

Recommendations addressing vulnerabilities of migrant workers

The Federation of Ethnic Communities' Councils of Australia (FECCA) and the Salvation Army have appeared together before a public hearing today, to discuss the recently released Productivity Commission *draft report on Australia's Workplace Relations Framework*.

The Commission's draft report acknowledges that unlawful migrant workers are particularly vulnerable because they are not protected under the *Fair Work Act*. However, the two formal recommendations made in the report, do not directly address or minimise these vulnerabilities.

FECCA Chair Joe Caputo said, "It is critical that we ensure temporary migrant workers are protected, particularly given the widespread reports of significant exploitation of International students in 7-eleven franchises across Australia."

Heather Moore, Advocacy Coordinator for The Salvation Army's Freedom Partnership to End Modern Slavery said, "Our main concern is that we are so heavily focused on the unlawful workers deliberately defrauding the system, that we are jeopardising the well-being of those most vulnerable, including potential victims of modern slavery."

"Labour and migration policy must be synchronised with anti-slavery policy. Failure to address the vulnerabilities of migrant workers undermines Australia's commitments in its National Action Plan to Combat Human Trafficking and Slavery."

"The protection of migrant workers is vital for a sustainable and equitable society. We would recommend mechanisms focused on assisting workers be put in place, rather than a punitive approach", said Mr Caputo.

FECCA and the Salvation Army recommend:

- Enhancing the focus of compliance monitoring on labour hire companies and employers rather than on visa holders, who may unknowingly or unwillingly be in breach of visa conditions as a result of their employer's actions;
- Allowing migrant workers who have been trafficked or subjected to significant exploitation, such as significant underpayment of wages, to remain in Australia if, and for as long as, they are pursuing civil remedies of compensation from the employer or if they are involved in any Fair Work processes; and
- Providing information about rights and responsibilities to all migrant workers coming to Australia, and linking these workers with community organisations that provide services to migrants for orientation sessions.

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The Freedom Partnership
End Modern Slavery



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