MODERN SLAVERY RISKS FACED BY TEMPORARY MIGRANT WORKERS IN RURAL AND REGIONAL NSW Australia

report by

Australian South Sea Islanders (Port Jackson) (ASSIPJ)

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A report on the Pacific Australian Labour Mobility Scheme (PALMS) evidence on Ni Vanuatu Nationals working across NSW and other populated states related to seasonal workers facing exploitation and human rights abuses, affirmed in collaboration with the Vanuatu High Commission to Australia.

Cultural context and self-determination:

Our board members are second to fifth generation descendants of Australia's first seasonal labour scheme, historically known as the 'Indentured Labour Trade' or more widely recognised as 'Blackbirding' of the Pacific. This practice began in 1847 in New South Wales, when entrepreneur and politician Benjamin Boyd illegally trafficked around 200 men from Tanauta (Tanna), forcing them into slavery alongside Māori and First Nations peoples.

What followed was the mass trafficking to Queensland of an estimated 60,000 Melanesian men, women, and children between 1863 and 1904, though the true number remains unknown due to the notorious nature of the trade. This operation was managed largely by the New South Wales shipping company Burns Philp & Co. and also saw the deployment of our Melanesian Pacific Islanders from Port Jackson (Sydney Harbour), Australia's first major receiving port established in the 1790s. This deployment saw a booming trade across the Torres Strait Island fisheries.

As descendants of Australia's Blackbirding era and now representing a Ni-Vanuatu organisation governed entirely by a Melanesian board, many of whom also hold dual or tri-cultural First Nations heritage, our lived experiences, both historical and contemporary, have been central to our advocacy. We have long championed a people-to-people approach that recognises the cultural specificity and historical legacy of Vanuatu's workers, who have consistently represented the largest cohort engaged across Australia's labour mobility both in the past and today.

Since 2020, the appointment of the current Vanuatu Head of Mission to Australia, we have worked closely and responded to the urgent need to establish a culturally grounded framework for all Pacific workers. From our unique cultural lens, we have focused particularly on Vanuatu workers, who remain the most numerous and sought-after within the PALM scheme, numbering over 6,000 to date. Our advocacy is rooted in ensuring that their contributions are not only valued but understood within a deeper cultural and historical context.

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ASSIPJ Bios: https://www.assipj.com.au/southsea/assipj-board-members-2025/

Rationale:

This report focuses on the experiences of Ni-Vanuatu workers in NSW and across Australia participating in the Pacific Australia Labour Mobility (PALM) scheme. The PALM scheme was formed in 2021 through the merger of the Seasonal Workers Program (SWP) and the Pacific Labour Scheme (PLS). Systemic issues inherited from the SWP and PLS persist in the current PALM Scheme because no rigorous independent evaluation has been conducted since the SWP's launch in 2008. A thorough review could have exposed bottlenecks and guided Australia and Vanuatu toward more effective labour-mobility policies, yet the government merged both programs into the PALM Scheme without first gathering that evidence, allowing existing problems to carry forward unchanged.

The report emphasises the importance of addressing culturally specific needs and exploring the possibility of decentralising the PALMS:

- Based in NSW, Australian South Sea Islanders (Port Jackson) (ASSI-PJ) have been supporting workers' voices in the Labour Mobility program since 2010, fielding outreach calls.
- The Vanuatu High Commission has had two liaison officers in Australia since 2022, based in Canberra (ACT) and Mildura (Victoria).
- Despite the presence of Vanuatu Liaison Officers, ASSI-PJ continues to assist a large number of workers because;
- Two liaison officers cannot adequately support over 6,000 workers across Australia.
- Workers feel more comfortable communicating with ASSI-PJ due to their familiarity as a Ni-Vanuatu representative.

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Objective:

The issues faced by Ni-Vanuatu workers are sometimes aligned with serious concerns, including potential influence by organised crime (mafia, gangs, etc.), sex trafficking, and drug cartels, particularly in Griffith, NSW. These reports are of major concern in comparison to other states.

