 5	< 5		\$116,500	< 5		\$96,200
7 Machinery Operators and Drivers			< 5				< 5	< 5		\$72,200
8 Labourers		\$53,900	\$60,500	\$53,900	\$55,700		< 5	\$56,300		\$55,700
Not Specified	< 5	\$59,900	\$54,300	\$55,700	\$54,000	\$53,900	\$54,500	\$56,800		\$57,500
Total	\$101,900	\$105,500	\$85,600	\$100,400	\$101,500	\$98,600	\$101,200	\$119,900		\$105,000

Source: BR0008 Temporary resident (skilled) report | 30 June 2020 – Department of Home Affairs

Note: The Nominated Base Salary represents the gross annual salary based on a 38-hour week that the employer has indicated they will pay to the primary visa holder. These amounts do not include the value of salary-packaged items, bonuses, commissions or other payments listed in the schedule to the legislative instrument specifying Minimum Salary Levels for the visa program.

* With regards to Immigration data, the Department's current policy is to mask numbers which are less than five as <5, noting we are reviewing the confidentiality method for the future.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 06

Subject: Breakdown of the types of activities in terms of sanctions and infringements, by visa type

Asked by: Jess Walsh

Question:

Senator WALSH: Is it possible on notice to get a breakdown of the types of activities that you've outlined a number of times in terms of sanctions and infringements, broken down by visa type?

Ms Saunders: I'll take that on notice.

Senator WALSH: Just so I understand what you mean by that, do you think it's possible to provide on notice, for the different types of sanctions and infringements, whether they were applied to an employer on the TSS program, the Seasonal Worker Program, someone employing international students, someone employing working holiday makers? I understand that you can't provide that now, but you're confirming that that is something you would be able to provide on notice?

Ms Saunders: I'll take it on notice. I don't know how well suited our systems are to extract that sort of information, but I'll certainly provide what context we can.

Answer:

Table 1. Sanctions issued to a business while employing sponsored visa holders.

For the period 2019-20, 428 sanctions were imposed on business sponsors under the employer sponsored visa program. A breakdown of this by visa type is provided in the table below.

Business sponsor type	Visa type	Sanctions
Standard Business Sponsor	457	365
	482	36
Standard or Other*	420	<5
	401	<5
	402	<5
	Temporary Activity Sponsorship (TAS)	20
TOTAL		428

* Due to reporting limitations, Sponsorship type was not specified at the time of nomination.

Table 2. Infringements issued to businesses while employing sponsored visa holders.

For the period 2019-20, **37** infringements were issued to business sponsors under the employer sponsored visa program. A breakdown of this by visa type is provided in the table below.

Business sponsor type	Visa type	Infringements
Standard Business Sponsor	457	30
	482	1
Standard or Other*	420	1
	402	1
	TAS	4
TOTAL		37

*Due to reporting limitations, Sponsorship type was not specified at the time of nomination.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 07

Subject: Border Force powers to prevent employers from repeated workplace exploitation

Asked by: Jess Walsh

Question:

Senator WALSH: Thank you. In relation to employers who were employing people in a non-sponsored program, for example international students and working holiday-makers, is there anything that Border Force or another agency can do in the case of an employer who is found to have engaged in some form of workplace exploitation to prevent those employers from being able to hire people on those visa types again in the future, as there is for the other sponsored streams?

Ms Saunders: I might have to take that on notice. There are a range of penalties and actions we can undertake, but I would need to take on notice what actions we can take for those that not in formal roles, i.e. employers. I know that there is some work being done in regard to hire intermediaries and the like, but I would have to take that on notice.

Senator WALSH: Thank you. Just to phrase that again, if I were a hospitality employer, say, and I employed a chef on a TSS, my understanding is that I could be prevented from being able to participate in that scheme again if I breach. However, if I hire someone as an international student and I breach their workplace rights—wages or whatever—it's likely that there's nothing that can prevent me from employing international students again, because it's a non-sponsored program.

Ms Saunders: Senator, as the Fair Work Ombudsman will be giving evidence before you next week it may be a question you wish to ask them, but I'm certainly happy to take on notice what powers and compliance activity we can undertake which addresses your question.

