

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Budget Estimates 2017 - 2018

Agency - Fair Work Ombudsman

Department of Employment Question No. EMSQ17-004153

Senator Rice asked on 30 May 2017 on proof Hansard page 52

#### Question

#### FWO - Agriculture data on breaches

Senator RICE: Finally, what are the trends in terms of compliance?

Ms James: With respect to—

Senator RICE: breaches of conditions and how many breaches. Is there better compliance now than there was five years ago, or is it getting worse in the agricultural sector?

...

Ms James : In the agricultural sector I would like to think we are seeing an enhanced awareness of, in particular, growers with respect to using labour hire and the like. It is hard to tell, because, as we do our work, more complaints come forward. That is what we want because we are pretty sure people have not been aware of us and there has been underreporting up to this point. Our data about complaints—and we are seeing, for example, an increase in the proportion of complaints coming from visa workers—does not mean more of it is going on; it may mean more people are coming to us for help. So it is hard to tell. I would say that I do consider that the work we and others have done has increased awareness of rights and obligations of all parties when it comes to the agriculture and horticulture sector in particular and greater awareness of what people can and should do in the event that things are not the way they should be and contraventions of the law are going on....

Senator RICE: Could you take on notice some data on breaches?

Ms James: I am happy to take that on notice.

#### Answer

The Fair Work Ombudsman's (FWO) record keeping systems do not record a breakdown of matters involving labour-hire companies operating in the agriculture industry.

The table below provides data on the number workplace disputes finalised by the FWO in the agriculture sector:

	2016-31 Mar 2017	2015-16	2014-15	2013-14
Matters finalised	446	350	509	557
Percentage of total disputes	2.2%	1.4%	2.8%	2.2%

The most common allegations concerned underpayment of wages and annual leave entitlements.