



Pacific Seasonal Worker  
Pilot Scheme

# Caregivers Workshop

**Pacific Seasonal Worker Pilot: An Australian government view**  
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Australian Government

# Pacific Seasonal Worker Pilot Scheme

**Announced** by the Hon Tony Burke MP on 17 August 2008

## **Objectives:**

- **International: Economic development**
  - to examine whether a seasonal worker program could contribute to economic development in partner countries through workers' employment experience, remittances and training
- **Domestic: Assisting to meet unmet demand for labour**
  - to examine the benefits to the Australian economy and to employers within the horticulture industry who can demonstrate that they cannot source local labour



# Pacific Seasonal Worker Pilot Scheme

## Domestic context:

- Record low unemployment figures
- Peak horticultural and agricultural bodies
  - “crying out for labour”
- Temporary visa holders working in the horticulture



# Pacific Seasonal Worker Pilot Scheme




## International context:

- Pacific Engagement Strategy
  - A new way of doing business with the Pacific
  - Intensified focus and engagement
  - Mutually respectful approach
  - Partnership and co-operation
- Australia taking a regional lead



# Pacific Seasonal Worker Pilot Scheme

## Participating Countries

Country	Population	Language
 Kiribat	98 000	English and Kiribatese/Gilbertese
 PNG	6.25 Million	English and Pidgin
 Tonga	103 000	English and Tongan
Vanuatu	229 000	Bislama, English and French



# The Pacific Seasonal Worker Pilot Scheme

## DEEWR's role:

- Lead agency implementing the Pilot. DEEWR is supported by:
  - An Inter-Departmental Committee
  - National Stakeholder Consultative Panel
- Management of stakeholder relationships.
- Management of communication activities
- Facilitate the evaluation of the Pilot by independent evaluator TNS Australia
- Overall responsibility for the Pilot and co-ordinating activities.



# The Pacific Seasonal Worker Pilot Scheme

## Key features:

- Approved labour hire companies are the employer of Pacific seasonal workers
- The employer places workers with Eligible Growers.

## Labour Hire Companies

- employ Pacific Seasonal Workers
- enter into a Deed of Agreement with DEEWR and a Special Program Agreement (SPA) with DIAC



# Pacific Seasonal Worker Pilot Scheme

## The Employer

- Labour Hire Companies (LHCs) are the employer of Pacific Seasonal Workers
- Enters into a:
  - Deed of Agreement (DoA) with DEEWR
  - Special Program Agreement (SPA) with DIAC

The agreements establish a range of obligations relating to the treatment and welfare of Pacific seasonal workers



# Pacific Seasonal Worker Pilot Scheme

## The Employer: Roles and responsibilities:

### Recruitment:

- Growers to access the Pilot
- Recruitment and pastoral care plans
- Pacific Seasonal Worker selection and letter of offer
- Pre-departure briefing assistance
- Workers' travel arrangements

### On arrival:

- Help Pacific Seasonal Workers to set-up in Australia
- On-arrival briefing
- Grower on-farm induction



# Pacific Seasonal Worker Pilot Scheme

## The Employer: Roles and responsibilities:

### Ongoing employment:

- Minimum of 30 hour per week for six months per relevant industrial instrument
- Transparency of wage deductions
- 24 hour per day phone contact number
- Placements and well-being of workers and pastoral care
- Personal protective equipment
- Worker participation in Australian Government funded training while in Australia
- Assisting workers to comply with their visa conditions



# Pacific Seasonal Worker Pilot Scheme

## The Employer: Roles and responsibilities:

### Working with Government:

- Recruitment and pastoral care proposal
- monthly monitoring report on workers
- Pilot evaluation
- Assisting workers to access training Australian Government funded training

### Departing Australia:

- income tax assessment forms and super forms
- transport to the port of departure



