

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Outcome 3 – Employment

DEEWR Question No. EW0257_13

Senator Marshall asked on 29 May 2012 , Hansard page 50

Question

Seasonal Worker Program - Authorised Deductions

CHAIR: Is the employer allowed to withhold any other moneys—not necessarily permanently but, say, hold back money to be paid out at the end of the contract term? Mr Roddam: Why don't I take on notice other deductions that are authorised and provide you with details of those. CHAIR: That would be fine.

Answer

Approved Employers may not withhold earnings from seasonal workers without their consent. Approved Employers and seasonal workers may establish a written agreement, which is signed by both the employer and the worker, for the employer to make certain deductions from seasonal worker pay, after tax.

Examples of deductions from seasonal workers' pay, made by Approved Employers, under the Pacific Seasonal Worker Pilot Scheme, include:

- The cost of the proportion of the return international airfare that seasonal workers are responsible for paying, noting Approved Employers must pay for the full cost of the return international airfare upfront;
- The cost of the seasonal workers' accommodation;
- The cost of transport between the seasonal workers' accommodation and worksite, and accommodation and shopping and recreational facilities, if this transport is organised by the Approved Employer;
- The cost of the seasonal workers' visa application charge, if the Approved Employer paid this charge for the seasonal worker;
- The cost of the seasonal workers' health insurance, if the Approved Employer pays the insurer on behalf of the seasonal worker; and
- The cost of initial financial assistance provided to seasonal workers by the Approved Employer to help them to purchase suitable work wear, initial food stocks, toiletries, and bedding materials.

The Department of Education, Employment and Workplace Relations monitors seasonal workers' wages and deductions made from wages and will refer to the Fair Work Ombudsman complaints or matters of concern. Approved Employers must make any deductions via instalments to help ensure seasonal workers can meet basic living expenses.

Approved Employers must contribute to superannuation for seasonal workers. Seasonal workers can claim a Departing Australia Superannuation Payment once they have returned home and their visa has expired. The payment is subject to tax.