

## Horticulture industry campaign results

23 November 2010

The Fair Work Ombudsman today released the results of its national education and compliance campaign for the horticulture industry.

The objective of the campaign was to educate horticulture industry employers about the National Employment Standards (NES) and the Horticultural Award 2010.

It was conducted in partnership with the Australian Workers' Union, National Farmers' Federation, Horticulture Australia Council and the Australian Industry Group.

The educative phase of the campaign began in March with a mail-out to more than 14,000 employers directing them to the Fair Work Ombudsman's website at [www.fairwork.gov.au/horticulture](http://www.fairwork.gov.au/horticulture) ([www.fairwork.gov.au/pay/minimum-wages/piece-rates-and-commission-payments](http://www.fairwork.gov.au/pay/minimum-wages/piece-rates-and-commission-payments)) containing information specifically tailored to the horticulture sector.

A guide to the Horticulture Award was distributed to 8000 employers and another for employees was circulated to 10,000 workers.

Additionally, Fair Work inspectors made educational visits to more than 250 employers in Queensland, South Australia and NSW.

A total of 55 seminars were conducted nationally in co-operation with regional industry associations.

Following the educative phase of the campaign, Fair Work inspectors randomly selected 277 employers across the country for auditing.

They found 168 (61 per cent) were compliant with workplace laws.

One hundred and one employers were found to have contraventions. About a third related to underpayment of wages and the remainder concerned record-keeping and payslips.

Eight employers remain under investigation.

As a result of the audits finalised so far, the Fair Work Ombudsman has been able to recover \$277,300 for a total of 585 workers who had been underpaid.

A breakdown by State is as follows:

- WA - \$73,585 for 90 employees,
- NSW - \$70,039 for 87 employees,
- Qld - \$47,212 for 372 employees,
- SA - \$32,561 for 31 employees,
- Vic - \$3687 for four employees, and
- Tas - \$224 for one employee.

The workers were underpaid minimum hourly rates, overtime rates, public holiday rates and other penalty rates.

The outdoor vegetable-growing industry was found to have underpaid the most workers and has been asked to repay \$160,114 to 324 employees.

Next followed the citrus industry, where employers were found to have underpaid 58 workers a total of \$16,842.

Other recoveries include apple and pear (\$9737 for 68 workers); berry fruit (\$9494 for three workers); indoor vegetable growing (\$7458 for four workers); outdoor floriculture (\$4099 for 17 workers); grape growing (\$2316 for one worker); indoor floriculture (\$1595 for 23); labour support services (\$1484 for 78 workers) and other fruit and tree nut growing (\$14,169 for nine workers).

Fair Work Ombudsman Executive Director Michael Campbell says the seven-month-long campaign was conducted in recognition of the need to assist the horticulture industry understand and comply with federal workplace laws.

Mr Campbell says it was a positive example of how the Agency could work with industry partners to assist employees and employers alike to understand their respective workplace rights and obligations.

"We are confident this campaign has raised awareness among employers of their obligations under the Horticulture Award 2010 and

the National Employment Standards," he said.

Resources for employers at [www.fairwork.gov.au](http://www.fairwork.gov.au) include payslip and record-keeping templates, a self-audit checklist, template letters and fact sheets on dozens of topics including leave, industrial action, public holidays, enterprise bargaining, gender pay equality and family-friendly workplaces.

As well as Online resources, the Fair Work Ombudsman has advisers available to speak with employers and workers with questions on its Fair Work Infoline on 13 13 94 from 8am-6pm weekdays.

[Horticulture Industry Shared Compliance Program 2010 \(PDF 604.8KB\) \(www.fairwork.gov.au/ArticleDocuments/714/Horticulture-Industry-Shared-Compliance-Program-2010.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/714/Horticulture-Industry-Shared-Compliance-Program-2010.pdf.aspx)

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