



Australian Government

Fair Work
OMBUDSMAN

Horticulture compliance report

Findings from
15 regions



Contents

Message from the Fair Work Ombudsman	01
Background	02
Horticulture Strategy 2021–2024	04
Key findings	06
Enforcement outcomes	19
Working collaboratively with other regulators	20
Next steps and considerations	26
Resources	29
Appendix A	30

Acknowledgement of Country

In the spirit of reconciliation, the Office of the Fair Work Ombudsman acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters and community. We pay our respect to them and their Cultures, and their Elders, past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possible when everyone is included.

Connecting with diverse peoples; meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations peoples and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**





Message from the Fair Work Ombudsman

This report is the culmination of a comprehensive strategy implemented by the Fair Work Ombudsman (FWO) to improve compliance in the horticulture sector.

From December 2021 through to November 2024, we investigated growers and labour hire providers in 15 key regional hot spots identified as high-risk for non-compliance with workplace laws.

Fair Work Inspectors undertook 360 site inspections, engaged with 545 businesses and commenced 512 investigations. The findings and outcomes in this report are based on those intelligence-led investigations.

We collaborated with other regulators at a state and Australian Government level to promote the sharing of information and enforcement of laws.

Through an appropriate use of our enforcement powers, I am pleased to report the FWO has assisted vulnerable workers by requiring non-compliant employers (predominantly labour hire providers) to take corrective action and remedy harms. However, there is further work to be done.

The horticulture sector is critically important to the Australian economy. With an increased number of temporary visa holders working in the sector, the FWO remains committed to changing employer and sector behaviours where there is non-compliance.

In commending this report and the considerations relating to enhancing future compliance, we know we can't achieve the mission alone. Embedding positive cultural change will require ongoing collaboration with industry partners and other regulators.

It is in the interests of all Australians, consistent with the broader objectives of the *Fair Work Act 2009* (Cth) (FW Act), to secure a productive, cooperative, harmonious and compliant horticulture sector.

Anna Booth
Fair Work Ombudsman

25 June 2025

Background

Supplying fresh quality produce both domestically and internationally, the horticulture sector is critically important to the Australian economy.

The FWO's Regulatory Compliance Risk model has rated horticulture as a high-risk sub-sector.¹ The high incidence of non-compliance and unique characteristics of the horticulture sector have made it an ongoing priority area. These characteristics include the:

- nature of work (manually intensive, often low-skilled, and seasonal)
- prevalence of labour hire arrangements
- high proportion of vulnerable, young and/or visa holder workers
- transient workforce
- location of workplaces (often remote).

Our experience has shown workers in the horticulture sector are often reluctant to report non-compliance to the FWO for the following reasons:²

- the power imbalance between temporary migrant workers and their employers
- migrant workers' lack of knowledge of workplace laws
- workers not knowing who their employers are
- generalised labour skills that can be easily substituted (limited job security)
- the lack of mobility due to migrant workers' residency requirements and/or financial commitments being tied to their current employment
- workers' lack of access to social support, health care, education and childcare
- discrimination, workplace segregation and social exclusion
- a lack of representation by third parties that can secure access to or facilitate collective voice.



1 [FWO Compliance and Enforcement Policy](#).

2 These factors have also been reported upon in evidence-based research conducted by Associate Professor Stephen Clibborn, Co-Director, [Sydney Employment Relations Research Group \(SERRG\)](#) and Deputy Head, [Discipline of Work and Organisational Studies](#), The University of Sydney Business School.

The Harvest Trail Inquiry Report

In late 2018, the FWO published the [Harvest Trail Inquiry Report](#) (the Inquiry Report).

Building on previous Inquiries into the exploitation of visa holders and migrant workers in the meat processing sector,³ the Inquiry Report disclosed:

- widespread non-compliance amongst employers investigated
- misuse of piece rates
- significant reliance by growers on migrant workers
- a negative impact where labour hire arrangements were used illegally
- low consumer awareness and an unwillingness to pay more for 'domestic fair trade' produce contributes to exploitation.

Following publication of the Inquiry Report, we established a Horticulture Industry Reference Group (Reference Group) comprising key employer and employee organisations to consider the findings, outcomes and recommendations.⁴

Over an 18-month period, the Reference Group discussed the dynamic nature of the horticulture sector, highlighting the need:

- for Fair Work Inspectors to 'cover the field' and target non-compliant employers in high-risk regions
- to maximise a strong presence in the regions by working with other government agencies and key stakeholders.

The findings of the Inquiry Report combined with the reflections of the Reference Group helped inform the FWO's response to non-compliance in the horticulture sector, including the strategy implemented from 2021 to 2024.



³ Fair Work Ombudsman media release – [Statement of Findings – Baiada Group](#).

⁴ Meeting on six occasions in 2019 and 2020, the Horticulture Industry Reference Group was comprised of the following member organisations: AusVeg; Australian Workers Union; Berries Australia; Coles; Costa Group; Growcom (Fair Farms); National Farmers' Federation; NSW Farmers' Federation; Recruitment, Consulting and Staffing Association Australia and New Zealand; the Australian Council of Trade Unions; United Workers Union; Victorian Farmers' Federation; Woolworths.

Horticulture Strategy 2021 – 2024

Informed by the findings of the Reference Group and the changes in the sector, in December 2021, we commenced a strategy (the Strategy) to enhance and promote compliance in horticulture through:

- better understanding the nature of worker engagement (particularly the role of labour hire arrangements)
- assessing the compliance posture of employers in a region
- identifying and better understanding the drivers of non-compliant behaviours
- acting on information to disrupt non-compliant behaviours
- taking enforcement action in response to contraventions.

Over a two-and-a-half-year period, Fair Work Inspectors targeted growers and labour hire providers in 15 regional areas across the country (see Appendix A on page 30). Regions were assessed for risk of non-compliance using a selection of internal and external risk measures. Regions that scored highly across all risk measures were selected for compliance activities.

In each region, we targeted employing entities identified through a combination of FWO-held intelligence and FWO research, along with information sourced from:

- other Australian Government departments and agencies
- state-based labour hire licensing regulators
- media, job websites and social media applications used by migrant workers
- local sources.

We undertook 360 site inspections, engaged with 545 businesses and commenced 512 investigations into compliance with the FW Act.

