

INDUSTRY SAY

Labor in position to advance labour laws

THE GAUGE

A National Conversation



ANOTHER day and another government inquiry is again exposing why we need national regulation of labour hire in Australia.

Consider the situation of 'Malita'.

She was recruited from overseas through a labour hire agency to work in the agricultural sector, but soon realised the agency was not providing her with payslips and was charging her extortionate amounts for necessities such as kitchen access and transport to the worksite.

Soon after complaining to her agency supervisor, she was allegedly sexually assaulted by the supervisor and threatened with deportation if she reported it.

In raising Malita's experience, NSW Anti-Slavery Commissioner James Cockayne also told the NSW's Modern Slavery Committee that almost half of the complaints he had received were from temporary migrant workers in rural and regional NSW.

At its heart, the horticulture labour hire industry continues to be home to dodgy brokers and agents.

This is not helped when three states have labour hire licensing schemes and four do not.

What is more - conflicting, piecemeal regulation adds to the compliance burden on individual farmers.

In 2019, the Federal Migrant Workers' Taskforce recommended the federal government establish national labour hire regulation and for registration to be mandatory for companies in the horticulture, meat processing, cleaning and security sectors.

At its national conference in August 2023, the Australian Labor Party added a commitment to regulate the industry.

"Labor will protect labour hire workers by establishing a national labour hire licensing scheme to regulate the labour hire industry and ensure that minimum legal standards are met," it said.

"Labor will also legislate to guarantee that labour hire workers receive the same pay and conditions as directly employed workers doing the same work."

The ALP went some way to meeting the second part of that commitment in its Closing Loopholes legislation last year.

Labour hire workers can apply to be paid the full rate a comparable employee would receive though workers have to be aware of the request mechanism's existence.

Stock & Land reported in 2024 about an RMIT study exposing abuses of Pacific Island workers in meat processing, where they represented 23 per cent of the workforce.

The report found the national labour licensing scheme was urgently needed, with compliance requirements to ensure fair treatment and accommodation standards.

At a meeting in 2024, employment ministers reaffirmed their commitment but since then there has been no visible progress.

With the decisive election result for the ALP, now is time for action on a national framework to regulate labour hire.

The flow-on effect of industry leaders exercising their influence will alter the course of how migrant workers will be treated.

Consumers, producers and companies alike are sending a clear signal there is no tolerance for exploitation and abuse of vulnerable people in their supply chains.

It is time to prioritise the welfare and safety of people in Australia's horticulture industry, and the longevity of its workforce.

- Fiona David, Fair Futures founder