# Pacific Seasonal Worker Pilot Scheme

## Growers

- Australian horticulture growers with demonstrated unmet demand for labour may be eligible to host Pacific seasonal workers
- To access Pacific Seasonal Workers, growers will need to:
  - discuss with employers their seasonal labour needs and the approved employers arrangements (e.g. cost of labour)
  - complete an application form
  - have good workplace practices (workplace relations, immigration and OH&S) and demonstrate that they have tested the local labour market



# Pacific Seasonal Worker Pilot Scheme

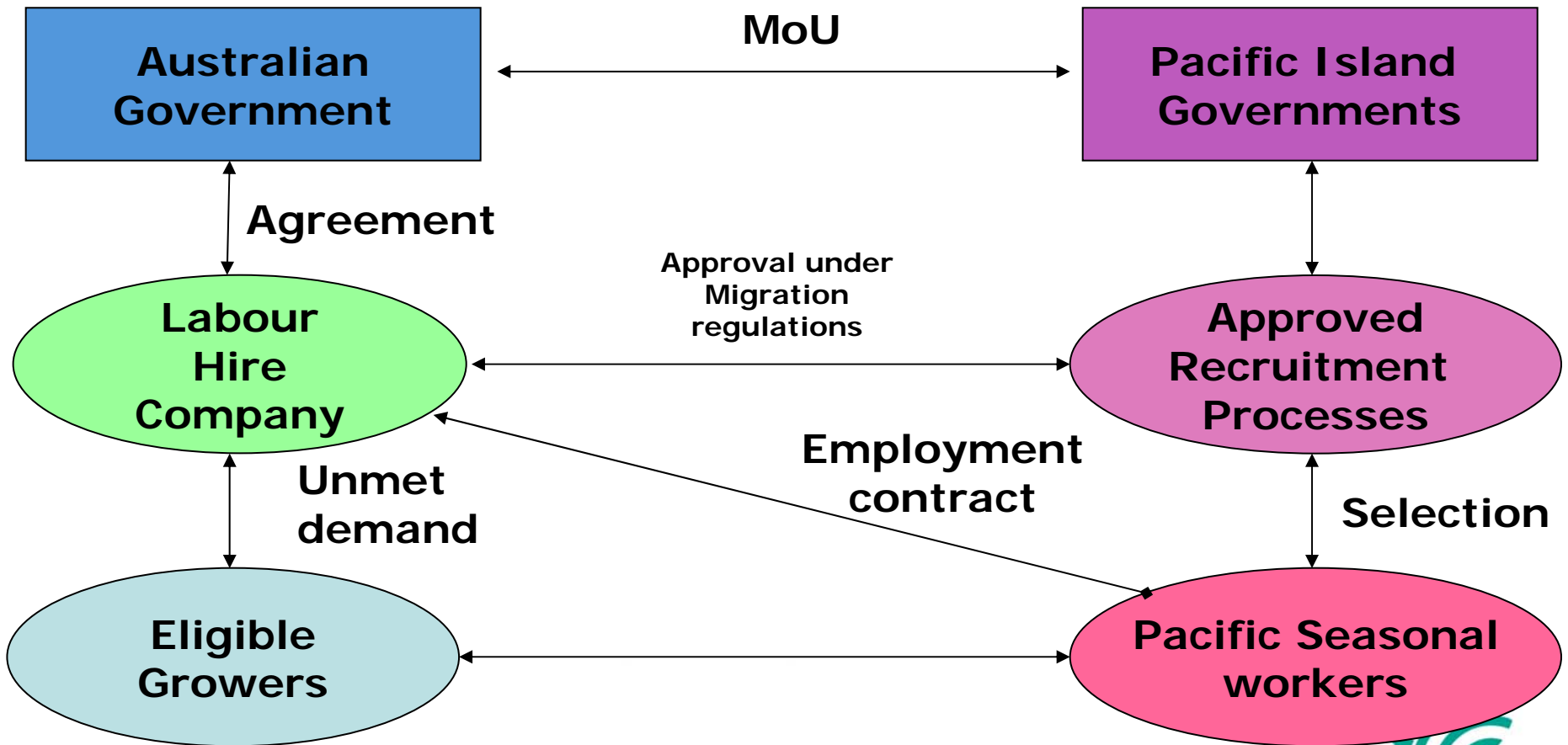
## Communities

- Local advisory bodies may be established in communities likely to host larger numbers of workers
  - Local advisory bodies have representatives from local industry, union, council, church and other community representatives
- In communities where small numbers of workers will be placed, the employer will be required to identify how local community representatives will be consulted in the delivery of pastoral care.



# Pacific Seasonal Worker Pilot Scheme

## Structure



# Pacific Seasonal Worker Pilot Scheme

## DIAC's role

- Support the Department of Education, Employment and Workplace Relations (DEEWR) as the lead
- Provide Immigration related administrative, policy, operational and compliance support relating to the SPA
- Facilitate the orderly/speedy processing and entry to Australia of PSWs, their subsequent compliance with immigration laws and community support for their duration of stay.
- Assist with pre-departure and ongoing worker briefings



# Pacific Seasonal Worker Pilot Scheme

## Basic visa requirements

Pacific seasonal workers must:

- be aged between 21 and 45
- be of good character
- be fit and healthy
- be citizens of the participating country
- have a genuine desire to enter Australia temporarily for seasonal work and intend to return to their home country before expiration of their visa.



# Special Program Visa (subclass 416)

Under the pilot scheme workers are:

- allowed to work in Australia for seven months in any twelve months
- permitted multiple entries to Australia during this period
- able to return to work in future years, if they comply with visa conditions
- required to maintain private health insurance during their stay
- not permitted to apply for another visa while in Australia
- required to pay for half their international travel, their living expenses, and other incidentals
- limited to working with approved employers
- not permitted to bring dependants with them.