This report aims to inform the NSW Parliamentary inquiry into Modern Slavery by outlining:

(i) The challenges faced by workers in NSW and Australia.
(ii) Policy proposals, co-designed with culturally specific Pacific organisations and Heads of Mission, for implementation with DEWR and DFAT, including effective enforcement strategies across NSW and Australia.
(iii) Suggested recommendations by the City of Sydney Council to the NSW State and Federal Government to align responsibilities across all three tiers of government.

Decentralisation of the PALM Scheme:

(i) We strongly advocate for serious consideration to decentralise the PALM Scheme, enabling structured engagement across all three tiers of government, federal, state, and local, as well as with dedicated community organisations and workers. There has to be an emphasis, for eg, AEs cannot bring 3,000 workers into a council that only accommodates 2,000 residents.
(ii) Councils have no idea as to the number of workers in their region at any given time, hence they are unable to support the Ni Vanuatu Nationals. Especially during national climate change disasters.
(iii) Local Council Outreach Services for Seasonal Workers across NSW by ASSIPJ Chair and former Councillor (read resolution)
(iv) This decentralised approach would foster the development of culturally aligned and economically sustainable business practices. Such a model would support genuine community wealth creation and deliver mutual benefits through a meaningful bilateral framework.

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Understanding the demand for Vanuatu since the inception of the program:

The government of Australia has merged two (2) distinct labour mobility programs with Vanuatu, namely the Seasonal Workers Program (SWP) and the Pacific Labour Scheme (PLS), known today as the Pacific Australia Labour Mobility Scheme (PALMS).

Vanuatu is ranked 1st on the SWP Program, meaning that it has the highest number of workers and is ranked 4th in PLS today's PALMS.

Both schemes, today's PALMS, bring to Australia unskilled to semi-skilled workers from Vanuatu to work in various sectors, but predominantly in the Agriculture and Horticulture industry. The PALMS has an annual growth of 40% every year since its inception in 2008, with Vanuatu topping the tally. Studies have proven that Vanuatu's growth in SWP is paced at 40% every year.
This is confirmed by various stakeholders (governments, industry and academics, etc who confirmed that Vanuatu workers have set and continue to set a higher standard of work ethic in Australia. All in all, it should be noted that Vanuatu workers are a "brand" to reckon with in the Australian Agricultural and Horticultural Industry.

The latest report released by the National Farmers Federation, called the 2030 Roadmap; the Australian Agricultural sector is planning to reach the 100 Billion Dollar mark. The President of the National Farmers Federation (NFF) has confirmed to the Pacific and Timor-Leste Heads of Mission in a meeting that Australia will not be able to reach that target without Seasonal workers from Vanuatu. Over more, the 2019 annual report from NFF and the Australian Department of Agriculture stated that Foreign Workers in Australia have contributed 60 billion AUD. By looking at this figure, one can quickly determine what proportion of that 60 billion AUD is coming from our Ni-Vanuatu workers. For your information, the Australian government has never wanted to undertake a study to showcase the economic contributions of the PALM Scheme workers in the Australian Economy, similar to the study done on backpackers.

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Economic gain to Australia:

- It is estimated that 2/3 of the workers' earnings stay back in Australia and only 1/3 is remitted back to Vanuatu.
- Labour Mobility workers (PALM Scheme) contribute economically to two different categories in Australia, namely (i) the Industry they work in eg: Agriculture Sector where the biggest number of Vanuatu workers are, with a whooping revenue in a single financial year of over 89 billion dollar, and (ii) the everyday living expenses such as Accommodation, and transportation, excursion, food, clothing, etc.
- The following figures are to be noted for Vanuatu workers ONLY. They inject over 65 million dollars annually in Accommodation and over 45 million dollars in Transportation.
- In Tax (Direct and Indirect), the workers from Vanuatu pay roughly 50-60 million dollars annually. This amount represents 67% of the total Aid to Vanuatu given by the Australian Government.

