

**Senate Standing Committee on Education and Employment**

**QUESTIONS ON NOTICE  
Supplementary Budget Estimates 2014-2015**

**Agency - Fair Work Ombudsman**

**Department of Employment Question No. EM1597\_15**

**Senator Cameron asked on 23 October 2014 on proof Hansard page 42**

**Question**

**FWO - Information provided by Department of Immigration**

Senator CAMERON: This information was provided to you by the department of immigration, who said, 'There should be visa holders there. You go there.' They are not sending you on wild-goose chases, are they? Mr Campbell: No, Senator. The information is not live data. The data has aged somewhat by the time we get it. There are still opportunities to improve the— Senator CAMERON: How old is the data? Mr Campbell: I could take that on notice for you, but it is aged. There is an opportunity for us to improve the timeliness of the information that is provided by the department. Senator CAMERON: So there could be roughly 100,000 457 visa holders. If your sample shows 338 have gone missing, there could be 20,000 across the country and you do not know where they are. Senator Abetz: You are once again using a term that has been specifically rejected. These visa holders are not missing. Senator CAMERON: Well, where are they? Senator Abetz: You have been told that there will be a multiplicity with other employers back in their home country, where they came from, for whatever reason, that their visa has expired and therefore they have had to leave. I would imagine there may be other reasons as well. But to say that they are missing is incorrect. Senator CAMERON: I do not know whether you have really enlightened me at all on this. You made some speculation. Senator Abetz: I think it is beyond anybody to seek to enlighten you, Senator, and I would never claim to have that capacity. Mr Campbell: Senator, if I can give you another example. Take the visa out of this. If we go to a workplace to find an individual that we might have had some contact with three months ago and get there and the employee is no longer in the employ of the employer, that does not mean the employee is missing; it just means they are no longer in the employ of the employer. Senator CAMERON: But this is a much different proposition. There are legal obligations on the employer and legal obligations on the employee. The 457 visa is issued for that employer to employ an employee. Mr Campbell: An employee is able to change sponsor. These are questions that are better answered by the department of immigration, but an employee can change sponsor. Senator CAMERON: So when you were dealing with the department of immigration on this and they gave you the list of names of individuals and employers, did they have a list that said, 'This individual is with that employer. Go find out what is happening'? Mr Campbell: Yes. Senator CAMERON: So why wouldn't the department of immigration know that that employee was no longer there? Mr Campbell: They may well have at the point in time that their report was generated, but by the time it gets to us time has lapsed, so therefore things change. Senator CAMERON: How long? Mr Campbell: I think I have already taken that question on notice.

**Answer**

The data is owned by the Department of Immigration and Border Protection. Questions regarding the age of data owned by the Department of Immigration and Border Protection should be directed to that department.