

**SUBMISSION NO. 1**  
**TT on 12 March 2013**



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President Gerardine (Ged) Kearney  
Secretary Dave Oliver

Senator Matt Thistlethwaite  
Chair  
Joint Standing Committee on Treaties  
Parliament House  
CANBERRA ACT 2600

By email: [jsct@aph.gov.au](mailto:jsct@aph.gov.au)

3 May 2013

Dear Chair,

**ACTU Submission – Joint Standing Committee on Treaties – Inquiry into ILO Convention No. 129: Convention concerning Labour Inspection in Agriculture**

I am pleased to provide a submission from the Australian Council of Trade Unions (ACTU) regarding the Committee's inquiry into the ILO *Labour Inspection in Agriculture Convention, 1969 (No. 129)*.

Should you have any further queries with respect to the submission please don't hesitate to contact Ingrid Landau on (03) 9664 7336.

Yours sincerely,

Ged Kearney  
President

# ACTU Submission

ACTU Submission to the Joint Standing Committee on Treaties Inquiry into the  
*International Labour Organisation Convention No. 129: Convention concerning  
Labour Inspection in Agriculture*



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1. The Australian Council of Trade Unions (ACTU) welcomes the opportunity to make a submission to the Joint Standing Committee on Treaties inquiry into the *International Labour Organisation Convention No. 129: Convention concerning Labour Inspection in Agriculture*, tabled in both Houses of Parliament on 12 March 2013.
2. The ACTU represents almost 2 million working Australians and their families. At the international level, the ACTU actively participates in the ILO by virtue of our status as the officially recognised most representative organisation of workers in Australia. We are an active affiliate of the International Trade Union Confederation (ITUC) and its regional body, the ITUC-Asia Pacific.
3. As a member of the International Labour Affairs Committee (ILAC) of the National Workplace Relations Consultative Council, the ACTU has been consulted by the Australian Government with respect to the proposed ratification of the *International Labour Organisation Convention No. 129: Convention concerning Labour Inspection in Agriculture* ('Convention No. 129').
4. The ACTU supports ratification of Convention No. 129 by the Australian Government.
5. The ACTU supports the principles embodied in Convention No. 129: that is, the importance of states establishing and maintaining effective labour inspectorates in agriculture (as in all other areas of the economy), with staff independent from changes in government and improper external influence, with the functions of securing enforcement of the legal provisions relating to conditions of work and the protection of workers; providing advice and information to employers and workers concerning the most effective means of complying with their legal obligations; and to make recommendations for improvements to existing laws where appropriate.
6. We also believe Australia's ratification of this convention is desirable and significant as Convention No. 129 is the only one of four ILO 'governance' conventions that Australia is yet to ratify.<sup>1</sup> Ratification of this final governance convention places Australia in a stronger position to provide policy leadership within the Asia Pacific region with respect to international labour standards and the promotion of decent work. As the NIA observes, the ILO estimates that our region accounts for more than two thirds of the more than 1 billion agriculture workers worldwide.<sup>2</sup> The agriculture industry constitutes one of the three most hazardous sectors of activity in terms of fatalities, injuries and work-related ill-health (along with construction and mining). Many agriculture workers receive low wages, experience very poor working conditions and lack social protection. Some 70 per cent of all child labour globally occurs in agriculture, and it is estimated that only 5 per cent of the world's 1.3 billion agricultural workers have access to any labour inspection system.<sup>3</sup> Australia's ratification of Convention No. 129 will help underscore the importance of all states having laws and practices in place to protect the rights of *all* workers, including those working in the agricultural industry.

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<sup>1</sup> The 'governance' conventions were identified by the ILO in its *Declaration on Social Justice for a Fair Globalization*, 2008.

<sup>2</sup> National Interest Analysis [2013] ATNIA 1, [10], citing ILO, *Global Employment Trends Model 2007*, Table 3.1.

<sup>3</sup> ILO, *Decent Work in Agriculture: Background Paper*, Geneva, September 2003, 5.



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