Vanuatu has been ranked 1st in Labour Mobility since 2016, except for a period from 2022 to mid-2023 when Fiji took the top spot because Vanuatu reduced the number of workers in meat work (abattoirs). However, Vanuatu regained the top position afterwards.
Currently, Vanuatu workers represent almost 20% of the total labour force under the PALM Scheme. When looking at sub-regions' Labour Mobility supply, Melanesia (Fiji, Papua New Guinea, Solomon Islands, and Vanuatu) accounts for 57% of the total workforce.

As mentioned above, Vanuatu is ranked in 4th position on the Pacific Labour Schemes (PLS). The last meeting held (23rd December 2020) with DFAT officials in Canberra identified that there is an appetite to grow Vanuatu's participation in PLS. The High Commission is eager to get inputs from the Department of Labour and other line ministries and departments on how to safely increase Vanuatu's participation in PLS.

While it is in the plan of the Vanuatu Government to increase participation in the PALMS, it is suggested that appropriate support should also be put in place on the ground in Australia with the Vanuatu High Commission to Australia to provide crucial support to the Ni Vanuatu workers. Before COVID-19, it is estimated that there were 5,800 workers under SWP and a considerable number of workers under PLS.
Since our involvement with the High Commission of Vanuatu in Australia, and working with Australian South Sea Islanders (Port Jackson) networks across Australia, as well as travelling across the regions, we have evidence that identifies a continued systemic abuse of power, human rights and social justice issues that continue to escalate for our Ni Vanuatu workers.

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Lack of Communication:

Poor communication in labour mobility, especially between agricultural employers/farmers (AEs) and the workers they employ. This lack of clear communication from AEs/farmers to the workers, often compounded by language barriers, leads to significant misunderstandings.

- A flawed system where miscommunication and inadequate support for Team Leaders undermine the well-being and fair treatment of workers.
- The situation is worsened by the selection of workers from Vanuatu as Team Leaders who are not adequately trained for their roles.
- They are not compensated for the additional responsibilities.
- Consequently, they often don't understand their duties.
- Power imbalances influence untrained Team Leaders, who sometimes act against the interests of the workers, rather than advocating for them responsibly.

Australian Government Response to Vanuatu High Commission to Australia on COVID-19 policy for SWP workers:

The Seasonal Workers Program (SWP) was the most affected and impacted by COVID-19. When lockdown started in March, the High Commission of the Republic of Vanuatu approached the Australian Government (DESE) on several occasions and informed the Australian Authorities about the rising number of negative impacts that COVID-19 is having on workers, as detailed above. In that regard, the High Commission of the Republic of Vanuatu has also requested from the Australian Authorities (DESE) a COVID-19 strategy for SWP.

It was with a disdainful surprise that the High Commission of the Republic of Vanuatu was told that the Australian Government does not have a contingency plan or a strategy for SWP on COVID-19. We have repeatedly sought from them a plan as to how the Australian Government can support in better way our workers during the lockdown of COVID-19.

It was then that the Australian Government announced the JobKeeper package and mental health financial support for Australians. The High Commission of the Republic of Vanuatu continued to question the Australian Government as to why the workers, as taxpayers, were not eligible for the JobKeeper package and the mental health package, with no positive response from them.

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The only measure provided by the Australian Government (DESE) to our workers was to approve their redeployment from one farm to another or from an Approved Employer to another one. Again, it was not done promptly, let alone was not financed by the Australian Government (DESE) in the sense that workers had to pay for their own transportation costs. During the COVID-19 lockdown, these transportations are extremely expensive, and workers are left to pay with their own savings. This is another factor that pushed workers to abscond because they are left with huge bills. As Australia is a vast country, moving someone from Griffith, New South Wales, to Darwin in the Northern Territory can cost easily $2000-3000. Workers felt that they had been exploited, hence they absconded.

The lack of a proper strategy for SWP on COVID-19 from the Australian Government (DESE) has sadly contributed to the problem of absconding and other challenges SWP workers face and continue to face.

