

Spotlight on Goulburn apple and pear orchards

23 March 2015

Fair Work Ombudsman inspectors will return to apple and pear orchards in Victoria's Goulburn Valley this week to check that seasonal workers are being paid correctly.

The monitoring follows inspectors conducting an information session and visiting half a dozen orchards in the area last season to inform employers about their obligations to employees.

Inspectors from the Fair Work Ombudsman's Regional Services Team spoke to employers about the correct wages and entitlements for seasonal workers and answered their questions.

Fair Work Ombudsman Natalie James says inspectors will this week check that employers have heeded their advice.

Inspectors will re-visit employers contacted last season and pay a visit to other randomly selected orchards.

Growers and labour-hire contractors will be asked to open their books, allowing inspectors to view records, with a particular emphasis on minimum pay rates, loadings and penalty rates.

Record-keeping and pay slip obligations will also be monitored – and inspectors will encourage pickers and packers to come forward with any queries or concerns they have.

The visits are part of the Fair Work Ombudsman's three-year Harvest Trail project, which has involved inspectors visiting growing regions around the country

Ms James says many farms rely heavily on labour from overseas workers, in particular working holiday makers, and employees from a non-English speaking background who may not be fully aware of their workplace rights.

"We are conscious that many fruit pickers are young and overseas workers who may be vulnerable if they are not fully aware of their entitlements or reluctant to complain, so it's important we are proactive about ensuring they are paid correctly," Ms James said.

Checking that employers are complying with their obligation to have written agreements in place for workers paid piece rates is also a key focus of the Harvest Trail program.

"This is a really important issue. In the absence of a written piece rate agreement workers are required to be paid hourly pay rates," Ms James said.

The preference of Fair Work inspectors will be to assist employers to voluntarily rectify any issues. However, in cases of serious, deliberate or repeated contraventions, or if employers are not willing to co-operate, further action may be considered.

Inspectors will also inform employers about the range of free resources available at www.fairwork.gov.au/harvesttrail to assist them to comply with workplace laws.

The Fair Work Ombudsman is also currently conducting a review of the wages and conditions of overseas workers in Australia on the 417 working holiday visa.

The review was commenced last year after allegations that some operators were exploiting backpackers looking to extend their stay by working in regional areas for up to 88 days.

Employers and workers seeking assistance can visit www.fairwork.gov.au or call the Fair Work Infoline on 13 13 94. A free interpreter service is available on 13 14 50.

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