

Summary of Changes* – Pacific Australia Labour Mobility (PALM) Scheme Approved Employer Guidelines

*Disclaimer: This document is a summary of key changes and may not include all potential differences between Guidelines

RECRUITING WORKERS UNDER THE PALM SCHEME		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Contingency Plans</p> <p>Guidelines reference 3.4 Approved Employers must submit a Contingency Plan as part of the Recruitment Application process for consideration of approval.</p> <p>To ensure Approved Employers can quickly facilitate and redeploy Workers when enacting a Contingency Plan, the PALM scheme requires Notification from the Approved Employer as soon as practicable, but no later than the next Business Day.</p>	<p>New arrangement – while SWP Approved Employers must submit a Contingency Plan as part of the Recruitment Application process for consideration of approval and they must notify the department prior to enacting a Contingency Plan, the timing requirements have changed.</p> <p>(SWP Guidelines reference 2.2.2)</p>	<p>New arrangement – while PLS Approved Employers already have a Contingency Plan in their approved Recruitment Plan, the Approved Employer must seek approval before enacting a Contingency Plan.</p> <p>(PLS Guidelines reference 3.8)</p>
<p>Cultural Competency</p> <p>Guidelines references 2.1.6 and 9.2 Approved Employers (including their key personnel and managers, supervisors) must demonstrate Cultural Competency and undertake cultural awareness training related to the country/ies that they propose recruiting from.</p> <p>The Approved Employer’s Cultural Competency must be demonstrated as part of the Recruitment Application process.</p>	<p>New arrangement – this is a new setting introduced as part of a range of measures that relate to strengthening worker safeguards and supporting their welfare and wellbeing while they are in Australia.</p>	<p>New arrangement – under the PLS Deed, Approved Employers must ensure key staff are assisted to improve cultural competencies in their workplace however this new setting introduces mandatory cultural competency training for Approved Employers and their key personnel.</p> <p>(PLS Guidelines reference 7.2)</p>
<p>Minimum work hours (still under consultation)</p> <p>Guidelines reference 3.7 Refer to Guidelines for table of Options for short-term minimum hours.</p> <p>For long-term placements (1 – 4 years) the Approved Employer must offer full-time hours, including during standdowns; site shutdowns must be capped to 4 weeks every financial year to</p>	<p>New arrangement – under the SWP, all Seasonal Workers must be provided with a minimum average of 30 hours of work a week for the duration of their employment in Australia.</p> <p>(SWP Guidelines reference 2.2.3)</p>	<p>New arrangement – currently PLS (long-term placement) requires a minimum of 30 hours per week employed (no casual employment) over the duration of their employment in Australia.</p> <p>(PLS Deed reference C.2(e))</p>

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coincide with Workers' annual leave entitlements.		
Pay Parity Guidelines reference 2.3 Approved Employers must pay PALM Workers in line with other workers operating under the same award or enterprise agreement.	New arrangement	New arrangement – the PLS currently requires Approved Employers engaging PLS workers in select Agriculture-related food product manufacturing sectors in metropolitan locations to demonstrate pay parity . This new setting extends the requirement to Workers in all industries. (PLS Guidelines reference 3.3)
Safety Net Guarantee Guidelines reference 2.4.2(c) Will be demonstrated through factors including: 2.4.2(c) expected earnings after deductions, noting: (i) the minimum net take home wage after tax and deductions must be no less than \$200 per week. Any outstanding debt cannot be carried over after the Worker has completed their Placement.	New arrangement – new requirement under PALM scheme.	New arrangement – new requirement under PALM scheme.

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<p>Worker Portability</p> <p>Guidelines reference 8.5 Portability Arrangement refers to the transfer of a Worker between two Approved Employers or an Approved Employer and a Host Organisation (these arrangements are not initiated by the Worker).</p> <p>3 types of Portability: 1. Offshore Portability 2. Onshore Portability 3. Temporary Portability</p> <p>Costs associated with moving Workers between locations must not be passed onto the Worker.</p>	<p>New arrangement – formalising Portability arrangements available under SWP.</p>	<p>New arrangement – PLS does not have Portability arrangements.</p>
<p>International Flights and Transfers</p> <p>Guidelines reference Chapter 7</p> <p>Approved Employers must pay the first \$300 of Workers' flight costs.</p>	<p>No change – currently SWP Approved Employers are required to pay the first \$300 towards Workers' flight costs.</p> <p>(SWP Guidelines reference section 2.4)</p>	<p>New arrangement – currently PLS Approved Employers are not required to contribute to Workers' flight costs.</p>
<p>Reimbursement for Travel Costs</p> <p>Guidelines reference 7.3 Approved Employers can seek reimbursement of flight costs that they have paid on behalf of short-term Workers in certain circumstances.</p> <p>Applicable when the Approved Employer is unable to recoup travel costs (minus \$300 contribution) through no fault of their own.</p> <p>Applies to recruiting short-term Workers and does not include airfares purchased by Approved Employers on behalf of long-term workers.</p>	<p>New arrangement – this measure was introduced as part of the October 2022-23 Budget announcement and applies only to short-term.</p>	<p>Not Applicable</p>