Psychological impacts on Ni Vanuatu workers :

COVID-19 has hit the whole world hard, and the Ni Vanuatu workers are no exception. There were a striking number of issues and challenges that were faced by workers, and that they continue to face today. The agricultural and horticultural industry was hit hard in the sense that they had fewer workers working in the farms, and therefore, the Australian Government took swift action to extend the Seasonal Workers Program (SWP) visa for another 12 months since June 2020. As we all know, SWP workers should only work for 6-9 months before going home, but due to the lockdown, workers are forced to remain in Australia. Even though workers have had their work visas extended, COVID-19 has had huge negative impacts on workers. Some of these impacts are mentioned below.

- COVID-19 has had a heavy impact on the mental well-being of the workers. Workers were worried about their loved ones back home and were worried about contracting COVID-19 in Australia.
- The lack of proper communication from Approved Employers (AEs) and the Australian Government Department of Education, Skills and Employment (DESE), now called Department of Employment and Workplace Relations, has further added stress on the workers.
- The workers felt that they were let down but both parties. ASSIPJ has fielded workers' complaints and pleas for support, redirecting them to the Vanuatu High Commission, which was simultaneously overwhelmed with concerns.
- The mental impact and isolation have obviously led to other sets of problems. The DEWR/DFAT hotline is not an option for non-English speaking workers, as well as communication with automated voices is foreign, especially for those from villages.
- The reasons behind extending their work visa from subclass 403 to subclass 408 were;

- Unavailability of flights to go home and the Australian Agricultural and Horticultural industry's crucial needs for workers.

Slave like conditions, lack of Visa 403, need for flexibility:

Currently, individuals holding a 403 visa are not allowed to leave Australia without their visa being cancelled. The proposed change would allow these workers to travel home to visit family or receive family visitors in Australia without jeopardising their visa status.

- The current Subclass Visa (403) ties the worker to the employer. This has left a huge room for abuse of workers by the Employers.
- The policy around the visa has to change, whereby workers can leave their employer should they are abused.
- Tying vulnerable workers who do not know much about their rights in Australia could be seen as a slave-like practice.
- The Visa conditions MUST be changed for workers to work for different employers, should they be abused. For far too long, there have been so many abuses that drive a massive disengagement.
- Also, it is important to reduce the cost of the Visa subclass 403. The current price stands at $375, which is a lot for a Pacific Islander.
- Visa fees raised yet again https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-work-403
- Once a worker disengages from the PALM Scheme (Labour Mobility) Program, they are left on their own. The worker does not have any form of protection under Australian Law. 90-95% of the workers disengaged for valid reasons - e.g. exploitation, mistreatment, wage theft, etc. - and they are left to fend for themselves.
- Their Visa status (subclass 403) does not offer them any protection. The Visa subclass 403 is the only existing visa in the Australian Government visa system that (i) does not offer protection to the visa holder should s/he leave the program for genuine reasons, (ii) cannot be converted to any other visa.
- Visas should be totally free, as workers are considered essential workers in providing food to Australians and as stated in the International Labour Organisation's (ILO) norms for migrant workers.

Open Door Policy:

Australia could allow families to visit their relatives in Australia, especially those on long-term visa (PLS), by granting a Visa Waiver to all participating countries in Labour Mobility. That way, families can move around, and this could constitute a form of "circular economy", whereby families do not have to move to Australia, which could create potential challenges for accommodation, High cost of Health Insurance (min. of $6,000 for basic package for a family of 3). It is estimated that 99% of Ni-Vanuatu workers are in rural and regional Australia, which, according to

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statistics, rural and regional Australia has the highest cost of living, let alone travelling distances for basic services, such as supermarkets, health clinics, etc.

High Mortality rates, wellness and illness for Ni Vanuatu workers:

We urge the Australian Government to provide basic Medicare to workers free of charge, the same way that it provides to citizens of other countries, namely New Zealand, France, Italy, Belgium, etc., to name a few (see Links): Workers contribute immensely to the economic well-being of Australia, yet they do not have access to basic Medicare.

