



Australian Government



Harvest Placement Guidelines

V 2.0

Disclaimer

This document is not a stand-alone document and does not contain the entirety of Job Services Australia providers' obligations. It should be read in conjunction with the Employment Services Deed 2012–2015 and any relevant Guidelines or reference material issued by DEEWR under or in connection with Employment Services Deed 2012–2015.

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Harvest Placement Guidelines

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Summary

These Guidelines specify a Job Services Australia provider's (referred to as 'JSA provider') responsibilities in relation to the delivery of Harvest Labour Services (referred to as HLS).

The objectives for the delivery of HLS by JSA providers are to:

- (a) engage effectively with Harvest Employers to meet their unmet Harvest labour demands
- (b) mobilise Harvest Workers into Harvest Areas to meet Harvest labour demands
- (c) promote HLS to Harvest Employers and prospective Harvest Workers.

Employment Services Deed 2012–2015 Clauses:

[Clause 20, Evidence to support claims for payment](#)

[Section 3J, Harvest Labour Services](#)

[Annexure E, Definition](#)

Reference documents relevant to these Guidelines:

Documentary Evidence Guidelines

Working Right Checklist

Department of Immigration and Citizenship Visa Entitlement Verification Online website

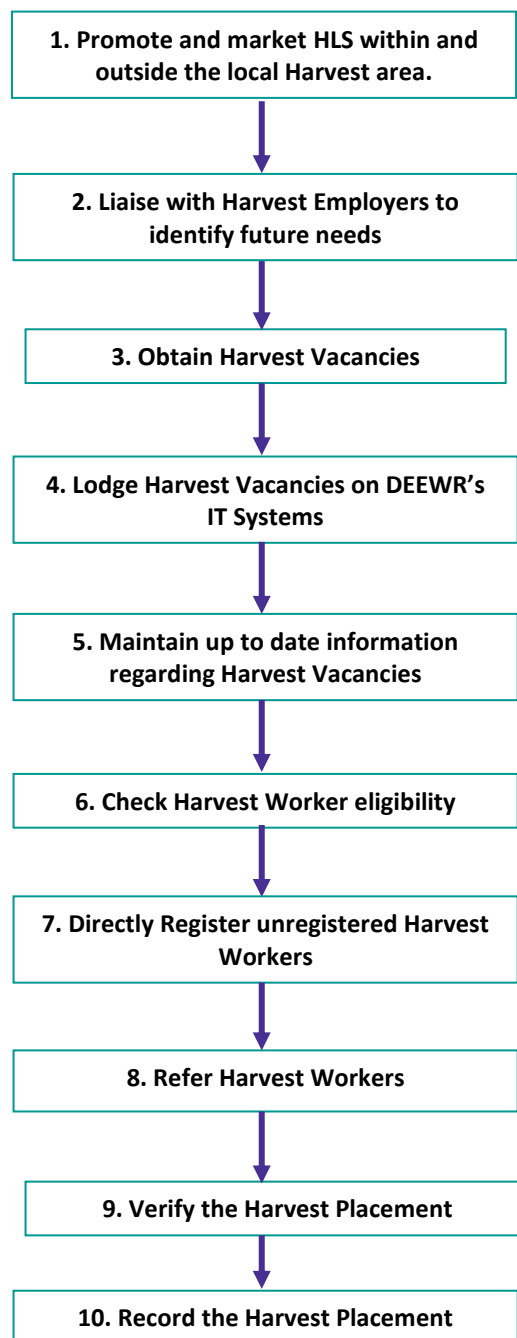
Direct Registration Guidelines

[Ensuring that Harvest Employers have safe systems of work Advice](#)

Explanatory Note:

- All capitalised terms have the same meaning as in *Employment Services Deed 2012–2015*.
- In this document, 'must' means that compliance is mandatory and 'should' means that compliance represents best practice.

