

Joint Select Committee on Northern Australia

Inquiry into Workforce Development

Questions on notice – Public hearing, 17 April 2024

Rock Ridge Farming

Question: What changes are needed to the PALM scheme to make it best work for your business?

Answer: For Rock Ridge Farming, the PALM Scheme itself is working well. The main concern we have is the implementation of the 30hrs per week which will be effective from the 1st July 2024. As a farming business we fluctuate working hours due to weather, crop cycles and market demand. Prior to the PALM being implemented (SWP days) it was an average of 30hrs per week over the period of the worker's contract.

From the 1st July 2023 – 31st Dec 2023 it changed to an average of 30hrs over 8 weeks.

From the 1st Jan 2024 – 30th June 2024 it changed to an average of 30hrs over 4 weeks.

All of the above are usually manageable due to averaging, however with the requirement changing to 30 hours each week for each worker, if we have weather events like we did in Dec 2023 and have continued to have through out 2024 to date with the highest wet on record and we MUST guarantee our workers 30hrs per week, how do we do that if the ground is too wet or it's unsafe for workers to work? What if a cyclone hits? Yes, we would implement our contingency plan which is a must under DEWR but if the paddocks are flooded or roads are not safe to be on for 2-3 days around the cyclone, how can we guarantee them 30hrs every week?

Public holidays are also cause concern because even if there is just 1 public holiday in a week, it most likely would drop our workers below the 30-hour requirement. As a business we then have must make up that loss by providing extra hours for the workers and if that happens in peak season, we'll be paying 200+ workers for sitting at home.

We understand their employment is different to other casual workers; we understand their contract prevents them from going and getting another job. However, if we as a business must pay extra hours just to keep them above 30hrs per week, the program will start to become unsustainable, and we will need to review our business plan.

Question: What could we do in terms of looking at the broader policy? If it's a good scheme that can assist the sector, how do we fix some of these issues going forward?

Answer: The fix which needs to happen is not the policy or the scheme, it's the lack of consequences for absconded workers. Currently as there are no ramifications for workers absconding from the PALM scheme, it's almost like an invitation for them to abscond. Something needs to be done about this, the relevant Government Agencies need to put focus on this as it's not just happening in FNQ but all-around Australia. Talk to any Approved Employer, they'll tell you, they've had absconded workers. A large portion of those absconding are Ni-Vanuatu and Timorese, however it does happen across all countries.

Due to the lack of action from the appropriate agencies, Approved Employers across the Tablelands, Cassowary Coast and Cooktown Shire have come together to write a letter on the concerns we share and will be taking it to our Local, State and Federal MP's, as well as QLD Police, Border Force, Home Affairs, and First Assistant Secretary Jason Stott to try to get some movement on the issue.

They need to see that we are concerned about this behaviour because as the Employer there is only so much we can do. We follow all processes put in place by DEWR and Home Affairs, we report to the appropriate authorities however nothing happens from there. It falls on deaf ears.

As a collective we will be providing the appropriate stakeholders with all information we can about where absconded workers are living and working and who they are working for – for context, between 5 AE's we currently have a list of 38 leads.

These absconded workers are working illegally, they are breaking their visa conditions and most times they don't even have a valid visa. They're being paid cash in hand, not paying tax nor earning superannuation. They do not have legal use of the Medicare system and normally don't have private health insurance, so they either deny themselves medical assistance or failing to pay for treatment, further draining our health care system.

Some absconded workers are also involved in unlicensed driving, unregistered driving, drink driving and more, such as serious assaults and allegations of rape. They are ending up before our courts but still being allowed to remain in Australia due to the nature of their charges not being a serious enough threat to the community for their visa to be cancelled.

Speaking to a local Detective Senior Sargent, the Police have great concern for the disengaged workers as it is starting to paint a grim picture in the community. The community is talking about these workers and painting all PALM workers the same – which for a farmer is hard to see, because we have some amazing workers with us under the PALM scheme. They are providing for their families, they are bettering their own, family and communities futures but the local community only hears of the negative, not the positive.

Workers also have the opportunity to be employed on a multiyear visa – meaning that they can have a visa approved for 3-4yrs. In that time, they'll come and work for the same employer for 9 months, before returning home for 3 months, and then return back to Australia each year till the end of their visa. Some workers are absconding while on a multiyear visa, the employer reports them as absconded, they are working illegally but then returning home to their country, then they are returning back to Australia on that very same approved visa as it looks like they're returning to work here legally on the PALM scheme but they are not, they're going back to the dodgy contractors and working for them, because Home Affairs will not cancel visas.

One Approved Employer advised Home Affairs of 10 absconded workers, the workers went and worked somewhere else, then returned home to their home country, they have now just come back to Australia on that very same visa, however, are NOT engaged in PALM. And it is making the approved employer (visa sponsor) look bad, however, they've done what they are required to do.

Starting to see movement from the appropriate authorities will also start workers talking and therefore hopefully encourage them to start to return home, alleviating the problem of absconding workers.

Regards,

Ashleigh Bergmann

Seasonal Workforce Coordinator

Rock Ridge Farming Pty Ltd