Answer:

The *Migration Act 1958* (Migration Act) does not provide a power to prevent employers of persons in non-sponsored programs, who are found to have engaged in workplace exploitation, from being able to hire people on those visa types again.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 08

Subject: with regard to labour hire intermediary work undertaken as part of Battenrun and Cadena what are the visa types most often come across

Asked by: Jess Walsh

Question:

Senator WALSH: Thank you. In relation to the labour hire intermediary work which you do in Battenrun as well as in Cadena, I'm interested to get an overview from you so I can better understand some of the information that you provide on notice about which visa types the labour hire intermediaries that you engage with or come across are most often associated with. You did mention that labour hire intermediaries are associated with undocumented workers. Are they also associated with other visa types like, for example, international students, working holiday-makers and workers on temporary skills visas?

Ms Saunders: My understanding is that the visas you have outlined would all be vulnerable to worker exploitation, but certainly we shall take on notice and give you specific advice in that regard.

Senator WALSH: That question on notice is similar to the one that I asked before, so in relation to information that you have about labour hire intermediaries and breaches, how they break down across different visa types as well as undocumented workers. That would be great, thank you. In relation to the task force work that you [inaudible]

Answer:

The ABF does not capture the visa class types of workers associated with LHIs targeted under CADENA.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 09

Subject: Assurance protocol

Asked by: Jess Walsh

Question:

Senator WALSH: I'm wondering whether there's any information about that that you could provide to us. I understand that it may be somewhat sensitive. I'm just trying to get a sense of, if I were a person with a valid claim that's being worked through with the Fair Work Commission but I had breached my visa conditions, and there are no other issues with me—I'm of good character et cetera—how I should understand that assurance protocol in relation to my ability to continue to stay in Australia. If I've breached my visa condition but I've committed to follow my visa conditions going forward, how should I understand that assurance protocol? Should I be assured?

Mr Kefford: Certainly that protocol is in place. I could take on notice the extent to which the material that's provided to workers, as mentioned earlier in the hearing, addresses that issue specifically. It may well be something that comes out in the interactions that the individual might have with the Fair Work Ombudsman first, rather than with us. There's clearly an element where we're working together with our colleagues in that context. But, as far as Home Affairs is concerned, I'm happy to take on notice what information is provided and, without getting into anything that might compromise individual cases or other activities, the extent to which we can provide more information to you on how that protocol actually operates.

Senator WALSH: Just finally on that, would there be any numbers kept on how many times the protocol has been utilised, or is it somewhat more informal than that?

Mr Kefford: I wouldn't describe it as informal. I'm happy to take on notice what information we have and could provide to you on the operation of those arrangements.

Senator WALSH: Thank you very much.

Answer:

The Assurance Protocol provides a level of assurance for exploited visa holders that their visas will generally not be cancelled where they have:

- a temporary visa with work rights,
- sought advice or assistance from the Fair Work Ombudsman (FWO) and are assisting them with their inquiries,
- not complied with the work-related conditions on their visa due to exploitation and there is no other basis for visa cancellation,
- committed to abiding by visa conditions in the future.

Under the Assurance Protocol, visa holders who have reported worker exploitation to the FWO are referred to the Department of Home Affairs (the Department) for assessment of the visa holder's case. The Department provides an assurance their visa will not be cancelled, provided there is no other basis for cancellation.

The Department makes information about worker rights and entitlements available through a range of channels including:

- a factsheet entitled 'Information for foreign nationals working in Australia' which includes information on Australian working conditions, entitlements, and contact details for the FWO,
- information provided to visa holders about their work conditions and entitlements in their visa grant notices. Visa holders are able to access this information and check their visa conditions at any time through the Visa Entitlement Verification Online system, hosted on the Department's website,
- information about workplace rights and restrictions for general public access on the Department's website, including how to contact the FWO for workplace issues and that visas won't generally be cancelled if workplace exploitation is reported and the visa holder meets the conditions outlined above,
- 'push' messaging sent to Working Holiday Maker visa holders via text messages at different points of their visa pathway, advising them of their workplace rights and protections and how to contact the FWO.

As at 25 September 2020, the FWO has referred 66 foreign workers to the Department since the commencement of the Assurance Protocol in 2017. To date, no-one referred under the Protocol has had their visa cancelled for a breach of work-related conditions.