Flow Chart: Delivering HLS and making Harvest Placements



Harvest Labour Services

| Who is Responsible: | What is Required: |
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| <p>1. JSA provider</p> <p>JSA provider must promote and market HLS within and outside the area.</p> <p><i>Employment Services Deed 2012–2015 Clause References:</i></p> <ul style="list-style-type: none"> • Clause 73.7 (d),(f),(g),(h) – Section 3J | <p>The JSA provider must promote and market its HLS within and outside of the Harvest Area including through:</p> <ul style="list-style-type: none"> • liaising with Harvest Employers in its Harvest Area to promote its HLS, including Harvest Employers who use HLS and those who haven't used HLS • liaising with, and providing accurate and timely information to the National Harvest Labour Information Service and the Harvest Trail Website • attending field days and expos or strategic advertising through backpacker hostels or print and electronic media • gathering and providing information (eg, a brochure) to prospective Harvest Workers on local facilities such as accommodation, caravan parks, transport, picking conditions and other useful services/information such as local tourist attractions, emergency services, doctors, pharmacies, Tourist Information Centres etc. |
| <p>2. JSA provider</p> <p>The JSA provider is to liaise with Harvest Employers to identify future needs.</p> <p><i>Employment Services Deed 2012–2015 Clause References:</i></p> <ul style="list-style-type: none"> • Clause 73.4 (b) – Section 3J • Clause 73.7 (a), (b), (c), (d), (e),(g),(i) – Section 3J • Clause 73. 8 – Section 3J | <p>JSA providers must maintain a presence in the Harvest Area to ensure ongoing liaison with Harvest Employers and associations of Harvest Employers.</p> <p>Liaison with Harvest Employers and associations of Harvest Employers must include:</p> <ul style="list-style-type: none"> • identifying potential Harvest Labour Worker numbers and duties that will be required for the season • identifying issues affecting the upcoming season, such as Australian and overseas markets, new crops or varieties of plantings or pulling out of crops • other trends such as expectations of potential Harvest Workers, countries of origin and other harvest labour market trends • Identifying accommodation and working-day transportation options for Harvest Workers • educating and raising awareness with Harvest Employers and Harvest Employer Associations of the Department of Immigration and Citizenship requirements for working in Australia and the penalties and consequences involved if a Harvest Employer employs a Harvest Worker who is not entitled to legally work in Australia. • athering information on the predicted crop quality and quantity and the environmental conditions. <p>Liaison must also include:</p> <ul style="list-style-type: none"> • developing a strategy to address how a Harvest Employer will contact the JSA provider to lodge a Harvest Labour Vacancy and how they will communicate • agreeing with Harvest Employers and/or contractors on the implementation of a 'safe place of work' for referrals. |

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| | <p>Note: Each harvest site will present different risks in relation to safety which must be assessed and managed to ensure the health and safety of Participants. JSA providers must have in place processes to manage this requirement. JSA providers have obligations to ensure the safety of Participants under the relevant state or territory <i>Occupational Health and Safety Acts</i> where these apply.</p> <p>JSA providers must advise the DEEWR Account/Contract Manager immediately of any issues of a serious nature, for example, where there is potential or real adverse publicity, where an issue relating to Harvest Labour is referral to local members of parliament, or any other issues that may bring the Government or HLS into disrepute.</p> |
| <p>3. JSA provider</p> <p>The JSA provider must obtain Harvest Vacancies</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Clause 73.3 (a) – Section 3J | <p>JSA providers must obtain Harvest Vacancies to meet the Harvest requirements of Harvest Employers. These Vacancies may come from Harvest Employers that the JSA provider has previously liaised with and therefore will have an agreement with on how the Vacancies will be managed. Alternatively, the JSA provider may receive a Vacancy from a new Harvest Employer and should:</p> <ul style="list-style-type: none"> • address the Harvest Employer’s immediate Harvest labour needs • develop a relationship with the Harvest Employer to ensure future Harvest Vacancies are handled in an efficient and timely manner. |
| <p>4. JSA provider</p> <p>The JSA provider must lodge Harvest Vacancies</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Clause 73.3 (b) – Section 3J | <p>Once a Harvest Vacancy has been received, JSA providers must lodge the Harvest Vacancy on DEEWR’s IT Systems as soon as possible.</p> <p>When lodging a Harvest Vacancy on DEEWR’s IT Systems, JSA providers must complete the following fields:</p> <ul style="list-style-type: none"> • job title • employer details • description • salary/wages* • job location • Vacancy Type (Harvest) • contact • number of positions available (default number is one) • accommodation in, and transport to, Harvest Areas. <p>* JSA providers must indicate the wages for each Harvest Vacancy, and the name of the applicable industrial arrangement, agreement or award.</p> <p>If the salary offered is by Contract, JSA providers must give an indication of the proposed contractual arrangements. The salary or wages specified must be in accordance with any relevant Commonwealth or state legislation including minimum wage legislation. Harvest Workers and Harvest Employers should be advised to contact Fair Work Australia on 131 394 or through Fair Work online at www.fairwork.gov.au for all pay and conditions enquiries or the relevant state or territory Authority.</p> |