These investigations were in addition to other work in the sector including:

- monitoring compliance of employers in the Pacific Australia Labour Mobility (PALM) scheme and the skilled visa holder program
- investigations in response to referrals from stakeholders
- investigations into individual requests for assistance from workers alleging non-compliance.



To maintain a continuous presence in the sector, we deployed Fair Work Inspectors in high-risk regions based on harvesting seasons in a ‘rolling campaign’. Fair Work Inspectors adapted in the field, responding to new information and leads in real-time. This approach ensured targeted employing entities couldn’t easily evade detection and accountability, and workers and managers could be interviewed on site.

In an industry sector with a significant proportion of migrant workers, we were committed to collaborating with other Australian Government and state departments and agencies to enhance our regulatory capability. We achieved efficient and effective parallel regulation through intelligence sharing, coordinated briefings and joint compliance activities, working closely with:

- the Australian Taxation Office (ATO), including through the prescribed Phoenix and Shadow Economy Standing Taskforces
- the Department of Employment and Workplace Relations (DEWR) and the Department of Foreign Affairs and Trade through their administration of the PALM scheme
- the Department of Home Affairs/Australian Border Force (ABF) under a subsidiary arrangement, wherein intelligence is shared, investigations co-designed and joint investigations are planned and actioned
- labour hire licensing regulators in Victoria, Queensland and South Australia.

The industrial instruments

We focused primarily on employers covered by the Horticulture Award 2020 (Horticulture Award). Key changes made to industrial instruments by the Fair Work Commission (the Commission) were highly relevant, including variations to the Horticulture Award requiring:

- casual employees to be paid overtime rates when working more than 12 hours per day or 304 hours during an 8-week period (effective from April 2019)
- employees who are paid a piece rate to be paid at least the minimum hourly rate for the employee’s classification and type of employment (effective from April 2022).

Areas of focus

Conscious of the changes in the sector since the publication of the Inquiry Report, we concentrated on the following key employer obligations:

- piecework rates and requirements relating to pieceworkers⁵
- wage rates, in particular casual rates and overtime⁶
- pay slip and record-keeping obligations.⁷

Throughout, we promoted our Horticulture Showcase, which is a virtual hub of workplace information and resources for the industry. The showcase has extensive free resources for labour hire providers and growers to better understand and comply with their obligations under the FW Act and the Horticulture Award, including self-audit checklists and information on:

- piecework rates
- record-keeping
- sourcing labour through labour hire providers
- hours of work and overtime
- deductions for accommodation, transport and job finding.

For migrant workers and visa holders, the showcase contains [in-language information and resources](#) in more than 30 languages.

⁵ Horticulture Award clause 15.2 and related clauses and Schedules.

⁶ Horticulture Award clauses 15.1(a), 11.2 & 21.4.

⁷ *Fair Work Act 2009* (Cth) and the *Fair Work Regulations 2009* (Cth).

Key findings

For each of the 15 targeted regions, the table below summarises the non-compliance ratings assessed and rates found. We acknowledge that these non-compliance rates may be higher than for the broad employer community in a region, given our inspections were not conducted randomly. Rather, we targeted employing entities suspected of non-compliance and/or against whom allegations of non-compliance had been reported to the FWO.

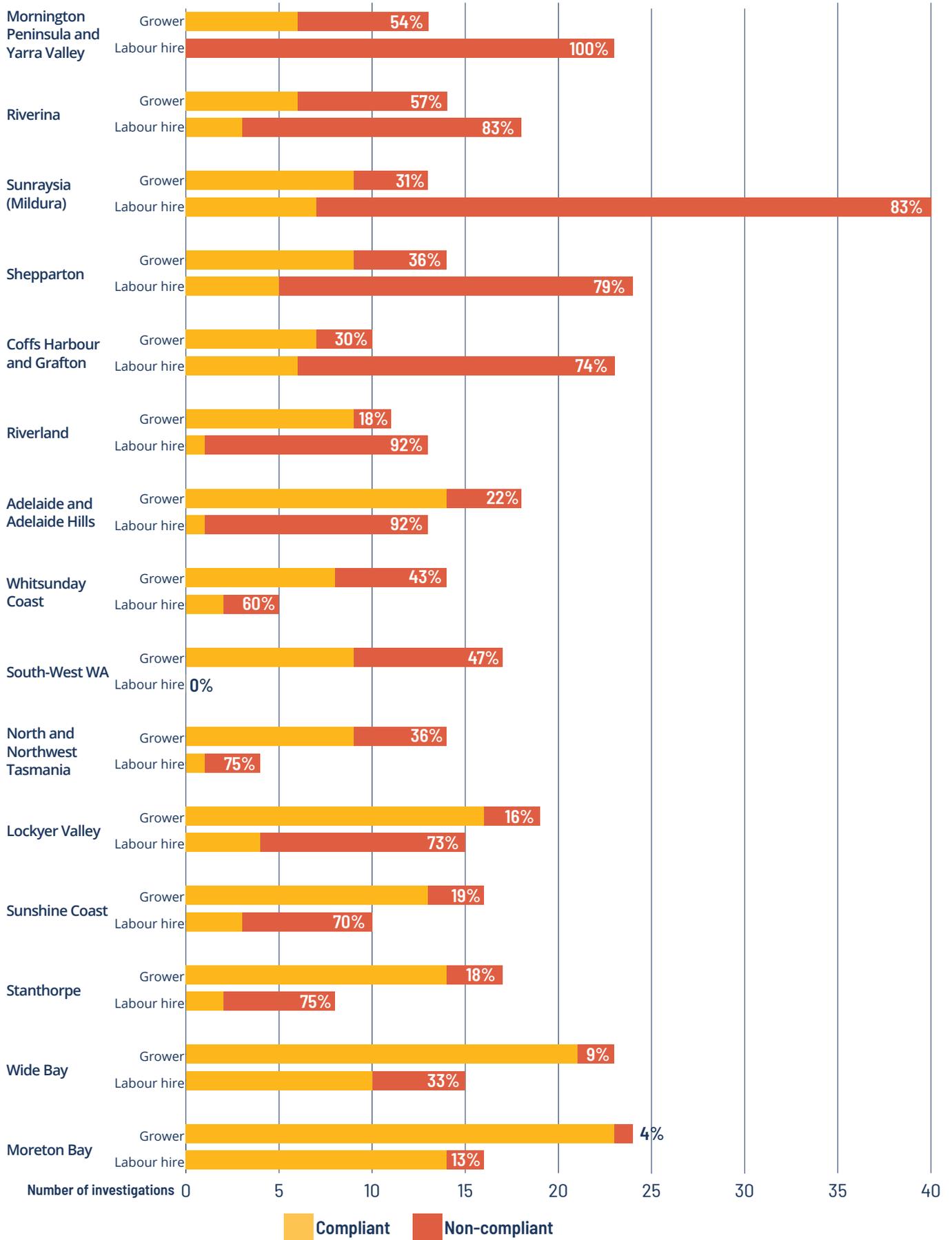
Rating scale of non-compliance levels

Rating	Non-compliance range
Extreme	81–100%
Very high	61–80%
High	41–60%
Moderate	21–40%
Low	0–20%

The graph on the next page provides a more detailed breakdown of findings in each region.

