

**INQUIRY INTO MODERN SLAVERY RISKS FACED BY
TEMPORARY MIGRANT WORKERS IN RURAL AND
REGIONAL NEW SOUTH WALES**

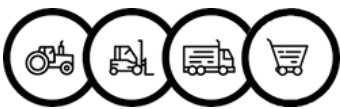
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Submission of the Australian Workers' Union NSW Branch
and Retail Supply Chain Alliance



Retail Supply Chain Alliance



Written and prepared by the Australian Workers' Union NSW Branch and Retail Supply Chain Alliance

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RECOMMENDATIONS

Establish a strong national labour hire regulator

Currently, labour hire firms operating in NSW face no dedicated regulation. In recognition of the vulnerability of many labour hire workers – particularly in agriculture – four jurisdictions (Victoria, Queensland, South Australia and the ACT) have established labour hire regulators. These broadly carry out the same functions, monitoring compliance and administering licensing schemes. These functions should be applied consistently across all states and territories – ensuring that NSW labour hire providers are effectively regulated.

The right to change employer

Working arrangements for PALM workers are employer-lead, increasing workers' modern slavery risk. Switching to an employee-lead system, allowing employees to instigate a change of employer, would empower workers to leave unsafe or abusive arrangements and report violations of workplace rights.

Improve accommodation standards

Existing standards for the provision of accommodation by employers to PALM workers are insufficient and often not complied with. Minimum standards must be strengthened and efforts must be made to ensure employers comply with the standards set.

Implement an income deduction cap

With regular cases of unclear and excessive deductions from PALM workers' income reported, a deduction cap of no more than 40% of workers' income is required.

Fairer, clearer deductions

To address excessive and vague deductions from PALM workers' pay, a register of standard and acceptable clauses for income deductions should be established.

A dignified retirement for PALM workers

All workers in Australia deserve the same dignity around retirement income. The Australian Government should streamline the super claims process, eliminate unfair taxation, improve portability with Pacific funds and establish default super funds for PALM workers.

Expand Country Liaison Officers program

The country liaison officer program helps address a significant gap in culturally competent compliance and support services for PALM workers. The program should be expanded across regional and rural NSW.

Review of service delivery and compliance responsibilities

Review service delivery and compliance responsibilities for temporary migrant workers – transferring them from DEWR to a national labour hire regulator.

Extend Medicare to PALM workers

Accessible, affordable healthcare is a must for Pacific and Timorese workers doing taxing, often dangerous work. Medicare access will ensure this is provided.

PART ONE:
LIVED EXPERIENCE
OF TEMPORARY
MIGRANT WORKERS
IN RURAL AND
REGIONAL NSW

We knew we were going to a
big country.

We knew it would be different.

We thought it was going to be
hard.

But not this hard.

The exploitation of temporary migrant workers has for too long been a feature of the Australian labour market. This was true in 2019 when the Migrant Workers' Taskforce handed down their report, and it remains true today.[1]

Each year, Australia welcomes thousands of temporary migrant workers to fill key workforce gaps in agriculture, horticulture and meat processing. These workers are found throughout the supply chain and play a key role in helping these critical industries operate. This has increasingly been the case since the introduction of temporary skills visas;[2] Migrant workers pick the fruits and process the meats that end up in the local supermarket and on our dining tables. For example, nearly one in four workers in Australia's meat processing industry is a PALM worker.[3]

Despite the key role they play in keeping business running, exploitation of migrant workers has long plagued the agriculture sector. In 2023, ABC News reported on the rise in deaths of workers participating in the PALM Scheme and its predecessor, totalling 223 between 2020 to 2023.[4] Protecting this workforce from exploitation is vital to the continued success of these industries, and thus their ability to provide for Australian families.

