

SWP governance in sending countries and Australia: our recommendations



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by Richard Curtain and Stephen Howes

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On Wednesday, we launched our report [Governance of the Seasonal Worker Programme in Australia and sending countries](#). In a [blog](#) on the same day, we explained one of the main contributions of the report, the categories of “government-central” and “government-light”, used to understand sending-country seasonal labour mobility governance arrangements.

In this blog, we summarise our main recommendations. Of course, it isn’t possible in a short article to justify all of our suggestions. Following each recommendation we give a brief sense of its rationale. If you’re not convinced, or to find out more, read our [executive summary or the full report](#). You might not agree with all our recommendations, but rest assured they are based on serious research and fieldwork: over nine years, in Australia, New Zealand and ten sending countries.

We have 12 recommendations: four for sending countries, four for Australia, two for how Australia and sending countries should interact, and two for this COVID-19 period.

Recommendations for sending countries

Recommendation 1: *Sending governments should avoid exclusive reliance on a work-ready pool.*

Quite a few countries – though notably not the two most successful, Vanuatu and Tonga – accept workers into work-ready pools which employers are required to select workers from. Employers have made it clear (via two surveys) that they don’t like this mode of recruitment. They want more flexibility, and they want to hire on the recommendation of people they trust, whether an agent or a returned worker. Countries that force employers to recruit through a work-ready pool will only give employers a reason to recruit from elsewhere.

Recommendation 2: *Sending governments should use the private sector to help fulfil governance functions.*

Recruiting workers is labour-intensive, and if governments try to do it all, they will tend to become a bottleneck. Employers and their intermediaries can assist with such functions as visa processing and pre-departure briefings.

Recommendation 3: *Most countries need to provide increased resourcing to the governance of labour mobility as numbers grow, both at home and abroad.*

Seasonal labour has become big business for several island countries. As numbers grow, so too must resourcing, both at home to help meet regulatory requirements and abroad to troubleshoot worker problems.

Recommendation 4: *The main priority for countries that have struggled to break into the SWP market has to be responsiveness to employer needs.*

It is not easy for other countries to compete with the big three SWP sending countries (Vanuatu, Tonga and Timor-Leste). Employers want to diversify beyond one sending country, but not to too many. That said, the Australian SWP market was growing rapidly before COVID-19, and we predict that it will grow further once borders reopen. Countries that are responsive to employers needs have the best likelihood of being able to grow their numbers.

Recommendations for Australia

Recommendation 5: *Visa changes to incentivise backpackers to work on farms should be reversed. There should be a national licensing scheme for labour hire companies, with the resources needed to monitor compliance.*

Since the SWP is the best regulated labour source in horticulture, the emphasis should be on stopping rorts in other, less well-regulated employment arrangements in the sector to even the playing field, and reduce the prevalence of worker exploitation across the board.

Recommendation 6: *A reference group consisting of approved employers (growers and labour hire operators), and key industry associations should be established. Together with government representatives, this group would be tasked with developing a more collaborative approach to identifying and resolving key problems.*

Recommendation 7: *The SWP should be managed by the federal Department of Agriculture, Water and the Environment.*

Farmers have not been engaged enough with the SWP, and need to feel they co-

own it. This will encourage others to come on board, thereby leading to growth in numbers and a reduction in worker exploitation. Both of these two recommendations are made to that end.

Recommendation 8: *The Australian Government should place relationship managers, with a brief to resolve problems close to where they occur, in each of the main horticultural areas where SWP workers are most concentrated.*

SWP workers are very dispersed geographically. A more decentralised program management approach will make the program more responsive to both employers and employees. The recent budget announcement of funding decentralised Pacific Labour Mobility Officers is a welcome step.

Recommendations for interactions between sending countries and Australia

Recommendation 9: *Australia and New Zealand should initiate (separately or preferably jointly) bilateral or trilateral monitoring mechanisms with each sending country to address a range of operational issues in private.*

Recommendation 10: *Approved employers, either individually or jointly, should have an ongoing presence in the three main sending countries, and should take more responsibility for compliance in relation to the recruitment and preparation of workers.*

More face-to-face and frank interactions among governments, and more investment by Australian employers in sending countries will help put in place a dynamic to improve governance over time in both sending countries and in Australia.

COVID-19 recommendations

Recommendation 11: *The reference group recommended earlier (see Recommendation 6) should be established now, with an initial mandate to solve SWP-related problems arising from the closure of international and state borders.*

Now more than ever, that reference group is needed so that employers can sit down with government officials and together address the complex problems that have arisen with the unprecedented closure of international borders.

Recommendation 12: *New COVID-19 bilateral agreements should be established with willing sending countries.*

These agreements could address COVID-19 specific issues (such as what additional information needs to be covered by pre-departure briefings) but could also be the basis for the annual bilateral meetings proposed in Recommendation 9.

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These are our 12 recommendations. If you're not convinced, please do have a look at the [full report](#), or at least the [executive summary](#). If you're still sceptical, contact us. The governance of seasonal labour mobility is an increasingly important topic for the Pacific, Timor-Leste and Australia, and there is still much to learn.

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Link:

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