



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

Federation Chamber

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Appropriation Bill (No. 1) 2016-2017

Consideration in Detail

SPEECH

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BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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Questioner
Speaker Chesters, Lisa, MP

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Ms CHESTERS (Bendigo) (12:59): Minister, I know the government likes to talk a lot about asylum seekers and refugees, but I want to switch the topic to another area of your portfolio, in relation to temporary workers and temporary work visas. I am talking about backpacker 417 and 462 visas, about skilled migration and skilled temporary worker 457 visas; and about international students. There are about 1.3 million people in this country on temporary work visa arrangements. That is a lot of people to have in our country. Do we know at this moment where they are and where they are working? Do we know where every one of these 1.3 million people is working? Leaving aside the favourite topic of the government, do we really have control of our borders when it comes to temporary workers who are in this country? There are about 200,000 people in Australia on a 417 visa at the moment.

I bring to the minister's attention a report into the 417 visa working holiday program, which was released by the Fair Work Ombudsman on the weekend. Some of the findings in the report were quite damning. I would like to know the minister's comments on how the government is going to follow up those findings, particularly those in relation to the 417 visa and the treatment of people here on this visa. The report says:

As a consequence, the Inquiry found the 417 visa program created an environment where:

unreasonable and unlawful requirements are being imposed on visa holders by unscrupulous businesses

exploitative workforce cultures / behaviours are occurring in isolated and remote workplaces

employers are making unlawful deductions from visa holders' wages, or are unlawfully requiring employees to spend part or all of their wages in an unreasonable manner.

This is treatment of people who are here on a visa. Minister, I want to know specifically whether you believe that this could be a case of visa fraud, where 14 per cent of people surveyed had to pay to secure regional work and six per cent had to pay their employee to sign-off on regional work. How does this interact with your department? Specifically, do we have a case of unscrupulous businesses requiring backpackers to pay for visas in terms of employment?

The report highlights that visa holders from Asian countries are more likely to have a low awareness of workplace rights, are more likely to have money deducted from their pay without verbal or written consent, are more likely to have paid to obtain a second-year visa and are more likely to pay an agent to secure regional work to meet the eligibility requirements. Is the department going to provide information to such workers when they enter this country to let them know what their rights are? Such behaviours are grossly undermining this visa program if people have to pay for it in an unscrupulous way. This report is damning on the 88-day regional requirements that we have with this visa. The report's findings are damning and it paints the visa program as exploitative.

Minister, what is the plan to clean this up? Why has there been such a delay about in previous years? This is not the first report on the problems with this class of visa. There have been media reports and government reports—time and time again. The Fair Work Ombudsman in its report said it has a problem with this class of visa. When will the government clean up this visa and make sure that it is fixed?

I have further questions that I want to put to the minister, in relation not just to the 417 visa but to all visa holders. There was the tragic death of a backpacker last Monday. She was working on a workplace and she fell to her death. There was also a tragedy, 12 months earlier, when two other backpackers died at their workplace. Minister, there have already been, sadly, 132 fatalities in Australian workplaces. Just how many of those were visa holders? How many of them are visa holders working here in unsafe working conditions?

My final question relates to 457 visas, and the companies and the people responsible—the assessing authorities. How much money are they making from assessing people on these visas. I am talking about the AMA and

Engineers Australia. Just how much money are they making from people applying for 457 visas? Is there a conflict of interest between these organisations, the department and the people applying? (*Time expired*)