In the past decade, several comprehensive studies and reports have examined the experiences of temporary migrant workers in Australia. Notable research in this space includes:

- A 2024 report by the NSW Anti-Slavery Commissioner on addressing and identifying urgent modern slavery risks for temporary migrant workers in rural and regional NSW.[5] This report was informed by direct conversations with over 80 PALM workers, identification of over 200 individuals who disengaged from the PALM scheme over mistreatment and exploitation, and twelve site visits. Its findings identify an “emerging crisis”, with workers highly vulnerable to modern slavery risks and exploitation.[6]
- A landmark 2020 study by the McKell Institute reporting on severe underpayment and exploitation of temporary migrant workers in blueberry picking.[7] This informed a 2025 McKell paper advocating for a national labour licensing authority and scheme to address key gaps in the regulation of labour hire providers – particularly where no state labour hire regulator exists, such as in NSW.[8]
- A 2019 report by the Commonwealth Migrant Workers' Taskforce which found the underpayment of temporary migrant workers to be a widespread form of exploitation and identified a reluctance among such workers to report cases.[9]
- A 2024 submission by the AWU and RSCA to the Department of Home Affairs' review of regional migration settings, exploring the impact of changes to the PALM Deed and Guidelines in 2023 on worker vulnerabilities and employer exploitation in the agricultural sector.[10]

[1] Commonwealth of Australia, 2019. Report of the Migrant Workers' Taskforce, Canberra: Commonwealth of Australia.

[2] See also National Farmers Federation, 2022. Call for federal government to prioritise food sector in upcoming Jobs and Skills Summit, Canberra: National Farmers Federation.

[3] Moolchand, E. & Marshall, S., 2025. Meat the Reality: Unpacking the exploitation of PALM Scheme workers in Australia's meat industry, Melbourne: RMIT University. P.5.

[4] Hodge, H., 2023. PALM worker deaths increase fourfold amid expanding scheme and increasing reliance on participants, s.l.: ABC.

[5] Cockayne, J., Kagan, S. & Ng, F., 2024. Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW, Parramatta: Office of the NSW Anti-Slavery Commissioner.

[6] Ibid p.7.

[7] Cavanaugh, E. & Wherrett, C., 2020. Blue Harvest: wage theft and other labour infringements in the NSW Mid-North Coast's 2019/20 berry harvest, Sydney: McKell Institute.

[8] Cavanaugh, E. & Douglass, M., 2025. Licensing Labour Hire: promoting a national labour hire licensing scheme which protects Australian horticulture workers and supports businesses, Sydney: McKell Institute.

[9] Commonwealth of Australia, 2019. Report of the Migrant Workers' Taskforce, Canberra: Commonwealth of Australia.

[10] Mortimer, T. & Cook, J., 2024. Department of Home Affairs Review of Regional Migration Settings: Submission of the AWU and RSCA, Granville: AWU.

The experiences of temporary migrant workers in rural and regional NSW have been shaped by a number of factors including poor English proficiency, unfavourable employment dynamics, a lack of understanding of workplace rights, and isolation from support and social networks. However, the regulatory environment and visa settings remain some of the most influential factors in shaping the lived experiences of temporary migrant workers.

The primary visa schemes that temporary migrant workers in NSW engage with are the Pacific Australia Labour Mobility (PALM) Scheme (Subclass 403), Working Holiday Maker (WHM) visas (Subclass 417 and 462) and Temporary Skill Shortage/Skills in Demand Visa (Subclass 482). In acknowledging differences between different visa settings, and thus variations in the experiences of migrant workers, this submission focuses on those covered by the PALM Scheme. It highlights ongoing concerns around deficient regulation and its amplification of worker exploitation – significant reforms to the scheme implemented since 2022 notwithstanding.

The PALM Scheme covers a large cohort of temporary migrant workers in NSW, particularly in rural and regional areas. It provides both a short-term work stream (up to nine months) and a long-term stream (up to four years). As at December 2024, 27,260 migrant workers participated in the scheme nationally, with 5,130 in NSW.^[11] PALM workers often experience exploitation as a direct result of poor regulation. This includes living in cramped and unclean accommodation, excessive and vague pay deductions, and a dependency on employers to continue working in Australia, as the scheme does not automatically allow workers to change employers.

Addressing these issues and significantly improving the experiences of temporary migrant workers requires reforms that directly address the aforementioned factors.