Region	Non-compliance rating	Non-compliance found
Mornington Peninsula and Yarra Valley, Vic	Extreme	83%
Riverina, NSW	Very high	72%
Sunraysia (Mildura), Vic	Very high	70%
Shepparton, Vic	Very high	63%
Coffs Harbour and Grafton, NSW	Very high	61%
Riverland, SA	High	58%
Adelaide and Adelaide Hills, SA	High	52%
Whitsunday Coast, Qld	High	47%
South-West WA	High	47%
North and Northwest Tas	High	44%
Lockyer Valley, Qld	High	41%
Sunshine Coast, Qld	Moderate	38%
Stanthorpe, Qld	Moderate	36%
Wide Bay, Qld	Low	18%
Moreton Bay, Qld	Low	8%

Comparing non-compliance of growers and labour hire providers (% of investigations by industry)



A breakdown of each regions' findings and outcomes

CN: Compliance notice IN: Infringement notice

*Figures rounded

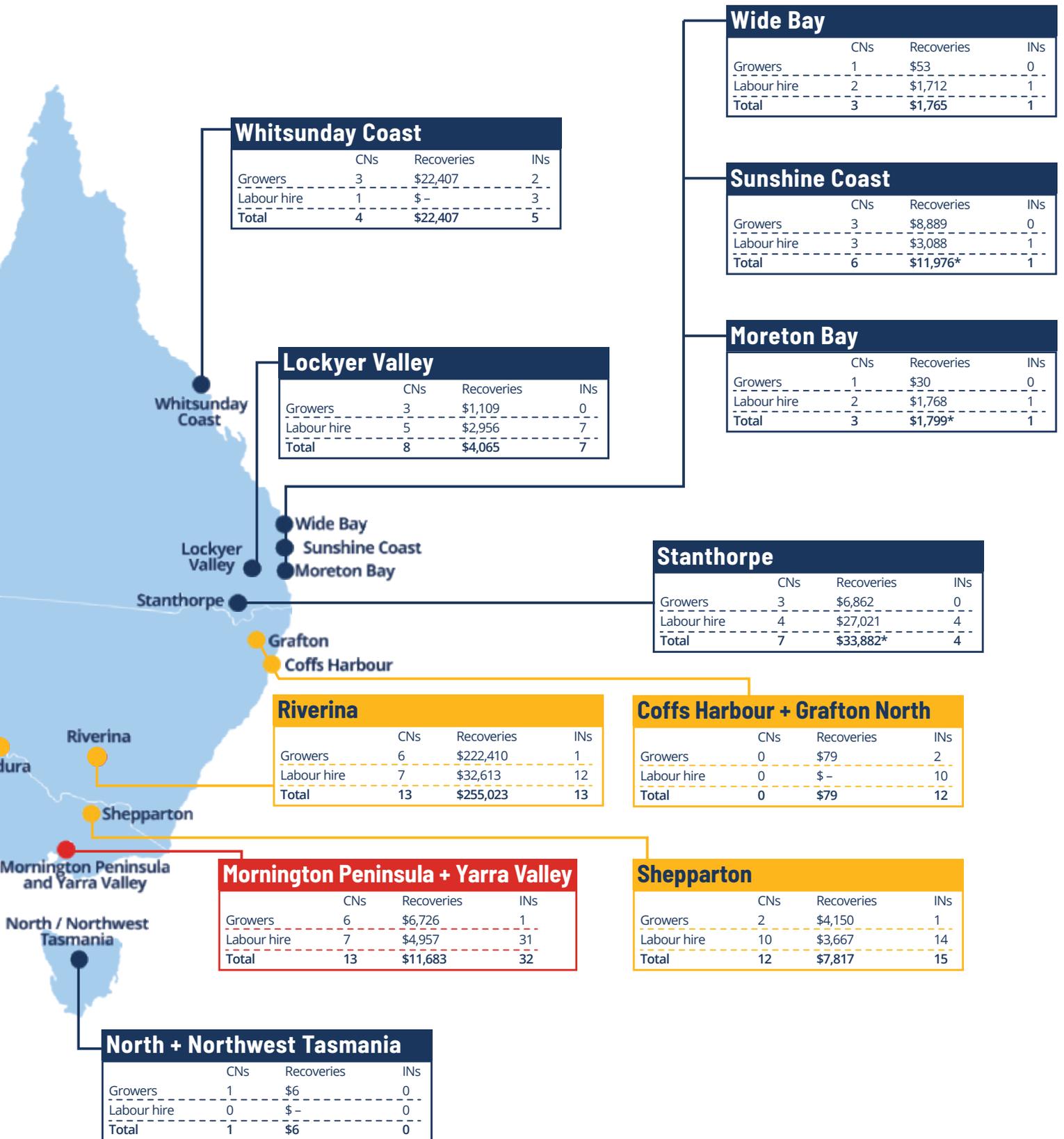


South-West WA			
	CNs	Recoveries	INs
Growers	6	\$3,193	2
Labour hire	0	\$-	0
Total	6	\$3,193	2

Adelaide + Adelaide Hills			
	CNs	Recoveries	INs
Growers	1	\$931	2
Labour hire	3	\$3,392	15
Total	4	\$4,323	17

Riverland			
	CNs	Recoveries	INs
Growers	1	\$1,112	1
Labour hire	5	\$10,729	14
Total	6	\$11,841	15

Sunraysia (Mildura) region			
	CNs	Recoveries	INs
Growers	3	\$9,069	3
Labour hire	6	\$5,320	38
Total	9	\$14,389	41



