

Migrant Workers' Taskforce

There have been a number of high profile cases where vulnerable migrant workers have been underpaid and exploited at work. The Government will not tolerate any exploitation of migrant workers in Australian workplaces. On 19 May 2016, the Government announced its Policy to Protect Vulnerable Workers. The policy included establishing a Migrant Workers' Taskforce (the Taskforce).

The Taskforce will be chaired by Professor Allan Fels AO with Dr David Cousins AM as Deputy Chair and will be supported by the Department of Jobs and Small Business.

Terms of Reference

These Terms of Reference set out the Taskforce's roles, responsibilities and reporting arrangements.

Role and responsibilities

The Taskforce will identify further proposals for improvements in law, law enforcement and investigation, or other practical measures to more quickly identify and rectify any cases of migrant worker exploitation. This includes monitoring the progress of existing and new cross-portfolio initiatives to combat exploitation in the workplace. The Taskforce will support the effective ongoing collaboration between agencies to ensure that activities have a whole-of-government focus.

The Taskforce will:

- Identify regulatory and compliance weaknesses that create the conditions that allow exploitation of vulnerable migrant workers
- Develop strategies and make improvements to stamp out exploitation of vulnerable migrant workers in the workplace
- Consider ways agencies can better address any areas of systemic and/or widespread exploitation of vulnerable migrant workers, including considering ways in which agencies can better collaborate to avoid such situations arising or to swiftly rectify them.

The Taskforce will do this by:

- Monitoring progress by 7-Eleven in rectifying its breaches
- Receiving updates on implementation of the Government's Protecting Vulnerable Workers policy
- Engaging with Taskforce Cadena and other relevant compliance operations
- Considering particular industries or groups of vulnerable migrant workers where there are systemic problems with exploitation and underpayment
- Assessing labour hire practices for companies that employ migrant workers
- Taking into consideration other relevant inquiries and activities in relation to vulnerable migrant workers (for example, Senate Inquiry reports and cross-government action on human trafficking)
- Monitoring emerging issues that relate to exploitation of migrant workers in the workplace
- Any other appropriate means identified by the Taskforce

The Taskforce operates under the sponsorship of the Minister for Small and Family Business, the Workplace, and Deregulation.

Administrative Arrangements

Composition and tenure

The Taskforce will be chaired by Professor Allan Fels AO, with Dr David Cousins as Deputy Chair.

Members will include:

- Department of Jobs and Small Business
- Fair Work Ombudsman
- Department of Home Affairs
- Australian Border Force
- Attorney-General's Department
- Department of Education and Training
- Australian Taxation Office
- Australian Competition and Consumer Commission
- Australian Securities and Investment Commission
- Department of Agriculture and Water Resources
- Other relevant agencies with responsibilities that impact on exploitation of migrant workers, as required.

Members of the Taskforce will be at the Deputy Secretary or Senior Executive Service Band 2 level.

Where a member cannot attend a meeting, either in person or by teleconference, the member may nominate an appropriate proxy to attend on their behalf.

Membership will be reviewed from time to time to ensure appropriate representation.

The Taskforce will meet no less than four times a year.

The Taskforce will be established for a term of 18 months.

Reporting

The Chair of the Taskforce will report to the Minister for Small and Family Business, the Workplace, and Deregulation on a regular basis and, through the Minister, to other Ministers as required.

The Chair will also distribute a Communique, agreed by Taskforce members, at the conclusion of each meeting.

Meetings

The Taskforce will meet no less than four times per year unless otherwise agreed by the Taskforce members. The initial meeting will occur as soon as possible, with subsequent meetings to be scheduled no more than 12 weeks apart.

A report on 7-Eleven activities and progress; an update on Taskforce Cadena activities and the Communique will be standing agenda items for each Taskforce meeting. Working group members may submit items for a future meeting agenda to the Secretariat. Members will provide the agenda item and supporting papers to the Secretariat prior to the relevant meeting, to allow sufficient time for circulation to members.

Taskforce meetings will generally either be conducted by teleconference or be held at:

Department of Jobs and Small Business
10-12 Mort St
Canberra ACT 2600

Where outcomes of the meetings are required, they will be drafted by the Secretariat and circulated within two (2) weeks of the meeting.

All issues raised are to be considered openly on an in-confidence basis.

Secretariat

The Department of Jobs and Small Business is responsible for ensuring the Taskforce has adequately resourced secretariat support. The Secretariat will endeavour to circulate the agenda and meeting papers one (1) week prior to each meeting.