[11]PALM, 2024. PALM Scheme Data. [Online]
Available at: <https://www.palmscheme.gov.au/palm-scheme-data#:~:text=PALM%20scheme%20worker%20data,13%2C940%20were%20long%2Dterm%20workers.>
[Accessed 5 March 2025].



PART TWO:
VIOLATIONS
RELATING TO
WORKING
CONDITIONS

We've been
robbed.

For too many temporary migrant workers, exposure to modern slavery risks, exploitation and violation of working conditions have become an expectation, rather than an exception.

As identified by the NSW Anti-Slavery Commissioner's 2024 report and corroborated by the lived experiences of our members, workers are exposed and vulnerable to the following areas of modern slavery risk:[12]

- Working conditions, wages and entitlements;
- Accommodation, transport and living conditions; and
- Isolation and social marginalisation.

WAGES

Underpayment of PALM and other temporary migrant workers is, for many, an ordinary feature of the working experience. In consultation with our members and organisers, PALM workers frequently report being paid below the minimum award for their industry.[13] In addition, deductions often appear on their payslips with little or no clarity. Workers report excessive deductions for accommodation, travel, healthcare and debt repayment. Another reported case saw an employer round up actual worked hours to allow for transport and accommodation deductions under the PALM deed and guidelines. Such concerns subsist despite recent reform to guarantee minimum hours for PALM workers and improve accommodation standards.[14]

A 2022 report conducted by Unions NSW corroborates these reports.[15] It found that just 57% of agriculture employers that advertised piece rate wages were compliant with the updated horticultural award and offered a minimum wage guarantee.[16] Another Unions NSW report from 2021 found workers in horticulture were paid as little as \$1 per hour or \$9 per day.[17]

Addressing the underpayment of PALM workers involves both significantly improving compliance and further regulation to ensure deductions are fair and appropriate. With the establishment of a national labour hire regulator, we support the creation of a register of standard and acceptable clauses for deductions, to be included in agreements and reflected in payslips.

Further, we recommend the implantation of a salary or income deduction cap to prevent excessive deductions. This cap would ensure that workers are less likely to return home worse off than they arrived and would help prevent exploitation through debt bondage arrangements. Countries with comparable temporary migrant programs have successfully implemented a cap. In the case of Canada, deductions for off-site housing and accommodation cannot exceed more than 30% of the temporary migrant worker's gross monthly earnings. [18]

[12] Cockayne, J., Kagan, S. & Ng, F., 2024. Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW, Parramatta: Office of the NSW Anti-Slavery Commissioner. P.4.

[13] Adhikari, A., Anderson, L. & Harrington, M., 2023. The PALM scheme: Labour rights for our Pacific partners, Canberra: The Australia Institute. P.3.

[14] Averaged over 4 weeks.

[15] Unions NSW, 2022. Wage Theft: the shadow market, Sydney: Unions NSW.

[16] Ibid p.4.

[17] Unions NSW and Migrant Workers Centre, 2021. Working for \$9 a day: Wage theft and human rights abuses on Australian farms, Sydney: Unions NSW and Migrant Workers Centre.

[18] Government of Canada, 2024. Hire a temporary foreign worker through the Agricultural Stream: Program requirements. [Online]

Available at: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/requirements.html> [Accessed 5 March 2025].

SUPERANNUATION

Superannuation is an important component – and indeed, an incentive – for PALM workers. In principle, it can greatly assist PALM workers to enjoy a dignified retirement. In practice, access to superannuation is difficult, expensive and complicated. One example of such barriers is unfair taxation. PALM workers are forced to pay 35% or more tax on their Departing Australia Superannuation Payments (DASP) – the payment that provides their super earnings after leaving the country permanently. Workers have also reported missing superannuation contributions on their payslips entirely. Exacerbating these issues, PALM workers are required to complete extensive paperwork, provide certified identity documents and hold an Australian bank account to claim super earnings after returning home.[19]

To address these issues, the AWU launched a campaign in 2024, calling on the Commonwealth Government to streamline the super claims process, eliminate unfair taxation, improve the portability of superfunds and establish default superfunds. [20] The NSW Government should support these measures to ensure fair payment of superannuation funds for PALM workers.

