

Transport Workers' Union

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Jonathan Curtis
Committee Secretary
Senate Legal and Constitutional Legislation Committee

Dear Secretary,

RE: Migration Amendment (Employer Sanctions) Bill 2006

The TWU welcomes the opportunity to make submission in relation to the proposed bill.

The TWU supports the objectives of the bill because of the following:

1. Illegal workers reduce the pool of available work for Australian Citizens and lawful migrants
2. Illegal workers are more likely to be exploited through low wages and poor working conditions.
3. Illegal workers are less likely to report workplace accidents to the authorities, and vocalise unsafe work practices which puts the occupational health and safety of the greater workforce at risk.
4. Employers of lawful workers have to unfairly compete with others using cheap illegal workers.

However we wish to make the following additional comments:

1. The Government should ensure that the Employer Awareness Campaign (EAC) is communicated more broadly to the working community over and above the information kits already provided to employers during awareness sessions, community meetings, information briefings, and the DIMA. Print advertising in local newspapers and industry journals in the high risk industries would prove useful (such as the taxi industry). Another option is to disseminate this information with other documentation provided to businesses from other Government Departments (such as documentation from the ATO and Centerlink).
 2. The Employer Work Rights Information Checking Line should be extended to enable workers or members of the public to provide information in relation to
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employers who are suspected to be committing these new offences. Obviously these employers would then be investigated to determine if an offence has occurred.

3. Sanctions for committing these new offences should be serious enough to act as a general deterrent given the extreme costs to taxpayers, the Australian economy and the community generally in relation to the problem of illegal workers.
4. Employers who continue to engage illegal workers after a first warning should be prosecuted. Not simply those who repeatedly engage illegal workers or are involved in employment scams. Illegal workers who commit offences are not given a "second chance", they are generally located, detained and deported. Why should employers who do wrong be given a first, second and maybe even subsequent chance before they are prosecuted?

Yours sincerely,



AMY RICHARDS
FEDERAL INDUSTRIAL OFFICER