Applicants will need to be residing in their home country and follow the approved recruitment process established by their home government.



# Special Program Visa (subclass 416)

Standard Health and Character requirement applies to all applicants.

The following mandatory conditions are also placed on the visa:

- **8503** - No Further stay.
- **8501** - The holder must maintain adequate arrangements for health insurance while the holder is in Australia.
- **8107** - The holder must not cease to be employed by the employer in relation to which the visa was granted.

ALL Subclass 416 visas will be processed at the Hobart Processing Centre.

Assistance has been provided to applicants, foreign government officials and the recruitment agents through a Training and Facilitation Team (TAFT).



# The Pacific Seasonal Worker Pilot Scheme

## Diverse Australia Program (DAP)

In 2008, DAP was funded to develop a community engagement strategy.

In February, two two-year projects with Swan Hill Rural City Council, Victoria and Griffith City Council, NSW were set up to facilitate the broader communities engagement and acceptance of the workers.

The projects:

- involve the development and implementation of integrated, whole of area community harmony strategies over two years (2009 and 2010);
- are engaging key stakeholders and community groups in a range of activities to develop mutual understanding between the community and workers and an understanding and acceptance of the benefits of the Pilot to the regions.



# The Pacific Seasonal Worker Pilot Scheme

## Two Phases

- Phase one: up to 100 visas to trial arrangements
- Phase two (July 2009 – June 2012): approximately 2400 visas



# The Pacific Seasonal Worker Pilot Scheme

## Phase One

- Up to 100 visas available – designed to trial arrangements of the Pilot.
- 56 visas issued (50 to Tongan and 6 to Ni- Vanuatu Pacific seasonal workers)
- The first group of workers from Tonga arrived mid February 2009
- The second group of workers from Vanuatu arrived mid April 2009
- The remaining visas are available to be used in Phase 2 of the Pilot



# The Pacific Seasonal Worker Pilot Scheme

## Lessons learned

- 1 Ensuring community and stakeholder engagement, the provision of accurate information and managing expectations;
- 2 Getting productive workers;
- 3 On-going compliance;
- 4 The cost of labour to growers;
- 5 Phase two will see Pacific Seasonal Workers in more regions;
- 6 In order to fulfil obligations on the pilot Labour Hire Companies are challenged to find commercial reasons to participate in the pilot, and,
- 7 Strategies to increase demand for Pacific Seasonal Workers.