Explanatory notes and comments

For the purposes of this report and the data contained in the tables above:

- 'Non-compliance' rates indicate where a Fair Work Inspector has formed a reasonable belief that the employer has contravened the FW Act or an applicable industrial instrument.
- 'Site inspections' are defined as in-person attendance at a farming property, or registered address of an employer.
- The terms 'investigated' and 'investigation' refer to an occurrence where a Fair Work Inspector has used their powers under the FW Act to conduct a probative search in determining whether an employer has complied with the FW Act, Fair Work Regulations or an applicable industrial instrument.
- 'Non-compliance' rates are based on the percentage of businesses found to be non-compliant in instances where Fair Work Inspectors had sufficient evidence to make a determination. Investigations where a determination could not be made (for example where there was insufficient evidence for a Fair Work Inspector to form a reasonable belief, or where an employer could not be located) were not included in this calculation.
- The term 'grower' refers to a host farm or employer and may include a farming management company or direct employer operating within the horticulture industry (not in a labour hire capacity).
- The term 'labour hire provider' refers to an entity engaged by a grower to provide workers to undertake duties that are generally of a labour-intensive nature on a farming property.
- Where an entity (grower or labour hire provider) had no direct employees within the scope of the activity, no investigation has been undertaken.

Twenty-five labour hire providers identified did not respond to notices issued under section 712 of the FW Act, and did not engage with the investigation. While no enforcement tool was able to be issued in these circumstances, information sourced in these investigations informed future compliance activities and, in most cases, led to disclosures to other state and Australian Government regulators.

Seventeen of the investigations commenced could not be fully undertaken due to:

- labour hire providers not responding to FWO contact attempts
- inability to issue statutory notices requesting records and relevant documents (most often due to registered addresses not being current)

In these situations, information sourced was used to inform future compliance activities.

Key finding 1: Regions with the highest non-compliance

The 5 regions with the highest levels of non-compliance, ranging from 61-83%, were – Mornington Peninsula and Yarra Valley, Riverina, Sunraysia (Mildura), Shepparton, and Coffs Harbour and Grafton.

In these regions:

- 80% of non-compliant employers were labour hire providers
- non-compliance by labour hire providers related to record-keeping, pay slip provisions and underpayment of monetary entitlements
- it was not uncommon for workers to be unaware of who they were employed by
- it was not uncommon for directors and representatives of labour hire providers not to engage with the FWO and/or to be difficult to locate.

It's worth noting that the FWO was unable to conduct field-based activities or maintain an ongoing presence in the 3 Victorian regions in 2020-21 due to extensive COVID-19 lockdowns. This may have played a role in the high levels of non-compliance found through investigations carried out in the later years of the Strategy.

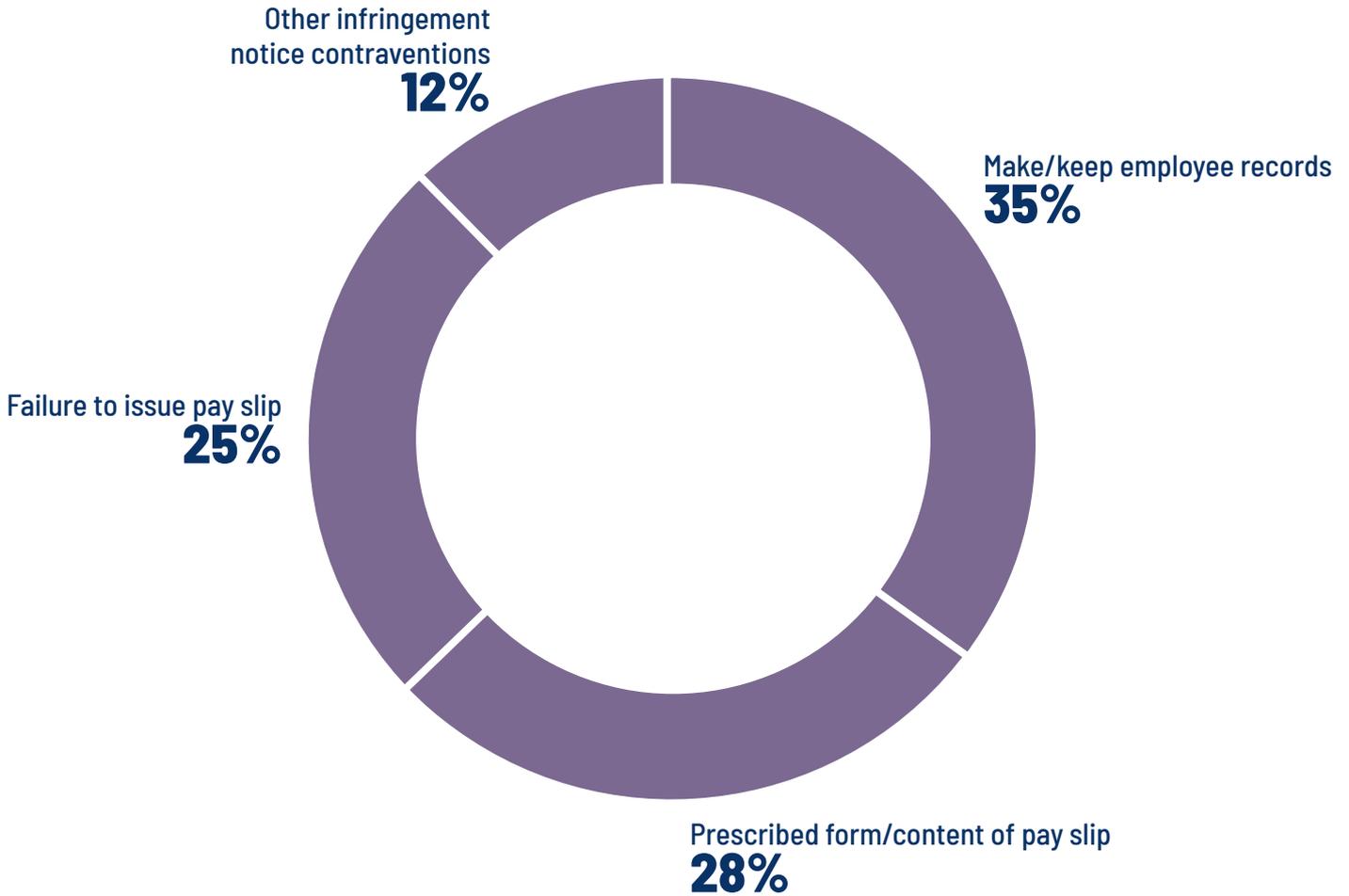
Key finding 2: Key contraventions, record-keeping and pay slips

Record-keeping is the bedrock of compliance and failures in record-keeping and the issuing of non-compliant pay slips continue to be the main areas of non-compliance in the sector.