ENTITLEMENTS

Deficient and denied worker entitlements, exacerbated by a lack of regulation and compliance, have contributed to poor worker experiences and PALM workers disengaging from the program.[21] These issues range from inadequate access to healthcare and medical appointments to leave. Given PALM workers are required to pay out of pocket or through private health insurance, cost is a significant barrier to accessing medical treatment. Employers are also disincentivised from providing medical treatment under private health coverage given the high associated costs.[22] Injured workers have reported cases where they were refused workplace compensation and medical assistance and instead instructed by their employers to recover at home or return to work.

We recommend that NSW support the expansion of Medicare eligibility to PALM workers. This recommendation is also highly popular throughout the community. In a 2023 poll conducted by the Australia Institute, 68% of respondents agreed that PALM workers should have access to Medicare while working in Australia.[23]

ACCOMODATION

The accommodation provided by PALM employers is a particular area of concern, despite recent reforms aimed at improving living conditions for workers. PALM-approved employers are required to provide workers with “suitable accommodation and transportation”, per the PALM deed and guidelines.[24] These documents further outline minimum standards. However, in both reports from our members and contemporary research into the exploitation of PALM workers, it is evident that such standards are often not met.

[19] Cockayne, J., Kagan, S. & Ng, F., 2024. Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW, Parramatta: Office of the NSW Anti-Slavery Commissioner. P.17.

[20] Mortimer, T., Cook, J. & Burdette, S., 2024. Super Powered: Improving access to PALM workers' retirement earnings, Granville: AWU and Approved Employers of Australia.

[21] Cavanaugh, E. & Douglass, M., 2025. Licensing Labour Hire: promoting a national labour hire licensing scheme which protects Australian horticulture workers and supports businesses, Sydney: McKell Institute. P.6.

[22] Robertson, G., 2022. Empowering and Protecting Temporary Migrant Workers, Melbourne: United Workers Union. P.21.

[23] Adhikari, A., Anderson, L. & Harrington, M., 2023. The PALM scheme: Labour rights for our Pacific partners, Canberra: The Australia Institute. P.22.

[24] PALM, 2024. Pacific Australia Labour Mobility Scheme - Approved Employer Guidelines, Canberra: Commonwealth of Australia.

reports from our members and contemporary research into the exploitation of PALM workers, it is evident that such standards are often not met.

In one testimony provided by an organiser following a site visit, overcrowding was an immediate issue. The property, a four-bedroom house, had ten female PALM workers living there. In a nearby residence, another four-bedroom property housed 11 male PALM workers – two of whom slept in a corridor.[25]

With the goal of improving accommodation standards, we therefore recommend a significant improvement of accommodation standards within the PALM deed and guidelines. Further, we recommend that the NSW Government strongly advocate for strengthened compliance measures as part of a national labour hire regulator and licensing scheme.

BELOW: an example of an assessment of accommodation standards following a site visit by an AWU organiser in Northern NSW.[26]

CONDITION	COMPLIANCE
<p>Maximum number of residents</p> <p>The maximum number of residents that may occupy the same bedroom in an authorised boarding house is— (a) one resident, or (b) if a resident requests shared occupation of a bedroom with a particular resident of his or her choice—2 residents</p>	CONDITION NOT MET
<p>Minimum size of bedrooms</p> <p>The floor area of a bedroom that is occupied by one resident only must not be less than 7.5 square metres. The floor area of a bedroom that is occupied by 2 residents must not be less than 11 square metres.</p>	CONDITION NOT MET
<p>Locks on bedrooms</p> <p>Each bedroom must be capable of being locked to ensure the privacy of the occupants.</p>	CONDITION NOT MET
<p>Furniture and Fittings</p> <p>Appropriate furniture and fittings must be provided at an authorised boarding house and maintained in a reasonable state of repair</p>	CONDITION NOT MET
<p>Storage facilities</p> <p>An authorised boarding house must have secure storage facilities (whether fixed or moveable) for each of the following— (a) recreation and education supplies, (b) luggage, (c) cleaning materials, (d) outdoor equipment.</p>	CONDITION NOT MET
<p>Communal space</p> <p>1) An authorised boarding house must have at least one communal living space for the use of residents that is of an appropriate size and space for residents to socialise. (2) A communal living space may be located outside, but only if the space is (or is made) appropriate for the climate and temperature and there is at least one indoor communal living space of a size appropriate for the number of residents.</p>	CONDITION NOT MET