- Vanuatu workers' pay $10 million annually for international medical insurance.
- Health insurance is mandatory for worker visas and must be maintained.
- Most workers don't understand their AEs' chosen health insurance plans.
- AEs haven't provided adequate information sessions about the insurance.
- Managing different insurance companies is a burden.
- Pregnancy is not covered if the person has less than 12 months with all medical insurance companies in Australia.

The lack of accessible information and pervasive misunderstanding surrounding the medical insurance scheme instil significant fear and reluctance in Ni Vanuatu workers, particularly concerning consultation and hospital fees. This fear, compounded by language barriers and a lack of system understanding, often prevents them from seeking necessary medical attention, creating potentially life-threatening situations. The absence of formal agreements between insurance providers and rural medical facilities exacerbates this issue. Furthermore, critical exclusions, such as pregnancy and pre-existing conditions, remain unclear to Ni Vanuatu workers, further fuelling anxiety and potentially leading to dire consequences when these needs arise. As stated in the provided document, there is a clear lack of understanding from Workers about their medical insurance scheme." This is mainly because workers' private medical insurance providers (BUPA, NIB, MEDIBANK, etc.) do not have formal agreements with hospitals and clinics that workers go to in rural and regional Australia.

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Death rates of Ni Vanuatu workers in Australia:

- Number of deaths since 2020 – the High Commission has recorded 2020 to date, 42 deaths (disengaged workers included)
- Current statistics of workers in Australia until July 2025 - 30,475 for PALM, with 6,080 alone from Vanuatu (refer to PALM scheme data | PALM scheme)

Number of Critical incidents for Ni Vanuatu workers:

- 2023 - 22 Critical incidents
- 2024 - 32 Critical incidents
- 2025 to date - 11 reported critical incidents

Number of Ni Vanuatu terminal illnesses:

- 3 that were recorded - 2 in Victoria (female) and 1 in Queensland (male) - Note that all these workers were encouraged to complete necessary medical treatment in Australia before returning to Vanuatu, with a proper referral made with our main hospital.

Welfare and Pastoral Care for Ni Vanuatu workers:

- A significant number of babies (over 40 annually) are born to or by Ni-Vanuatu workers in Australia. A majority of these children are given up for adoption, while others are sent back to Vanuatu.
- The citizenship rights of children born in Australia to Ni-Vanuatu workers remain unclear.
- Systemic issues persist regarding the welfare and pastoral care of workers, including overcrowding in living accommodations (up to 10 workers per room, often in bunk beds).
- Hygiene problems and mixed-gender housing arrangements contribute to the vulnerability of women and girls, leading to a consistently high rate of pregnancies among this population in Australia.
- Domestic violence and gender-based violence are common issues affecting Ni Vanuatu workers.

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Upskilling of Ni Vanuatu workers:

- Workers must be upskilled while in Australia to attain an Australian Qualification. Some workers have been coming back to Australia in the same job for the last 10 - 15 years and yet occupy the same job with the same award rate. For Example, a horticultural worker has been coming for the last 10 years, and yet they continue to be considered as UNSKILLED and are on Horticultural Award Level 1. Therefore, it is important that these workers get their skills recognised in Australia so they can move up the ranks.
- There is a valuable opportunity for the PALM Scheme to formally identify and document these skill sets through Approved Employers (AEs). Capturing this data would not only acknowledge the existing capabilities within the workforce but also enhance the program by leveraging these workers' leadership, technical, and management skills—bringing long-term benefit to both host businesses and sending communities.
- Workers are left without work for weeks and months. AEs were not able to find workers new placements on time and kept workers for as long as they could for the next season of harvest. While keeping the workers without jobs, they continue to deduct money for accommodation and transportation. There were times when AEs offered 6-7 hours of work weekly. This was not the agreed-upon weekly minimum of 30 hours, as stated in the Deeds of Agreement that AEs signed with DESE. The lack of working hours has highly contributed to workers' depression and has sadly pushed a lot of workers into alcohol consumption. As mentioned in the inquiry, a person may be indebted to their village/church for the support for their passage to Australia.
- Recognition of Skilled Workers within the PALM Scheme. Many skilled and highly qualified individuals are currently participating in the PALM Scheme out of economic necessity—supporting their families back home. These workers often include professionals from sectors such as hospitality, health (including doctors), engineering, and other specialised fields.