Records and pay slips are vital to determining whether employees are receiving their minimum entitlements. An absence of accurate records makes it difficult for Fair Work Inspectors to identify the employing entity and assess compliance regarding the remuneration of minimum entitlements. A failure to issue pay slips as required by the FW Act and Fair Work Regulations makes it difficult for workers to identify:

- their employer (i.e no Australian Business Number (ABN))
- the ordinary hourly rates of pay they've received
- if they've received any penalty rates
- tax and superannuation details.

The three most common contraventions for which infringement notices were issued:



Cash payments

Workers interviewed at a South Australian strawberry farm indicated to Fair Work Inspectors that they were paid cash hourly rates and didn't get pay slips. Both workers and an employer representative informed Fair Work Inspectors that supervisors paid workers cash in an envelope.

The employer was a labour hire provider who didn't provide any employee records to the FWO, raising concerns about taxation and superannuation.

The employer was issued with infringement notices amounting to over \$12,500 due to their failure to make and keep records and non-issuance of pay slips.

Information about this labour hire provider was shared with the ATO.

Key finding 3: The influence of labour hire providers in non-compliance

Across all 15 regions, 151 of the 166 infringement notices (91%) issued by Fair Work Inspectors were issued to labour hire providers.⁸

It was not uncommon across all high-risk regions for Fair Work Inspectors to find labour hire providers failing to keep accurate records of hours worked.

Ten labour hire providers on one farm

Fair Work Inspectors identified 10 different labour hire providers operating on one strawberry farm in South Australia. Of these, 3 refused to engage with the FWO when records were requested.

Workers indicated cash payments of rates between \$19 and \$25 per hour.

One compliance notice was issued returning \$2,934 to an underpaid employee.

Six infringement notices totalling \$28,860 were issued to 5 labour hire providers operating at this farm.

Details surrounding the labour hire arrangements were also disclosed to the ATO's Shadow Economy Standing Taskforce for consideration.

The common themes identified with non-compliant labour hire providers include:

- lack of record-keeping (leading to difficulty in determining monetary entitlements)
- cash-in-hand payments (including allegations involving non-payment of taxation obligations and the superannuation guarantee)
- contracted workers not knowing who their employer is
- workers not wanting to engage with the FWO (including workers deliberately avoiding Fair Work Inspectors undertaking site inspections)
- use of 'straw directors' who aren't involved in the operation of an entity⁹
- use of 'supervisors' who act as intermediaries (making identification of the true employer difficult to determine at times)
- provision of false or misleading records
- use of social media and group communication applications to interact with the workforce (making it difficult for Fair Work Inspectors to trace or recall communications to workers in the absence of records)
- fraudulent claims of holding a labour hire licence
- misrepresenting the true employer of labour
- fraudulent use of ABNs.



⁸ The FWO issued infringement notices for any record-keeping and pay slip contraventions. For contraventions of workplace laws relating to worker entitlements, compliance notices were issued. In instances of serious non-compliance, we considered the use of stronger enforcement outcomes such as entering into enforceable undertakings and commencing legal proceedings, in accordance with our [Compliance and Enforcement Policy](#).

⁹ A 'straw director' is a person appointed as a director of a company, but they have little or no real involvement in the company's operations or management. They're often used by others to hide their own identity or ownership of a company, particularly in cases of illegal phoenix activity or tax evasion. For more information, see the [Fintel Alliance phoenix activity report](#).

Allegedly deceiving a grower

During a site inspection in Victoria, a grower voluntarily disclosed the records, documents and labour hire licence of the labour hire provider they'd engaged.

The records had been provided to the grower by a 'supervisor' of labour.

Upon investigation, Fair Work Inspectors found that invoiced amounts were deposited into a bank account of another entity. The owner of the labour hire licence denied having knowledge of the person misusing their labour hire licence.

The licence holder cancelled their licence while under investigation by the Labour Hire Authority (Victoria).

Factors that contribute to non-compliance by labour hire providers:

- growers may face pressure to ensure produce is picked, packed and processed within strict timeframes to meet labour cost expectations and this can be passed onto labour hire providers
- customers seeking high quality and low-priced fresh produce
- vulnerability of employees being engaged (high proportion of migrant non-English speaking and low skilled workers, or working without an appropriate visa)
- cash payments to workers, which almost invariably leads to a failure to pay tax, superannuation and workers compensation insurance
- nature and remote location of work
- competition between labour hire providers, including undercutting
- insufficient governance of outsourcing arrangements and supply chains by farm operators engaging labour hire providers
- low barriers to operate in the sector and low overheads for labour hire providers.

Non-compliance by labour hire providers is likely under-represented given investigations were unable to be continued in instances where:

- nominated directors and/or officeholders were unable to be located and/or avoided responding to numerous forms of contact from Fair Work Inspectors
- labour hire providers cease trading post-season
- directors and/or officeholders were difficult to identify and trace due to the use of false names and identities
- vulnerable workers were reluctant to provide information to Fair Work Inspectors
- there was potential fraudulent use of ABNs and/or labour licence fraud.

As stated above, a number of non-compliant labour hire providers across all regions presented significant barriers to our investigations. It was not uncommon for Fair Work Inspectors to arrive unannounced at a farm and find a group of workers in the field. If the workers agreed to speak to a Fair Work Inspector, with the help of an interpreter (if required), the Fair Work Inspector would seek to identify the supervisor and/or the true employer and inspect records. When making these enquiries they often found:

- workers only knew the person in charge by their first name (unknown if their real name), or by calling them 'boss'
- workers failing to receive pay slips detailing the name of their employer
- no one in a management position on site
- limited or no records kept on site
- workers being paid in cash and on a per-bin-picked basis
- workers striving not to damage fruit to avoid deductions from their pay
- workers unable or unwilling to provide details of what day of the week they will be paid, where payment will be made, or how much cash they will get in a blank envelope
- some workers claiming to have started working that day and never been paid before.

