

Fair Work inspectors back in Caboolture today

4 August 2014

Fair Work Ombudsman inspectors will return to Caboolture strawberry farms this week for further checks on payments to seasonal workers.

The follow-up visits follow compliance checks late last year which found more than 150 pickers and packers had been underpaid over \$134,000.

Tonight, the Fair Work Ombudsman will run a “pop-up” information booth to answer questions from seasonal workers about their rights and entitlements.

The booth will operate from 5.30 pm to 7.30 pm on Dickson Road, Caboolture. Inspectors will also hand out fact sheets on minimum entitlements published in various languages.

Last year, Fair Work inspectors visiting Caboolture identified workplace contraventions such as employers failing to make written agreements with workers paid piece-rates, businesses failing to keep proper time-and-wages records and employers making unlawful deductions from employee wages.

Three businesses were issued with Infringement Notices (on-the-spot fines) and 11 employers received Letters of Caution regarding their workplace breaches.

This week, Fair Work inspectors will make site visits to about a dozen properties, including farms previously audited, and encourage any workers with concerns about their workplace rights being compromised to come forward.

Fair Work Ombudsman Natalie James says the follow-up activity aims to shed light on whether or not compliance has improved since auditing last August and September.

“Previously, our inspectors provided employers with the information and advice they needed to meet their obligations under workplace law, particularly in relation to payments to seasonal workers,” she said.

“We are returning to Caboolture to ensure that local employers have acted on the information provided and are meeting their obligations.

“We also hope to understand why any non-compliance issues might be continuing, and this knowledge will help us better direct our education and compliance activities in the future.”

Where businesses are found to be non-compliant, the first preference of inspectors will be to assist employers to correct the issues by agreement and back-pay any underpaid employees.

However, they will consider enforcement measures in cases of serious non-compliance, such as issuing Infringement Notices of up to \$2550.

In the event of a matter being so serious it warrants legal action, penalties of up to \$51,000 per breach are applicable to companies and \$10,200 to individuals.

Ms James says checking that employers are complying with their obligation to have written agreements in place for workers paid piece-rates will be a key focus of the program.

“This is a really important issue. In the absence of a piece-work agreement workers are required to be paid hourly rates of pay according to the Horticulture Award 2010,” she said.

Ms James says seasonal workers can be vulnerable to exploitation, or inadvertent underpayments, because they are often not aware of what they should be receiving, or where to turn for advice.

As well as returning to Caboolture, the Fair Work Ombudsman will run an online campaign over the next four weeks to educate seasonal workers about their entitlements, with dedicated information on its Facebook page at www.facebook.com/fairwork.gov.au.

The Facebook page includes links to information about pay and entitlements, templates for piece-work agreements and translated resources in Chinese, Vietnamese and Korean.

“We will continue to keep a close eye on the industry, but we also encourage any worker who thinks they might be missing out on correct pay and entitlements to have a look at the resources on our Facebook page,” Ms James said.

“Overseas workers looking to work on seasonal harvest work are big users of social media - either before they come to Australia or once they are here - so we hope they make use of these resources to ensure they are well informed about their workplace entitlements in Australia.”

Over the next few years the Fair Work Ombudsman will visit dozens of fruit and vegetable farms throughout the country as part of the Harvest Trail and its focus on the entitlements of seasonal workers.

“We want to ensure employers understand and meet their workplace obligations and we’re also seeking information about industry factors that influence compliance levels,” Ms James said.

Fair Work inspectors recently visited melon, banana and vegetable growers in the greater Darwin area, fruit and vegetable growers at Bundaberg and capsicum, tomato and banana farms around Bowen and Tully in Queensland.

In March they visited about half a dozen strawberry farms in Victoria’s Yarra Valley.

Any employer or employee seeking information or advice about workplace laws is encouraged to get in touch with the Fair Work Ombudsman via the website www.fairwork.gov.au or contact the Fair Work Infoline on 13 13 94.

A free interpreter service is available on 13 14 50 and information on the website is translated into 27 languages at www.fairwork.gov.au/languages (<http://www.fairwork.gov.au/languages>) .

Follow Fair Work Ombudsman Natalie James on Twitter [@NatJamesFWO](https://twitter.com/NatJamesFWO) (<http://twitter.com/NatJamesFWO>) , the Fair Work Ombudsman [@fairwork_gov_au](https://twitter.com/fairwork_gov_au) (http://twitter.com/fairwork_gov_au) or find us on Facebook www.facebook.com/fairwork.gov.au (<http://www.facebook.com/fairwork.gov.au>) .

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Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

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Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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