Disengaged Ni Vanuatu workers.

- Disengaged workers were mostly workers under the SWP. We have noticed that the number of disengaged workers has risen drastically. A small portion of workers have taken advantage of the situation, but ¾ of all disengaged workers have run away from their AEs because of a lack of work. These workers have raised with the High Commission that their main reasons for running away from their AEs were because they do not have enough hours of work or because they will be returning soon to Vanuatu, but still have not made enough money. These disengaged workers have now worked across different non-approved farms across Australia, especially in Queensland, Victoria, and New South Wales.

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- Note that the information below dates back to December 2024, and the data could be more or less depending on workers' movements and events. Reported PALM Disengagements are employer-reported PALM scheme disengagement figures from the Financial Years 2020-21 to 2024-25 (up to 30 November 2024). Please note that this data is drawn from a dynamic system environment and is subject to change. This data has not been modified to account for workers who have reengaged with the PALM scheme.

Reported Ni Vanuatu worker PALM Disengagements.

- Below are employer-reported PALM scheme disengagement figures from the Financial Years 2020-21 to 2024-25 (up to 30 November 2024). Please note that this data is drawn from a dynamic system environment and is subject to change. This data has not been modified to account for workers who have re-engaged with the PALM scheme.

Financial Year	Vanuatu
FY2020-21	417
FY2021-22	811
FY2022-23	724
FY2023-24	213
FY2024-25 to 30 Nov 2024	40
TOTAL	2205

All PALM scheme workers lodging Protection Visas

- The table below provides the number of individuals who have ever held a subclass 403 PALM, Seasonal Worker Program or Pacific Labour Scheme visa who have applied for protection from 1 July 2020 to 30 September 2024.

Commenced Date: before or equal to 30/09/2024						
Count of CID	Commenced FY					
Citizenship	2020-21	2021-22	2022-23	2023-24	2024-25 (to 30 Sep 24)	Grand Total
Vanuatu	187	509	569	971	116	2352

PALM scheme workers refused Protection Visas

- The table below provides the number of individuals who have ever held a subclass 403 PALM, Seasonal Worker Program or Pacific Labour Scheme visa who have applied for protection and been refused from 1 July 2020 to 30 September 2024.

10 sending countries below the outcome Dates are between 01/07/2020 and 30/09/2024							
Count of Client ID		Outcome Financial Year					
Outcomes	Citizenship	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025 (to 30 Sep 24)	Grand Total
Refused	Vanuatu	<5	161	266	950	224	1601
Grand Total							5624

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Cultural Maintenance Framework for Ni-Vanuatu and Pacific Workers:

There has never been a Cultural Framework developed for both SWP and PLS for Approved Employers (AEs) to understand where our workers come from and their lived experiences, culture or language. Vanuatu High Commission and ASSI-PJ keep advocating for the development of a Cultural Framework that could then be sub-regionalised and could even be country-specific. Work is in progress to finalise the Cultural Framework, but we keep noticing that the Australian Government has not consulted meaningfully with the Heads of Mission in Canberra while developing and finalising the Cultural Framework. This is now three years since the Cultural Framework was drafted.

Tackle, in a culturally appropriate manner, the welfare and pastoral care issues that workers are currently facing in Australia. We strongly suggested that proper mechanisms be established to tackle these challenges. There is urgency in developing a Cultural Framework, especially as the Labour Mobility scheme is expanding. Until now, we have been aware that the High Commission is aware of the initial stages of the draft document.