[25] Anon., 2024. Witness Statement and Annexures - SR. s.l.:AWU NSW Branch.

[26] Anon., 2024. Witness Statement and Annexures - SC. s.l.:AWU NSW Branch.

CASE STUDY

One case reviewed as part of this submission concerns excessive accommodation deductions for around 46 PALM workers based in a small town in the Northern Tablelands region of NSW.

Two of the properties were reviewed by an AWU organiser in 2024, resulting in the allegation that their occupants – 10 female and 11 male PALM workers – were significantly overcharged for accommodation.

At the time, employees collectively paid a total of \$1,550 and \$1,705 respectively for the two properties – or upwards of \$150 each week per individual. An estimate of these properties and the average rent in the area to be roughly \$450 to \$500 per week.

Further concerns raised by workers included a lack of communal facilities, with up to 20 employees sharing one bathroom in one property, and up to 12 people sharing just two bedrooms in another.[27]

[27] Anon., 2024. Witness Statement and Annexures - SR. s.l.:AWU NSW Branch.

PART THREE:
THE REGULATORY
ENVIRONMENT AND
ITS IMPACTS

They can just take anything
without our consent.

**They view us as
slaves.**

Vulnerability to exploitation and substandard labour practices has become an all too common byproduct of the Australian Government's strategy of using temporary migrant workers to fill jobs deemed unattractive to Australian residents.[1] The dependent relationship between workers and employers prescribed by the PALM Scheme only fuels such vulnerability.[2]

PALM's regulatory framework predominantly consists of the following: PALM scheme visa settings, regulations and guidelines set out and enforced by DEWR, and proposed and existing labour hire regulation. In reviewing testimonies from employees, members and organisers, it is evident that the current regulatory environment exacerbates vulnerabilities to modern slavery among PALM and other temporary migrant workers.

VISA SETTINGS

A key feature of the PALM Scheme's visa settings is a near-bondage of PALM workers to their sponsored employer.[3] Should a PALM worker wish to transfer to a new employer - potentially due to exploitative practices or violations of working conditions - they must obtain approval from their current employer. They must also seek approval from DEWR, which will only permit work in the role for which they were originally granted a visa.[4]

Several reviews, including a 2023 report by The Australia Institute, note issues with the existing system: "These sponsorship arrangements put PALM workers in a vulnerable position in which they are totally dependent on their employer. This increases the likelihood of exploitation and the underreporting of workplace issues".[5]

The ability to leave a job due to exploitation or poor working conditions is a basic right that must be protected. We strongly support the implementation of an employee-led system where PALM workers would be given far greater mobility in moving between employers, without first seeking the approval of their existing employer. Such a system would empower workers to leave unsafe or abusive arrangements, and to report violations of workplace rights.

Further, we know that migrant workers, including in rural and regional NSW, are particularly vulnerable to workplace exploitation due to a visceral fear of speaking up against such conduct. Migrant workers fear that doing so will result in their sponsor withdrawing support, in visa cancellation, and in complications with future visas. The RSCA has been calling for visa protections for migrant workers exploited at work and is pleased to see the rollout of the Workplace Justice Visa (WJV) Pilot and the Strengthening Reporting Protections (SRP) Pilot from 1 July 2024. The effect of these new laws means that:

- Migrant workers can stay in Australia for up to 12 months while they pursue their claim (WJV); and
- The Department of Home Affairs will not cancel a migrant worker's visa where they have breached a work-related visa condition linked to a workplace exploitation matter (SRP).