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| <p>5. JSA provider</p> <p>The JSA provider must maintain up to date information on Harvest Vacancies</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Clause 73.3 (c) – Section 3J | <p>JSA providers must ensure that each Harvest Vacancy lodged on DEEWR’s IT Systems is complete and up to date at all times. Harvest Vacancies must be removed from DEEWR’s IT Systems within 24 hours if the JSA provider:</p> <ul style="list-style-type: none"> • places a Participant into the Harvest Vacancy* • becomes aware that the Harvest Vacancy is no longer available • becomes aware that the Harvest Employer no longer requires the Harvest Vacancy to be on DEEWR’s IT Systems • is instructed by DEEWR to remove the Harvest Vacancy. <p>* Harvest Vacancies with multiple positions do not need to be closed until Harvest Placements have been made for all the available positions. For example, a Harvest Vacancy with 50 positions does not have to be closed until 50 Harvest Placements have been made into that Harvest Vacancy.</p> |
| <p>6. JSA provider</p> <p>The JSA provider must check Harvest Worker Eligibility</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Annexure E Definitions – ‘Harvest Worker’ | <p>JSA providers must check Harvest Worker eligibility prior to the start of the Harvest Placement. See the Working Right Checklist for further information.</p> <p>To be eligible to be placed in a Harvest Placement, Harvest Workers must be able to prove that they are not prohibited by law from working in Australia.</p> <p>Note: For further information regarding the legal right to work in Australia, JSA providers can refer to the Department of Immigration and Citizenship Visa Entitlement Verification Online website: http://www.immi.gov.au/vevo.</p> |
| <p>7. JSA provider</p> <p>The JSA provider must Directly Register eligible Harvest Workers.</p> <ul style="list-style-type: none"> • Clause 73.3A – Section 3J | <p>JSA providers must Directly Register all Harvest Workers, who present without a Job Seeker Identification prior to referring them for Harvest Work.</p> <p>Direct Registration must be carried out according to the Direct Registration Guidelines.</p> <p>JSA providers have the option of using either the English language Harvest Worker Participation Form, or specific foreign language Direct Registration forms, all contained in the Forms and Templates section of the Provider Portal.</p> |
| <p>8. JSA provider</p> <p>The JSA provider must refer Harvest Workers</p> <p><i>Employment Services Deed 2012–2015 Clause References:</i></p> <ul style="list-style-type: none"> • Clauses 73.3 (d) and 73.4 (a) – Section 3J | <p>In accordance with clause 73.6, JSA providers must only refer Harvest Workers who are suitable for the Harvest Employer’s requirements to Harvest Employers. Harvest Worker suitability checks must ensure that the Harvest Worker is aware of the type of work involved, agrees/confirms that he/she is physically able to perform that type of work and is not restricted from performing the duties required.</p> <p>To record a Harvest Placement, JSA providers must refer Harvest Workers to the Harvest Vacancy on DEEWR’s IT Systems. The date of the referral must not occur after the date the Harvest Placement starts.</p> |

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| | <p>Note: Harvest Workers may be directed to the National Harvest Labour Information Service website to access information on crops and working conditions in Harvest Areas throughout Australia.</p> |
| <p>9. JSA provider</p> <p>The JSA provider must verify the Harvest Placement</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Clause 73.3(e) and (g) – Section 3J | <p>JSA providers must confirm the achievement of each Harvest Placement with the Harvest Employer.</p> <p>This can be achieved by a visit to the Harvest Employer or by a phone call.</p> |
| <p>10. JSA provider</p> <p>Record the Harvest Placement</p> <p><i>Employment Services Deed 2012–2015 Clause Reference:</i></p> <ul style="list-style-type: none"> • Clause 73.3(f) – Section 3J | <p>JSA providers must:</p> <ul style="list-style-type: none"> • record the Harvest Placement date on DEEWR’s IT Systems within 28 days of the achievement of the Harvest Placement obtain and retain Documentary Evidence of the Delivery of the Harvest Placement Service. |