

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 13 February 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(3 & 115) Output 1.1: Non-Humanitarian Entry and Stay

Senator Lundy (L&C 34 and 36) asked:

In relation to the 20 chefs from the Philippines, provide a spreadsheet outlining the circumstances of each employee.

Can you provide the committee with some information about where the department has specifically sought an interview or an interaction with an employee of the purposes of ascertaining the quality of their experience and whether or not their workplace conditions have been, as far as they know, in accordance with Australian law?

While answers to the latter questions were provided during the hearings, the Secretariat later advised that this should also be treated as a question taken on notice. Both questions are addressed in this response.

Answer:

Six Canberra restaurants sponsored 20 chefs from the Philippines in 2005. 17 of these chefs arrived in Australia and commenced employment with the restaurants. Allegations have been received from seven of these chefs regarding their employment at four Canberra restaurants. These allegations were investigated and interviews conducted with the chefs and restaurant management. As a result, applications from nine chefs to change employers were received. Six new visas have been granted while a further three applications are still in progress and formal breach notices have been issued to the four Canberra restaurants.

The following table ([Attachment A](#)) sets out the circumstances of each of the Filipino chefs and includes references to interviews and interactions with them for the purposes of ascertaining the quality of their experience and whether or not their workplace conditions have been, as far as they know, in accordance with Australian law.

The Department of Employment and Workplace Relations is responsible for investigating the allegations of breaches of the Industrial Relations legislation, and has issued breach notices to some of the restaurants.

Note: while a number of the chefs have made public their allegations, to protect the privacy of those involved, no reference has been made to their names in the table. Similarly, we have not named the restaurants.