The policy recommendations below highlight the importance of cultural roots and self-determination in shaping a community's success and future for the PALMS:

- Connection on Country: Ni Vanuatu workers need to understand the First Nation country they are working on for every location, connecting respectfully with traditional owners.
- Cultural Identity and Autonomy: Our unique cultural heritage empowers our community to chart its own path. By embracing our traditions, we affirm our right to self-governance and independence for Ni Vanuatu have an evident kinship with ASSIs who populate the very regions they are working in.
- Collective Empowerment: Together, we harness our shared values and history to drive forward, ensuring that decisions are inclusive of us, for us. This collective strength ensures a future built on cultural integrity and self-reliance respect and integrity.
- Self-Determined Development: Our path to growth and prosperity is guided by our own cultural wisdom and priorities. By relying on our lived experiences both ancestral and contemporary knowledge, workers create a sustainable and self-sufficient future in a foreign land.
- Preservation of Heritage: Protecting our cultural assets is crucial for maintaining our identity and confidence. Through self-determination, workers safeguard their languages, customs, and stories for future generations to work as part of the PLAMS.

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- **Community-Led Governance:** Our governance structures reflect our cultural values and are led by community voices. This ensures that our development aligns with our needs and aspirations for our families and communities to integrate in a foreign land that boast multiculturalism sustainability.

Challenges faced by Ni Vanuatu workers due to the lack of a robust Cultural Framework:

- Pre-departure cultural exchange training materials and workshops well in advance.
- Although most workers have been coming back to Australia (through the same or different AEs), there seems to be a lack of understanding of their rights in Australia under the Australian Government laws and regulations.
- Workers do not seem to know that they have the same rights as any Australian Citizens working and living in Australia, meaning that they are regulated under the labour laws of Australia under specific awards, such as the Agricultural and Horticultural Awards, in terms of their wages.
- For example, workers seem to be unaware of different award rates, namely, piece rate and hourly rates that AEs put in their work contracts.

Contracts:

- Workers do not sign a contract when they leave their country.
- They sign a letter of offer of employment, which could be seen as "illegal" under Australian law. Workers do not understand the contracts they sign. They do not understand the terms and conditions of the contract they sign.
- AEs make sure to always bring the contracts to the workers the same day when they arrive at their new employment sites, and would only give them a few minutes to look into them and would "force" them to sign them. The majority of workers do not even understand what is written in the contract.
- Under Australian Labour Laws, workers must have their contracts a few weeks ahead before signing them, and workers have the right to consult a lawyer or Union if they are not happy with the terms and conditions of the contract.
- Most AEs, especially Labour Hire Companies – MADEC, the Connect Group, Job Australia, OPW, etc., are hiding behind the fact that workers are not highly educated to make them do anything, such as asking them to sign their contract without proper support or consultations.

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- Most of the time, AEs do not explain to the workers the nature of the contracts. Workers do not even know that the contracts they signed could contain piece rate and hourly rate, and AEs or farmers will choose when piece rate or hourly rate will apply and, in most cases, in favour of the Employers. When they complained of not making enough money, AEs or Employers will refer them back to their contract. Workers would then go to the High Commission, but unfortunately, contracts cannot be amended.

The minimum guaranteed weekly hours of work are 30 hours. When AEs and Farmers signed Deeds of Agreement with the Australian Government (DESE), it was stipulated that workers must be guaranteed a minimum of 30 hours weekly. Unfortunately, this has not been the case on so many occasions, which has pushed the workers to abscond or to misbehave.

As best possible with the limited resources, workers are advised to ask for their new contracts at least a week in advance so the High Commission in Australia can have a look at them. With all of this limited knowledge by Ni Vanuatu workers, there are also the challenges they face with

Accommodation Costs for Ni Vanuatu workers:

- We keep addressing to the Australian Government (DESE) repeatedly.
- Too many instances of abuse where workers are overcharged for accommodation.
- No proper study on the accommodation market for Seasonal Workers.
- No value for money, meaning the quality of accommodation does not reflect the price workers are paying.
- Accommodations are overly crowded, whereby there are 4-7 workers in one bedroom, and they are charged per bed and not per room. Workers can pay up to $150 per bed, per week.
- Other well-being issues related to overcrowded accommodation, such as lack of proper rest and lack of privacy, especially when workers must work long hours, e.g., up to 10 hours a day.
- AEs are putting men and women in the same accommodation, knowing very well that they are married and that their spouses are back in Vanuatu. It is culturally inappropriate, and therefore, we have a lot of cases of pregnancy.
- The Australian Government (DESE) has promised that they have undertaken an accommodation review and that a report will be released soon.