[27] Adhikari, A., Anderson, L. & Harrington, M., 2023. The PALM scheme: Labour rights for our Pacific partners. Canberra: The Australia Institute. P.13.

[28] Ibid p.13.

[29] Ibid p.15.

[30] Ibid p.15.

[31] Ibid p.17.

These new rules are available to migrant workers on temporary visas with permission to work. This includes those on Temporary Work (International Relations) (subclass 403) visas - the visa for PALM workers. Approved accredited third parties including the AWU, SDA and TWU are able to certify WJV and SRP workplace exploitation claims. Clearly, substantial room for improvement around employee mobility remain. Nonetheless, the WJV and SRP pilot programs provide important protections for migrant workers seeking redress, put exploitative and unscrupulous employers on notice, and help level the playing field for good employers that do not engage in exploitation.

DEWR AND ITS INADEQUACIES

In reviewing testimonies and reports from workers and union organisers in the PALM sector, the inadequacies of DEWR emerged as a significant disincentive to raising grievances. The department is responsible for administration of the PALM scheme, as well as ensuring compliance with visa settings, legislated or agreed working conditions and obligations by approved employers.

PALM workers report blown out wait times for the resolution of grievances, with many waiting three to six months. This, in combination with employer-lead visa arrangements and poor understanding of legal systems and workplace rights among workers, serves as a major disincentive to resolving workplace grievances and leads to underreporting of exploitation. Reporting to DEWR is particularly difficult for short-term workers. We therefore recommend the NSW Government support the creation of a dedicated team within DEWR to fast-track grievances in a timely manner.

In addition, we support the further expansion of the country liaison officer program and related labour attaches. Established in 2022 with an expansion funded by the Commonwealth in 2023-24, the program connects liaisons from relevant Pacific nations with PALM workers in Australia.[32] Several workers note positive experiences with their liaisons. This program has emerged as a crucial support service for PALM workers, particularly given workers' reluctance to approach law enforcement and DEWR's failure to effectively monitor compliance.

A LABOUR HIRE REGULATOR IN NSW

Without strong protections or a dedicated regulator, NSW has long lagged behind in protecting workers engaged through labour hire services. Unscrupulous actors and employers have exploited this regulatory oversight, putting temporary migrant workers at increased risk of abuse. In recognition of the need for labour hire regulation, a patchwork of State and Territory-level licensing regimes began to emerge between 2018 and 2021. Queensland, Victoria, South Australia and the ACT have each developed their own labour hire authority.[33]

These bodies largely deliver the same core functions: administering a labour hire licensing scheme; monitoring, investigating and enforcing compliance; and promoting compliance through education and engagement.[34] While these schemes and regulators serve an important purpose in protecting temporary migrant workers from exploitation, they differ in scope, obligations on employers, licence durations and in

[32] PALM, 2024. Budget 2023-24: expanding and improving the PALM Scheme. Canberra: Commonwealth of Australia.

[33] Ibid p.7.

[34] Victorian Labour Hire Authority, 2024. About us. [Online] Available at: <https://www.labourhireauthority.vic.gov.au/about-us/>

[Accessed 5 March 2025]., Australian Government, 2023. National Labour Hire Regulation: towards a single national scheme. Canberra: Commonwealth of Australia. P.5.

other areas.

In 2022, the Albanese Government committed to the establishment of a national labour hire regulator (NLHR) and licensing scheme. With an agreement to support the NLHR and scheme by all States and Territories in late 2023, temporary migrant workers can finally be protected.

While we strongly support this expansion of labour hire licensing to NSW, measures must be taken to ensure the body does meaningfully address gaps around enforceability and compliance. As recommended in a 2025 McKell Institute report, key features should include ongoing reviews of the efficacy of the NLHR and licensing scheme, adequate funding and buy-in from states and territories, empowerment to eliminate exploitation, and teams dedicated to the implementation of the scheme in jurisdictions including NSW where no scheme previously existed.[35]

In being a key stakeholder and participant in discussions around the NLHR, the NSW Government must also advocate for measures which would see the regulator and licensing scheme address gaps created by DEWR's inadequacies in enforcement, service delivery and compliance.