PAY AND CONDITIONS		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>On arrival assistance for Workers</p> <p>Guidelines reference 3.6.3 Approved Employers must include, as part of their offer of employment, financial assistance that is no less than \$200 through a cash advance when Workers arrive in Australia.</p> <p>Workers may decline this cash advance and this must be amended in the Offer of Employment and deductions accordingly.</p>	<p>New arrangement – currently no minimum amount is set for SWP Approved Employers.</p>	<p>No change – continuation of current settings but increased amount to \$200 (from \$150).</p> <p>(PLS Deed reference C.2(h))</p>
<p>Health Insurance when a Worker's Placement is Terminated</p> <p>Guidelines reference 9.3.7 Approved Employers must continue payment of a Worker's health insurance for a minimum period of 28-calendar days, or when they leave the country (whichever is earlier) for any Worker whose Placement is terminated.</p>	<p>New arrangement – this is an additional requirement under SWP.</p>	<p>New arrangement – this is an additional requirement under PLS.</p>

WELFARE AND WELLBEING		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Arrival briefings</p> <p>Guidelines reference 8.3</p> <p>If either FWO or the relevant union is unable to attend the Arrival Briefing within seven days of the Workers' arrival, the Approved Employer must arrange an alternative time to address Workers within 15-calendar days of the Workers commencing work in Australia, or a time otherwise agreed between the Approved Employer and the relevant representative.</p>	<p>New arrangement – SWP currently requires Approved Employers to provide the FWO and relevant union an alternative time within seven days to attend the Arrival Briefing.</p>	<p>New arrangement – PLS does not require Approved Employers to invite the FWO or relevant union to attend the Arrival Briefing.</p>

WELFARE AND WELLBEING		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Increased transparency regarding any Approved Employer Conflict of Interest (CoI) and Workers can request documentary evidence on costs associated with accommodation.</p> <p>Guidelines references 10.2 and 10.3 Approved Employers must declare any real or perceived CoI in regard to a range of matters including accommodation and welfare and wellbeing arrangements.</p>	<p>New arrangement – SWP does not have these requirements. There are general clauses, however the PALM scheme implements greater specificity on CoI and transparency of costs for Workers.</p>	<p>New arrangement – PLS does not have these requirements. There are general clauses, however the PALM scheme has implemented greater specificity on CoI and transparency of costs for Workers.</p>
<p>Welfare and Wellbeing Support Person and Plan</p> <p>Guidelines references 9.5 and 9.6.4 Appoint a suitable Welfare and Wellbeing Person who is located within 200km of Workers' Placement.</p> <p>There is now a Worker to Welfare and Wellbeing Support Person ratio prescribed (1:65).</p> <p>Welfare and Wellbeing Plan outlining adequate Welfare and Wellbeing Arrangements are in place.</p>	<p>No change – Welfare and Wellbeing Plan is currently required as part of SWP recruitment but there are changes to certain elements/settings such as:</p> <ul style="list-style-type: none"> • Welfare and Wellbeing Person must be located within 200km rather than 300km of Workers' Placement. • A ratio will apply. <p>(SWP Guidelines reference Chapter 3)</p>	<p>New arrangement – Welfare and Wellbeing Person and Welfare and Wellbeing Plan are not required under the PLS.</p>

ACCOMMODATION AND TRANSPORT		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Accommodation</p> <p>Guidelines reference 10.1.1</p> <p>Approved Employers are required to arrange and provide accommodation for Workers for the full duration of their Placement.</p>	<p>No change – SWP currently requires Approved Employers to arrange and provide accommodation for Workers for the full duration of their Placement.</p> <p>(SWP Guidelines reference Section 4)</p>	<p>New arrangement – this is a new requirement under the PALM scheme. Currently under PLS, Approved Employers must organise accommodation for a minimum of three months.</p> <p>(PLS Guidelines reference section 8)</p>
<p>Accommodation</p> <p>Guidelines reference 10.3.16</p> <p>To ensure transparency, under the PALM scheme, the Approved Employer is required to provide Workers with access to information regarding accommodation, including costs.</p>	<p>New arrangement</p>	<p>No change – the cost of accommodation must be provided to workers in the Offer of Employment with an explanation of what is included in the cost (rent, utilities, cleaning, etc.) to ensure workers understand what they are being charged for.</p> <p>(PLS Guidelines reference Section 8.1)</p>
<p>Mutual Recognition of Accommodation</p> <p>Guidelines reference 10.8</p> <p>Approved Employers may submit a streamlined Accommodation Plan where they propose to use an accommodation site that has been approved by the department for another Approved Employer.</p>	<p>New arrangement – formalising operational arrangements already available under SWP.</p>	<p>New arrangement</p>

