

IMMIGRATION

Guest Labour

“Conference calls for urgent change to federal law in relation to temporary guest workers. Under the Howard Government, there was a massive expansion of the guest worker program known as the Section 457 Visa. The scheme, in many cases fostered the exploitation of workers, provided a mechanism for employers to undercut wages and conditions and shirk training obligations to local workers.

Where genuine skills shortages exist, permanent migration should be favoured by policy above temporary migration.

The CFMEU rejects the mechanism, favoured by the previous government of the Minimum Salary Level being paid to guest workers. Conference calls on the federal Labor government to establish market rates pay for guest workers. Guest workers must receive the same pay and conditions as Australian workers. Not only is this fair but it also provides a mechanism to prevent unscrupulous employers from using guest labour to undercut wages. It therefore provides an appropriate test for a genuine skills shortage. If guest labour is no cheaper than local labour it will most likely only be used in areas of genuine need.

The long term solution to skills shortages and capacity constraints in the Australian economy is education and training of local workers coupled with appropriate permanent migration. It is not temporary labour.

Conference directs the National Secretary to continue to take an active role on migration issues. The National Secretary should continue to work closely with Government, Industry and other stake holders to pursue an appropriately regulated migration system that aims at eliminating exploitation, supports decent wages and conditions for all workers and facilitates proper training of the Australian work force.

The restructure of the current unsatisfactory Section 457 Visa Arrangements should also involve genuine transparency before sponsorships are granted (and after). Together with enforcement of the legislative requirement that only employers who have a “demonstrated training record” of training Australians are to be permitted to sponsor overseas temporary workers.

Conference rejects calls for any temporary guest worker scheme involving unskilled labour. Any such scheme would place disastrous downward pressure on the most vulnerable and lowest paid section of the Australian workforce- the unskilled. Further at a time when there are local unskilled workers who are currently unemployed, any such scheme would be unjustifiable. In relation to Australia’s obligation to its neighbours in the Pacific Islands, such support would be better met through the AusAid budget and intergovernmental cooperation on development issues. Fostering reliance on remittances is not in the longer term interest of Pacific Island economies.

Conference calls on the Federal Government to consider changing the sponsoring entity within the Guest Worker Program. Where an employer is the sponsor and migration status depends on the employment relationship, the potential for exploitation is ever present. A practical solution would be for the Federal Government to assume the role of sponsor. Where genuine skills shortages are identified, firms could then apply to a government agency to allocate labour. The agency would be responsible for ensuring proper wages and conditions for guest workers and monitoring training requirements for participating employers.”