

**SENATE STANDING COMMITTEE ON  
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE  
ADDITIONAL ESTIMATES 2008-09**

**Outcome/Agency**        **8**

**DEEWR Question No. EW1024\_09**

Senator Fierravanti-Wells provided in writing.

**Question**

*Pacific Guest Worker Scheme*

Provide details on the rights and obligations of the employers participating in this scheme?

**Answer**

The employer in the Pilot is the approved labour hire company (LHC), and in undertaking this role the LHC must:

- ensure that the number of Pacific seasonal workers recruited are appropriate to local labour market needs, consult with local growers and the local advisory body, and place workers only with eligible growers in the selected Pilot regions.
- guarantee Pacific seasonal workers an average of at least 30 hours per week over six months, and pay for:
  - o the full costs of the workers' return international airfare (half this cost may be recouped from the worker);
  - o internal transfer costs; and
  - o any money owed to the Commonwealth which may be accrued by Pacific seasonal workers as a result of non-compliance with visa conditions to a maximum of \$10 000.
- provide a letter to people it wishes to employ as Pacific seasonal workers containing an offer of employment, detail of pay and conditions and any relevant industrial instrument the LHC is a party to, costs the worker will incur during their stay in Australia, the anticipated date of arrival in Australia and transportation arrangements, details of training and pastoral care arrangements;
- assist Pacific seasonal workers with:
  - o initial living expenses on their arrival and may recoup such funds by agreement with the worker over the period of employment by instalments, and
  - o access to personal banking, gaining a tax file number, preparing a tax return, and applying for their superannuation entitlements.
- ensure workers have:
  - o accommodation of a suitable standard and reasonable cost,
  - o health insurance,
  - o access to transport to and from work at reasonable cost; and
  - o a 24 hrs a day, 7 days a week phone number, for the LHC.
- participate in, or contribute to, pre-departure briefing in the relevant country conducted by the government of that country, and provide an orientation program in Australia at no charge to the worker.
- conduct its business in a lawful manner and in accordance with the terms established in the Deed, SPA, and MoU; and
- participate in an evaluation of the Pilot.