Who's the employer?

Workers at a citrus farm in Victoria were unable to identify or name their employer despite working for several days at the site.

The grower provided a name and phone number of the 'boss', but when the Fair Work Inspector contacted this person, they denied being the employer. They claimed they received 'a cut from work performed by workers' and provided the name of the employer.

When a Fair Work Inspector contacted the alleged employer, they claimed they allowed their friend to use their ABN, that they didn't employ any workers but rather engaged 3 labour hire providers who they paid in cash for services rendered. Upon further investigation, these 3 labour hire providers had either deregistered or could not be located. The alleged employer was referred to the Labour Hire Authority in Victoria who subsequently cancelled the licence. The 3 labour hire providers were also referred to the ATO for action.

The reluctant employee

Fair Work Inspectors identified workers picking crops in a field in Queensland. The landowner advised that he leases the land to someone, but he could not provide their details, as it was a 'handshake deal'. Most of the workers refused to speak with Fair Work Inspectors, with many leaving their belongings in the field to flee through a neighbouring property.

Where possible, Fair Work Inspectors will always attempt to talk with workers and explain their role and that of the FWO when conducting inspections.

The invisible employer

Fair Work Inspectors interviewed workers at a property in New South Wales. None of the workers could identify their employer. A vulnerable migrant worker claimed she was paid \$17 per hour cash-in-hand.

Conflicting information was provided to Fair Work Inspectors by the grower and the workers about who the employer was. Workers could only provide minimal details of the person(s) they thought were employing them. The entity identified by the grower was a deregistered company and the director's phone number no longer operated. Given limited evidence available, the true employer could not be determined.

The FWO referred information of the deregistered company to the Australian Securities and Investments Commission (ASIC). We issued a compliance notice and infringement notice to the grower for unrelated contraventions of the FW Act.

Key finding 4: Regions with the highest levels of compliance

Wide Bay and Moreton Bay in Queensland were found to have the highest levels of compliance (from 82% to 92%).

Factors contributing to this higher rate of compliance include:

- direct employment of workers
- an ongoing education and investigatory presence of Fair Work Inspectors and Fair Work Officers on Queensland farms since 2013
- active, public and ongoing leadership from employer and union organisations in Queensland (e.g. Berries Australia¹⁰ and the Australian Workers Union¹¹) on the importance of complying with workplace laws, through various advice, assistance, education and communication initiatives
- the education and compliance activities deployed by Queensland Labour Hire Licensing Compliance Unit¹² since 2018
- the role of Fair Farms' social compliance training and certification program which helps growers improve their compliance with workplace laws¹³
- effective governance measures by Queensland growers supported by investment in third party audit systems and software to assist the recording of workers' hours and productivity.¹⁴

Key finding 5: Non-compliance of grower entities

The following outcomes were identified for growers who employed workers directly:

- growers back paid 272 workers more than \$323,845¹⁵
- misunderstanding and misapplication of entitlements was the main cause of contraventions
- contraventions of the Horticulture Award included underpayment of casual rates of pay, failing to pay leave loading entitlements, incorrect classification of employees and misapplication of overtime and time-off-in-lieu arrangements
- contraventions of the FW Act commonly included failing to issue Fair Work Information Statements and/or Casual Employment Information Statements to employees at the commencement of their employment
- these growers were generally cooperative with the FWO, including in taking corrective action, reinforcing a trend of positive grower engagement with the FWO and employer group resources.

¹⁰ [Berries Australia](#) – the body representing the Australian berry industries.

¹¹ [The Australian Workers' Union](#).

¹² [Labour Hire Licensing Queensland](#).

¹³ [Fair Farms](#).

¹⁴ Some growers had software with the ability to scan the number of boxes picked to assess productivity levels and document hours for each worker. These systems automatically identified where workers were not receiving their guaranteed minimum hourly rate and calculated the necessary additional payments per day. Sophisticated farm management systems such as these increase transparency not just in relation to direct employees, but for workers engaged by labour hire entities.

¹⁵ Note: 1) 70% of the total amount paid related to one grower's misapplication of time off in lieu of overtime provisions under the Horticulture Award, 2) this total recovery amount excludes the amounts received by workers under the RJ Cornish Pty Ltd Enforceable Undertaking – [Victorian fruit grower signs EU after unlawful wage deductions – Fair Work Ombudsman](#) media release.

Key finding 6: Non-compliance with new pieceworker requirements

We found that both growers and labour hire providers were non-compliant with new pieceworker requirements. Some of the issues identified included:

- workers not knowing their piece rate prior to starting piecework
- employers failing to pay workers on an individual piecework basis by paying workers for their piecework as a group and not recording or monitoring hours worked by each individual worker.

Labour hire providers accounted for 70% of related compliance notices issued (versus 30% growers). Contraventions identified included:

- failure to provide compliant piecework records to employees, with many employers using piecework agreements that don't inform the pieceworker of their entitlement to a guaranteed minimum hourly rate of pay
- failure to pay pieceworkers at least the guaranteed minimum hourly rate per day.

Labour hire providers accounted for 85% of related infringement notices issued (versus 15% growers), for failure to keep records of hours worked each day by a pieceworker.

Unlawful use of piece rates

Fair Work Inspectors arrived at a farm in Victoria and spoke with 2 workers who were picking fruit and loading them into the same container. The workers stated they were paid a piece rate per container and the amount would be split between them, resulting in a payment of approximately \$10 per hour worked.

The couple confirmed they'd not been informed of a piece rate or provided with a record, and they were not paid a top up to ensure they received the minimum guaranteed rate of pay for hours worked.

The Fair Work Inspector assessed evidence obtained during the site inspection and issued 2 high-range infringement notices to the labour hire provider totalling \$18,780. In addition, this labour hire provider featured in a Shadow Economy Taskforce operation as well as an operation led by the Phoenixing Taskforce that also involved the Labour Hire Authority (Victoria) and ABF. The Labour Hire Authority (Victoria) cancelled the licence.