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<p>Transport arrangements for Workers</p> <p>Guidelines reference 10.11</p> <p>The Approved Employer must arrange and provide transport for workers.</p> <p>A Transport Plan must include a breakdown of costs.</p> <p>Workers can arrange their own transport if they choose to.</p>	<p>No change – this is currently in place for the SWP.</p> <p>Workers can arrange their own transport if they choose.</p> <p>(SWP Guidelines reference 2.2.2).</p>	<p>New arrangement – Workers can arrange their own transport if they choose to.</p>

REPORTING AND NOTIFICATION FOR APPROVED EMPLOYERS		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Arrival Report</p> <p>Guidelines reference 13.6 The Approved Employer must submit an Arrival Report 14 days after Workers arrive in Australia that contains the names and dates of arrival for Workers, confirmation the Arrival Briefing was delivered, and confirmation the Approved Employer completed the Arrival Requirements (e.g.: helping workers get a mobile phone and set up a bank account).</p> <p>Pay data must be submitted four months after Workers have arrived in Australia.</p>	<p>New arrangement – the timeframe to submit this report has been reduced from up to 20 days after arrival of Workers and pay data is no longer to be provided as part of the Arrival Report.</p> <p>(SWP Guidelines reference 2.6.3)</p>	<p>New arrangement – the timeframe has changed from five days to 14 days.</p> <p>(PLS Guidelines reference 6.1)</p>
<p>Departure Report</p> <p>Guidelines reference 12.3.2 The Approved Employer must submit a Departure Report within 14 days of Workers leaving Australia which includes the names and dates of departure of Workers, details of any Workers who did not depart as expected, information on superannuation payments, and confirmation that the Approved Employer provided a Departure Briefing.</p>	<p>No change – currently required to submit a Departure Report, however the timeframe to submit this report has been extended and pay data is no longer required to be submitted as part of the Departure Report.</p> <p>(SWP Guidelines reference 2.7.2)</p>	<p>New arrangement – the timeframe to submit this report was not previously specified.</p> <p>Also change in name. Under PLS, the departure report is referred to as the ‘Ending employment of a PLS worker notification form’.</p> <p>(PLS Guidelines reference 9.1)</p>
<p>Notification of Incidents</p> <p>Guidelines reference Chapter 13 The Deed Clauses pertaining to Incidents have been strengthened to cover a broader range of incidents (within defined categories) and to impose reporting timeframes.</p>	<p>New arrangement – classification of incidents and timeframes for reporting have changed.</p> <p>(SWP Guidelines reference 5.1)</p>	<p>New arrangement – classification of incidents and timeframes for reporting have changed.</p> <p>(PLS Guidelines reference 2.5)</p>

PROGRAM ASSURANCE APPROACH		
PALM Guidelines Requirements	How does this compare to the Seasonal Worker Programme (SWP) arrangements?	How does this compare to the Pacific Labour Scheme (PLS) arrangements?
<p>Action Plan</p> <p>Guidelines reference 14.9 Prepare an Action Plan to address concerns if they arise in relation to your compliance with the Deed and Guidelines (Guidelines reference 61).</p> <p>The Action Plan must provide clear, timely, measurable steps to address concerns (Guidelines reference 14.9.2).</p>	<p>New arrangement – the Action Plan is a new approach to improving Approved Employers’ performance under the PALM scheme.</p>	<p>New arrangement – the Action Plan is a new approach to improving Approved Employers’ performance under the PALM scheme.</p>

RECRUITING AND SELECTING PALM SCHEME WORKERS		
PALM Guidelines Requirements	PALM Guidelines Requirements	PALM Guidelines Requirements
<p>Making Changes to Approved Plans</p> <p>Guidelines reference 4.1 The Approved Employer is required to provide details to the department of any amendments to an Approved Recruitment with approval for some changes being required by the department prior to changes being made.</p>	<p>New arrangement – currently all changes to the Approved Recruitment require the department’s approval prior to changes being made.</p> <p>(SWP Guidelines reference 2.2.2)</p>	<p>New arrangement – currently all changes to Workers’ roles after commencement require the Pacific Labour Facility (PLF) approval.</p> <p>Under new arrangements Approved Employers will seek approval from the department.</p>