Transportation for Ni Vanuatu workers:

- Transportation is to and from work being overcharged for transportation.
- Workers would pay from $50-70/per week for transportation. There are instances where workers would be charged $70/week but would only use transport for 5 or 6 days a week.
- Workers would be driven by other workers to and from work.
- Drivers (workers) are not remunerated for driving workers to and from work.
- Drivers would not receive proper, skilled training on how to drive workers to work.
- Workers are chosen randomly without any prior driving experience.
- There are a number of cases where transport (mostly minibuses) would be registered under AEs or Farmers' names and would be used to drive workers to work.
- States and Territories' transport regulations, AEs and Farmers are not allowed to charge transport fees if these buses are not registered as public transport.
- AEs and Farmers would ONLY be able to charge for transportation if these minibuses are registered under the States and Territories Transport Legislation.
- Workers do live outside of the town they work in, meaning most of them live on Farms. Sometimes, workers live 40 minutes to 1 hour away from the town centres. Therefore, they would need a mode of transportation to town for their needs (shopping, groceries, etc.). This is not the case in most cases where workers weren't allowed to use transport during weekends for their personal needs.
- In addressing these ongoing issues with regard to transportation with the Australian Government (DESE). DESE promised that they are addressing this by undertaking a study across the board.
- Ongoing complaints from the workers about overcharges on transportation.

Family Accompaniment Visa for Timor-Leste & Kiribati:

The Australian Labour led Government has announced under Labour Mobility (PALM Scheme) the 'Family Accompaniment' (FA) Visa available for long-term PALM workers (one to 4-year visas) who have the agreement of their employer to bring their family to Australia. These Republic of Kiribati and Republic of Timor-Leste have accepted to join the FA program. The Australian Government (DFAT and DEWR) are working with both

countries to finalise their participations. Vanuatu will not participate at this time and will await to see results of the trial with Kiribati and Timor-Leste.

- Partners (wife, husband, de facto) will be able to live, work and study in Australia.
- Children will be able to go to school.
- There may be other eligibility criteria – such as families will get the tax break and access to Medicare while in Australia. Seasonal/short-term workers are unable to bring their families to Australia.

Economic loss for Vanuatu:

- The original mandate of Labour Mobility is for Pacific and Timorese workers to come to Australia to work and then send money (remittance) back to their families and relatives remaining home.
- The sending countries are supposed to benefit from remittances. For information, remittance is a serious business and considered export earnings in some countries, such as the Philippines and the Dominican Republic, to name a few. These countries export their labour workforce and in return they gain in terms of remittances. As for the Pacific, Vanuatu's remittance is estimated to represent 10.9% of GDP in 2020, higher than the average for the Pacific, which stands at 10% of GDP1.
- By bringing families to Australia under the Family Accompaniment (FA), it is estimated that Vanuatu will lose out economically. For instance, when families are in Australia, workers will no longer remit/send money back home, and remittance will fall sharply. In return, it will contribute to supporting the receiving country's economy (Australia), as workers' earnings will remain in Australia, rather than flowing to Vanuatu. In conclusion, this will defeat the purpose of having a Labour Mobility Scheme, which is underpinned by its fundamental mandates.
- Moreover, the Vanuatu High Commission has conducted online and face-to-face surveys on workers' earnings, and it found that roughly three-quarters (3/4) of workers' earnings stay in Australia in the form of deductions and high living expenses. Only one quarter (1/4) is remitted back to Vanuatu. This is a similar observation for other Pacific Island participating countries, including Timor-Leste.

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