Key finding 7: Grower governance

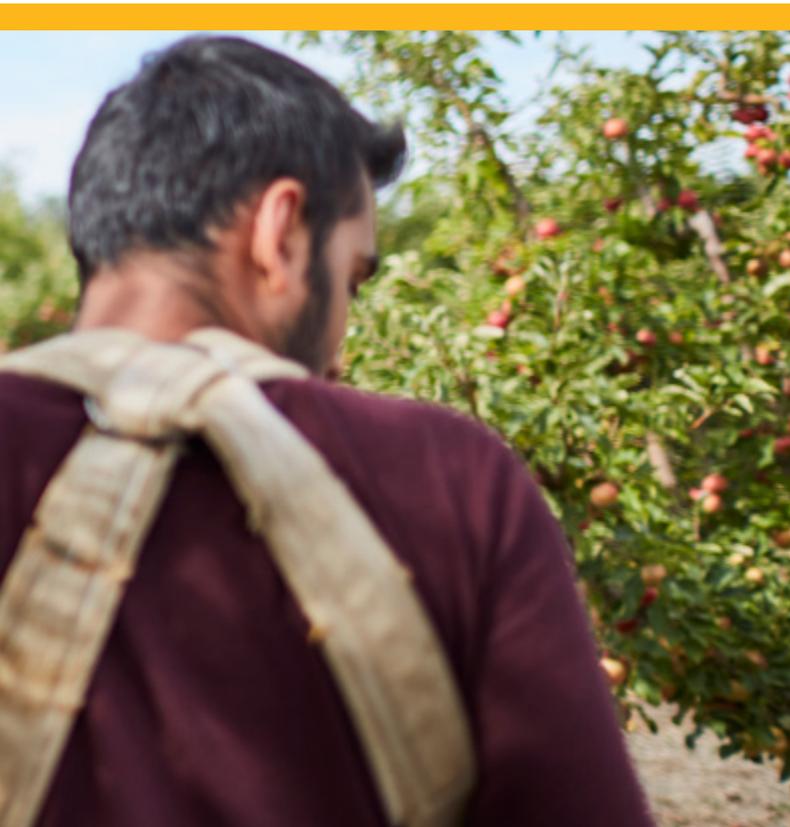
We found most growers in all regions had good knowledge of obligations under the FW Act. However, approaches to the engagement of labour hire providers and governance practices when outsourcing labour varied.

The FWO regards good governance to involve having structures and processes in place that allow growers to ensure they:

- engage licensed labour hire entities (in those jurisdictions that have such schemes)
- have visibility of compliance with labour hire scheme requirements
- comply with all state and federal workplace standards.

Some growers had appropriate governance mechanisms and controls in place to ensure compliance. For others, gaps in governance arrangements provided an ideal environment for labour hire non-compliance. Practices ranged from:

- ignorance or lack of concern by growers about how workers on their property were engaged or paid by labour hire providers
- implementation of contracts that state the contracted labour hire entity will not subcontract and will comply with workplace legislation, but without any oversight and accountability to test if clauses were adhered to
- use of sophisticated electronic systems that log daily output, hours and assign individual worker numbers, but not who the workers are employed by or what they are paid per hour to ensure they are getting minimum wages and entitlements.



If the Grower had just asked a few more questions ...

Fair Work Inspectors attended the office of a grower in Queensland, who provided records of all workers on site, including time records and piecework data, confident of the electronic systems in place.

Fair Work Inspectors simultaneously entered the field to interview workers, some of whom couldn't identify their employer, others stating they didn't get breaks and further identifying a labour hire provider that was unknown to the grower.

Further investigation identified the labour hire provider engaged by the grower was subcontracting over \$100,000 of labour per week to another entity who claimed someone fraudulently used their ABN, the payments for which ended up in the bank account of an unrelated entity.

Know who is employing staff

During a site inspection in Victoria, workers gave Fair Work Inspectors information indicating they either were engaged directly by the grower, or by a person they could not identify beyond a vague description, who paid them cash in hand for hours worked. The grower claimed the workers were employed by labour hire providers but initially failed to provide sufficient detail about who the labour hire providers were or to produce any labour hire agreements. When this information and documentation was eventually provided, a complex, multi-level labour hire arrangement was identified, involving unlicensed labour hire providers, unresponsive directors, and testimony of being deceived into being a director of a labour hire company.

All labour hire providers and the grower were referred to the Labour Hire Authority (Victoria) for being unlicensed or engaging an unlicensed labour hire provider. In addition, all entities were referred to the ATO's Shadow Economy Standing Taskforce.

Key finding 8: Old collective agreements

Prior to 7 December 2023, Fair Work Inspectors identified grower employers operating lawfully under pre-2010, or 'zombie' collective agreements. These agreements included clauses such as:

- casual loading percentages less than the Horticulture Award
- no provision for overtime to be paid to casual employees
- 'extra hours' to be worked on an opt-in basis at a standard flat hourly rate (no extra overtime penalties).

'Zombie' agreements automatically terminated on 7 December 2023, unless the Fair Work Commission granted an extension. In the absence of an extension, minimum pay and conditions are set by the relevant modern award or another registered agreement that applies to an employer and its employees.

Growers that were previously bound by zombie agreements demonstrated good awareness of the need to transition to other industrial instruments.

Fair Work Commission refused to grant an extension

A grower in Queensland applied to the Fair Work Commission to extend its 16-year-old 'zombie' collective agreement for 12 weeks. The grower gave evidence that casuals will be working more than 38 hours per week harvesting onions, many opting in under the 'zombie' 'extra hours' clause to work more than 38 hours (without overtime rates) to earn additional income.

The Fair Work Commission noted that the grower "would like to continue to pay its employees rates that are lower than the award for one more season".

The Fair Work Commission refused the application.



Enforcement outcomes

The below infographic summarises enforcement actions taken to address non-compliance.



Working collaboratively with other regulators

The FWO recognises the critical role that other state and Australian Government regulators have in ensuring fair and compliant workplaces.

A key element of our Strategy was to operationalise parallel regulation, working closely and collaboratively with other regulatory agencies to ensure a comprehensive approach to promoting compliance with respective laws and regulations.

Joint activities with other regulators such as the ATO, ABF and state labour hire licensing regulators ensure that non-compliance can be investigated and enforced across different laws and obligations within each regulator's jurisdiction. We collaborate with a range of primary regulators to detect, disrupt and deter non-compliance through:

- sharing data and intelligence
- referring instances of potential non-compliance
- undertaking joint site inspections
- presenting a united front against non-compliance via education and communication campaigns to maximise general deterrence
- accessing labour hire licensing and citizen movement information
- sharing outcomes and legislative changes affecting regulation in the horticulture and viticulture sectors
- understanding the authorising environment that each regulator operates within
- considering the protection of vulnerable workers' rights at the forefront of activities.

