



Federation of Ethnic Communities' Councils of Australia

Mr John Carter
Committee Secretary
Senate Employment, Workplace Relations and Education Committee
Department of the Senate
Parliament House
Canberra ACT 2600
Submitted via email to: eet.sen@aph.gov.au

FECCA Submission to the Senate Employment, Workplace Relations and Education References Committee Enquiry on Pacific Region Seasonal Contract Labour

Dear Mr. Carter,

The Federation of Ethnic Communities' Councils of Australia (FECCA) welcomes the opportunity to provide comment to the Senate Employment, Workplace Relations and Education Committee on the Pacific Region Seasonal Contract Labour Reference.

FECCA is the national peak body representing Australians from diverse cultural and linguistic backgrounds. Our role is to advocate and promote issues on behalf of our constituency to government, business and the broader community. Our charter has a strong focus on community harmony and the celebration of diversity, demonstrating how Multiculturalism is central to the social, economic and cultural health of Australia. We promote full access and equity and champion human rights.

In this context, FECCA welcomes the careful consideration of the feasibility of a Pacific Region seasonal contract labour scheme. FECCA notes that the Committee has received Submissions from an extensive range of bodies including:

- Ethnic Council of Shepparton and District
- Institute for Social Research, Swinburne University of Technology
- Australian Workers' Union
- National Farmers Federation
- Department of Immigration & Multicultural Affairs

FECCA notes the contents of these Submissions and would like to add the following points.

Labour shortage in regional areas

FECCA members and others report a shortage of labour in particular in regional areas.

Committed seasonal labour can be a win-win for regional Australian employers and communities provided effective strategies are in place to support workers and to provide a welcoming environment on arrival.

One of the essential ingredients for the success of even a pilot scheme is to make sure that local peoples' jobs, or access to jobs, is not being jeopardised or seen to be undermined in any way. We would therefore encourage information sessions with community leaders and employers before Seasonal workers arrive to reassure community members and allay potential concerns.

Other essential elements of Australia's immigration policies which need to be addressed:

FECCA shares the Government's view that an important part of the success of Australia's migration policy has been the attention given to the specific needs of people coming into Australia. The skill and expertise developed in providing settlement services for permanent migrants can also provide an indication of what would be necessary for a successful Pacific Region Seasonal Contract Labour scheme. FECCA advocates for careful consideration of:

- Human rights of seasonal workers. Experience overseas demonstrates that people in similar circumstances are particularly vulnerable to abuse.
- Health status and health needs. This includes consideration of how and where health screening can be best undertaken to protect Australia's population from the spread of communicable diseases including Tuberculosis. It includes consideration of how to meet health care needs of seasonal workers whilst in Australia. Planning will be required as there is a range of relevant health services which may not be available in seasonal workers communities of origin. Providing access to Medicare services whilst workers are in Australia and possibly payment of the Medicare levy are both worthy of further consideration.
- Specific protection of women as seasonal workers including: safety, access to health services, issues with sexual assault etc.
- Practical understanding of Australian employment laws. This includes the rights of workers and obligations of employers to provide safe work places etc.
- Understanding of Australian society and culture. This includes the principle of 'Fair go' as the basis for relations amongst people. It includes principles of rule of law, including anti-discrimination laws. It involves an understanding of a host of other laws including traffic laws, car registrations, domestic violence legislation, etc
- Community Support for the program and the participants. Employers, possibly with the assistance of bodies such as the National Farmers Federation, could be required to demonstrate a level of practical

community support for the scheme. Such support could include partnerships with local councils, ethnic communities' councils and other local bodies.

This level of orientation will enhance the chances of successful short term settlement for seasonal workers. Experience has shown that in addition to specific local strategies, there are vital roles for governments in monitoring and promoting good practice for settlement of newcomers. This includes assisting employers and communities who will receive seasonal workers to develop relevant skills and practices. Additional funding will be needed at various levels within community and government. FECCA urges consideration as to what proportion of this funding will be the responsibility of employers and what will come from general revenue.

Training

FECCA is committed to Australia achieving the best possible skills training and use of human resources. Any seasonal worker scheme needs to be carefully oriented into Australian training programs. Indeed, one of the motivations for a seasonal workforce scheme is that employers would benefit from a more skilled and reliable work force.

FECCA understands that the Australian government is proposing a skills training initiative in the South Pacific and wonders if there is some scope in this context for a component of paid work in Australia.

Previous Experience of Pacific Bonded Labourers:

Australian history has also included periods of problems with regard to seasonal workers. The Kanakas who were brought over as bonded labourers to cut cane in an earlier period were not always treated in a manner consistent with today's human rights obligations or their best interests. FECCA urges careful consideration of how any proposed scheme would overcome previous shortcomings.

Effects on seasonal workers families:

Families of seasonal workers in the home countries are important in any scheme. Their interests must be understood and included. The income remitted from Australia could prove very valuable to their quality of life. It would be advantageous for the committee to consider what arrangements would facilitate these families receiving a substantial part of the income. This might include infrastructure and legislative frameworks including reliable financial transactions systems being made accessible in the Pacific islands. Careful consideration in the light of human rights obligations will be required for any processes established to address the concern of overstaying the visa.

Eligibility for Permanent Residency

Australia has been growing in population and economic wealth with the help of migration. Consideration needs to be given to the circumstances under which the seasonal workers could qualify, or become eligible to apply for permanent residency. For example, offering the possibility of applying for permanent residency after a small number of successful seasons of working and returning to their home country.

Australia's International obligations

FECCA would like the Committee to consider whether, given the numbers of Pacific countries requesting access to such a scheme, the scheme could be targeted at particular countries without other countries believing that they are being discriminated against? How would people in other nearby countries such as Timor and Indonesia perceive the scheme?

Further Research

FECCA urges the Committee to recommend that the Government commission independent research into the effects of any changes, both in Australia and in the countries of origins of the workers, should it decide to proceed.

Conclusion

FECCA welcomes the Senate Committee's careful consideration of a possible Pacific Regional Seasonal Contract Labour scheme. FECCA urges that any scheme be carefully devised to take account of the complex diverse needs and interests involved. A key consideration for any scheme is to be proactive in further developing Australia as a tolerant and accepting society which welcomes and values people whatever their cultural, linguistic or faith background.

We would be happy to discuss any of the issues raised in this submission. Please do not hesitate to contact me on 0414 532 529 or the FECCA Director, Sharon Ride on (02)6282 5755, should you wish to do so.

Yours sincerely



Voula Messimeri
FECCA Chairperson
11 August 2006