[35] Cavanaugh, E. & Douglass, M., 2025. Licensing Labour Hire: promoting a national labour hire licensing scheme which protects Australian horticulture workers and supports businesses, Sydney: McKell Institute.



PART FOUR:
CLOSING
LOOPHOLES

For us, job security is a big deal.

As soon as I raise a problem,
as soon as I make a complaint.

**Next year, I won't
be invited back.**

In considering the vulnerabilities of PALM workers, government must also consider alternatives to PALM for rural and regional employers. As detailed in the RSCA submission to the ongoing Commonwealth Review of Regional Migration Settings, the working holiday maker scheme (WHM) is long overdue for reform. While PALM regulation gradually improves,

WHM remains badly underregulated - undermining improvements for PALM workers (as well as Australia's international interests):

"The history and current state of the PALM Scheme and WHM program lead the RSCA to an inexorable position. One scheme is suited to meeting the needs of agriculture employers facing labour shortages, and to ensuring fair and productive workplaces. Its underlying policy objectives drive it to deliver these outcomes. It has undergone rigorous reform to ensure it is fit for purpose. And it draws on a large pool of workers calling for additional opportunity. The other - a cultural exchange tool increasingly misused as a permanent labour source - does not and cannot support workers or indeed businesses that meet their obligations nearly as effectively.

It follows that supporting strong and sustainable regions means shifting the agriculture workforce away from the WHM program and further towards the PALM Scheme. To be clear, PALM is not perfect [...] but it plainly represents the best means of advancing the interests of our regions and workers in this space. [...]

And while the WHM program is not driven by explicit strategic or diplomatic goals, we suggest that systemic exploitation in the program does risk damaging Australia's bilateral relationships. Most of the program's largest sender countries are close partners in Europe and Asia. The stories that working holidaymakers tell of our country back home should enhance our reputation in the world, not damage it. By contrast, a well-regulated PALM Scheme unquestionably enhances Australia's efforts to play a positive role as part of a unified Pacific family.

The scheme not only helps to meet the labour needs of Australian industry but assists in the development of regional partners through remittance and upskilling. The RSCA anticipates industry pushback to the suggestion that the PALM Scheme's role in agriculture be increased at the expense of the WHM program. We note, for instance, the recent suggestion of the National Farmers' Federation that reforming the WHM program would "...[pull] the rug out from underneath farm businesses without anything to replace it...". We urge the government to resist such pressure in light of substantial evidence of the PALM Scheme's capacity to drive better outcomes for Australia's regional workforce, farmers and neighbours alike." [36]

The RSCA continues to advocate for decisive reform to the WHM program and PALM Scheme in agriculture - specifically, the promotion of the latter and diminution of the former - as urgently needed and long overdue.

The NSW Government should advocate for WHM reform to this effect, to be implemented by the Commonwealth in 2025. The simplest way to achieve this reform is to remove specified work requirements in the 462 and 417 visas - protecting holidaymakers from employment that may expose them to modern slavery.

[36] Mortimer, T. & Cook, J., 2024. Department of Home Affairs Review of Regional Migration Settings: Submission of the AWU and RSCA, Granville: AWU.

CONCLUSION:
THE ROAD AHEAD

The AWU and RSCA recognises the value in the PALM Scheme - in providing a much-improved regulatory framework for workers relative to its predecessor, and in helping create a mutually beneficial relationship between Australia and its neighbours.

But reform cannot cease until modern slavery and exploitation risks are comprehensively addressed.

This submission's recommendations aim to address key vulnerabilities for PALM workers - putting forward proposals to eliminate such risks once and for all. Many, we accept, call for action from the Commonwealth as principal decision-maker.

The NSW Government can play an important and potentially decisive role in winning support from Canberra, as Australia's largest state and the home to many thousands of vulnerable PALM workers.

We would welcome the opportunity to contribute further to the inquiry and respond to further queries regarding this submission.

For further information, please contact Kai He, Researcher and Political Campaigner, Australian Workers' Union NSW Branch, at

[REDACTED]

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