

Rudd to review ported 457 visas

By John Sutton
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Last year, before he became Prime Minister, Kevin Rudd called the abuses of the 457 visa scheme 'revolting, absolutely revolting'.

Now that he's in, Rudd has decided to do something about it – the Government has set up a review of the 457 scheme. Industrial Relations Commissioner Barbara Deegan is due to report to the Immigration Minister, Chris Evans, by October.

457 Review good – in parts

The CFMEU welcomes the 457 Review which needs to address the underpayment of wages, protection for these vulnerable workers from abusive employers, their legal status and their capacity to work free from exploitation.

However, Rudd's first priority should be to address the shortage of training opportunities for young Australians.

Workers are not cheap imports

Another concern is the proposal to bring in unskilled temporary labour from the Pacific Islands. This idea got a tick at the Government's recent 2020 Summit as a sop to employer groups and their right-wing think-tanks – the same people who brought Australia privatisation, deregulation and union-bashing over the last 20 years.

'Rudd's first priority must be to ensure young Australians have better training opportunities.'

We thought that WorkChoices was dead.

According to respected immigration expert Bob Kinnaird, it's lower-skilled guest workers like those proposed from the Pacific Islands who are more vulnerable to physical abuse and rip-

offs by employers. 'It's quite possible for employers to be fully compliant with the terms and conditions of 457 visas, but still be undercutting local market rates,' he says.

What we think

The CFMEU believes that it's time to break the stranglehold that sponsoring employers have over these vulnerable workers. And we also believe that the problems papered over by the use of 457 visa workers are solved by sound educational, training and immigration policies.

What has happened

Abuse of workers on the 457 visa continues throughout Australia.

1. **Anti-CFMEU WA builder, Hanssen's imported Filipinos because they 'are easy to control'.**
2. **A Darwin plasterer blew the whistle on a scam to use overseas workers to lock out local tradespeople from the construction boom.**
3. **John Holland P/L used 457 visa workers as a threat to try and force Mackay workers to sign a bad AWA.**
4. **Two Chinese workers [pictured] in Sydney were fired when they complained about being underpaid.**



What must happen

The solution to Australia's skills shortage is twofold.

1. **Employers must train Australian workers, particularly young workers, so that they are capable of doing the skilled work that Australia requires.**
2. **Where genuine skills shortages do exist, they should be filled by permanent migrants paid at the going Australian wage rates.**



'I will break your legs and send you back to India.'

That's how Mohammed Nayeem's boss sacked him when he dared to ask for overtime pay last year. And that's how it is for all too many other overseas 'guest workers' brought to Australia under temporary 457 visas: underpaid, ripped off, subjected to danger, and totally at the mercy of their bosses.

All because Australian governments and bosses have been too lazy for too long to properly train Australian workers – and now, caught short by a long boom, they've resorted to the old German and Gulf States short-cut of importing temporary workers to plug the gap.

The CFMEU isn't opposed to migrant workers. From the days of the gold rushes and cane fields, through major projects like the railways and the Snowy scheme, to the growth of the steel and car industries and the

coal and iron mines, Australia has long depended on migrant workers – permanent migrants who could fight for and exercise the same rights as Australian workers, and who worked under the same conditions for the same pay.



50 hours work for 38 hours pay

It's not like that for 457 workers.

Despite formal rules against wage rip-offs, official Federal Government figures in 2007 showed that the average salary for a tradesperson on a

457 visa is \$49,200 all-inclusive. You don't get local workers at that rate.

Many 457 tradies work excessive hours even to get that substandard wage. Mohammed Nayeem for one. Each week, he got the standard 38 hours pay for 50 hours work, minus the \$100 that his employer deducted for 'accommodation' (a two-bedroom converted office shared with five other workers). The third time that Mohammed, a proud member of the CFMEU, asked for his overtime pay, he was sacked and told 'I will break your legs and send you back to India.'

Sometimes threats like that are more than just talk. The CFMEU and other unions have heard all too many stories about physical bashings of 457 workers by intimidatory bosses, even shocking deaths – in a short period mid-last year, three 457 workers died on unsafe worksites. The rate of workplace deaths amongst 457 workers is nearly double the Australian average.

Mr Rudd, we are looking to you to protect the Australian standards for local and migrant workers.

Let's not repeat mistakes made overseas

The large movement of guest workers from the Asia/Pacific region into Australia's small labour market would have profound effects on the ability of our governments or unions to uphold standards.

The logical conclusion of such a policy is a 'two-track' labour market where locals predominately work in high-skilled and professional jobs, while semi-skilled and unskilled jobs would be performed almost exclusively by guest workers.

A 'two-track' labour market is becoming more entrenched in the USA, Western Europe and the Middle East, particularly in the Gulf States of Kuwait, Qatar and the United Arab Emirates.

Castles made of sweat and blood

In Dubai an extravagant standard of living is being generated for UAE citizens off the back of a vast pool of cheap foreign labour.

Many millions of guest workers, mainly from India, Bangladesh and other countries of southern Asia, toil for long hours at low pay with inferior or non-existent rights and live in squalid enclaves that are out of sight and out of mind for locals and tourists. When they complain or they seek to form trade unions, their temporary UAE visas are simply revoked and they are kicked out.

Surely a Labor government doesn't want to set Australia on the path to this sort of inequality.



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