# The Pacific Seasonal Worker Pilot Scheme

## Phase Two

- Calls for expressions of interest from labour hire companies interested in recruiting and placing Pacific seasonal workers closed Thursday 6 August 2009
- For the remaining visas (approximately 2400)
- Workers can be recruited from Tonga, Kiribati and Vanuatu
- Workers can be recruited from Papua New Guinea once an MoU has been finalised.
- Workers can be placed with any eligible horticulture grower who can demonstrate unmet demand for labour, good workplace practices and is approved by DEEWR



# The Pacific Seasonal Worker Pilot Scheme

## Current progress

- Further call for Expressions of Interest from LHCs
- Increased grower engagement
- Expectation management



# The Pacific Seasonal Worker Pilot Scheme

## DEEWR Role in Migration

- DEEWR provides policy advice to the Australian Government on:
  - labour market, skill, training and workplace relations issues associated with the composition and criteria for temporary and permanent migration arrangements;
  - migration lists which inform the occupational composition of temporary and permanent migration; and
  - international student policy matters.



# Migration and Aged Care Sector

- Australia's permanent and temporary skilled migration arrangements
  - focus on skilled workers
  - designed to complement domestic employment, training and skill development strategies



# Migration and Aged Care Sector

- Migration options for aged care include:
  - Labour Agreement for temporary entry of overseas workers to less-skilled personal care and nursing assistant positions where:
    - employer has an evidenced commitment to the recruitment and training of Australian (including participation in DEEWR labour market programs);
    - employer demonstrates a national benefit to Australia and a record of compliance with Government law and practice.



# Migration and Aged Care Sector

- Migration options for aged care include:
  - employment of non-sponsored temporary visa holders with a work right (e.g. working holiday and international student visa holders).
- Australian workplace law and practice apply to overseas workers – this includes:
  - awards, agreements, superannuation, workers compensation, occupational health and safety, taxation) and licensing.



# Aged Care Labour Market

- DEEWR research and industry consultations
  - identified recruitment difficulties rather than shortages for personal care assistant and nursing assistant positions in the aged care sector
  - unemployment in both occupations is above average
  - active listening, comprehension and high English skills are important for these occupations
  - while entry requirement is an AQF Certificate II (taking a minimum of 8 weeks to complete) or one years experience, most employers seek applicants with Certificate III.



# Aged Care Sector and the Pacific Pilot

- Pacific Seasonal Worker Pilot designed to meet the seasonal labour needs of horticulture sector
- No displacement of Australians in terms of job and training
- Aged care sector education and employment programs
- Domestic training



# Aged Care Sector and Pacific Pilot

- Location and Remittance Potential
- Skill Requirement



# Aged care sector and the Pacific Pilot

- Government funded an independent evaluation of the Pilot against its domestic objectives
- Separate evaluation on international development objectives managed by AusAID
- Domestic evaluation reports required midway through the Pilot in July 2010 and at 30 months of commencement (Aug 2011)
- Key evaluation questions are:
  - How is the Pilot performing against its domestic objectives?
  - Is the design of the Pilot an efficient way to achieve these objectives?



# Questions



Pacific Seasonal Worker  
Pilot Scheme

# Pacific Seasonal Worker Pilot Scheme

## Questions?

- **Email:**
  - [seasonalworker@deewr.gov.au](mailto:seasonalworker@deewr.gov.au)
- **Website:**
  - [www.workplace.gov.au/pswps](http://www.workplace.gov.au/pswps)