This joint approach enhances the regulatory reach of the Australian, state and territory governments and ensures that timely intelligence and evidence of non-compliance is available to the appropriate agency or department so that action may be taken.

Joint operations under the Strategy uncovered potential non-compliance with the following laws:

- *Corporations Act 2001 (Cth)*
- *Labour Hire Licensing Act 2017 (QLD)*
- *Labour Hire Licensing Act 2017 (SA)*
- *Labour Hire Licensing Act 2018 (VIC)*
- *Migration Act 1958 (Cth)*
- *Superannuation Guarantee (Administration) Act 1992 (Cth)*
- *Taxation Administration Act 1953 (Cth).*

This resulted in referral of information to the appropriate regulatory body where relevant.



Joint site inspections

Fair Work Inspectors conducted over 96 joint site inspections with representatives from the ABF, ATO, Queensland Labour Hire Licensing Compliance Unit (QLHLCU), Labour Hire Authority (LHA) in Victoria and Workcover Queensland. They were undertaken in:

- Riverina, NSW
- Sunraysia (Mildura), Vic
- Adelaide and Adelaide Hills, SA
- Riverland, SA
- Shepparton, Vic
- Yarra Valley, Vic
- Stanthorpe, Qld
- Wide Bay, Qld
- Lockyer Valley, Qld.

Most inspections involved entry to property with the consent of property owners or managers. Some involved the execution of search or arrest warrants by another regulator.

Working with the ATO, we found instances of:

- potential phoenixing activities (including when company directors form new companies, for little or no value, to continue the business of an existing company that has been liquidated or otherwise abandoned to avoid paying outstanding debts)
- cash in hand payments (where taxation obligations appear to have been disregarded)
- probable underreporting of income to the ATO
- claims of fraudulent use of ABNs
- underreporting or non-payment of GST and PAYG obligations
- large cash withdrawals and large unexplained transactions
- false or misleading record-keeping.

The ATO has measures in place to combat illegal phoenixing activity and to address the shadow economy in Australia. These include the formation of cross-agency taskforces to share information and identify potential offences of both criminal and civil legislation. As a member of these cross-agency taskforces, we disclosed information in relation

to over 60 entities who were identified as potentially breaching or being involved in the breaching of the *Taxation Administration Act 1953* (Cth). This information was then used in wider operations undertaken by the ATO, including the issuance of a 'garnishee order'. The FWO continues to work closely with the ATO to help address illegal phoenixing activity and the shadow economy.

In October 2023, we formally referred 29 businesses to the ATO's Shadow Economy Standing Taskforce for suspected:

- cash economy operations
- deficiencies in record-keeping
- failure to pay superannuation.

We also referred numerous labour hire providers that failed to engage with the FWO.

Examples of information contained in the referrals included significant sum invoices for labour supplied as well as evidence of cash payments, indicating no tax had been paid.

Phoenixing in Adelaide and Riverland regions

Fair Work Inspectors undertook unannounced site inspections in South Australia involving a network of labour hire businesses suspected of illegal phoenix activity. Interviews with workers, managers, and related witnesses disclosed allegations of various enterprises failing to meet taxation obligations and not paying superannuation on behalf of employees.

This information was shared with the Shadow Economy Standing Taskforce, which led to a review under the Phoenix Taskforce; a multi-regulator activity designed to disrupt various tiered labour hire structures suspected of engaging in cyclic phoenixing activity, alleged criminal activities, underpayments of workers and avoidance of taxation obligations. The Phoenix Taskforce agencies involved were ABF, FWO, AUSTRAC, Consumer and Business Services (CBS) in South Australia, SA Department of Finance – Revenue SA and Return to Work SA.

Phoenix Taskforce agencies are continuing their investigations into several entities of interest, planning a coordinated approach to effectively disrupt the illegal phoenix behaviours.



Working with labour hire licensing regulators

In December 2024, the Australian Bureau of Statistics (ABS) estimated 390,400 people (2.6% of all employed people) had a job in labour supply services.¹⁶ The arrangement involves a trilateral or triangular relationship between the labour hire provider, the worker and the 'host' business.

Labour hire workers are much more likely to be employed on a casual basis than other employees.¹⁷ Previous in-depth inquiries conducted by the FWO note that the existence of arrangements in the shadow economy may lead to underestimates of the prevalence of labour hire work in Australia.¹⁸

In the horticulture sector, typically, a grower engages a labour hire provider through a contract for services, which includes providing workers to undertake labour intensive duties such as picking, packing, sorting, or processing. The labour hire provider then enters into a contract of employment with the worker and is responsible for ensuring they receive their minimum entitlements. The worker is often supervised by a person associated with, if not employed by, the labour hire provider. Often workers will not fill out their own timesheets, with this information communicated in bulk to the labour hire provider either by the supervisor or the grower.

The ABS counts of Australian businesses recorded 13,830 actively trading labour hire providers as at 30 June 2024.¹⁹ Almost a third (30.9%) of labour hire workers are in New South Wales, followed by Queensland (22.1%) and Victoria (21.5%).²⁰

In March 2023, the Australian Government undertook a consultation process on a single national labour hire licensing scheme that would take over from existing state and territory labour hire licensing schemes, with the FWO as the proposed regulator.²¹

In December 2023, following a meeting of Australian Government, State and Territory Workplace Relations Ministers, it was announced that the Australian Government, and all states and territories except Tasmania and the Northern Territory (which reserved their position), had agreed to a harmonised national labour hire licensing model.²² Ministers also agreed in principle that, subject to agreement on funding arrangements, Victoria would be the host jurisdiction, with responsibility for passage of the model law (to be legislatively applied or mirrored in all other states and territories), and for establishing the National Labour Hire Regulator.

In June 2024, Ministers confirmed their continued commitment to the endorsed model, and indicated that an intergovernmental agreement and full funding arrangements would be provided to them for consideration in December 2024, subject to appropriate approvals.²³

In January 2025, Jobs and Skills Australia (JSA) published its report titled, 'An Essential Ingredient, the Food Supply Chain Workforce'.²⁴ In its third workforce capacity study of the current and future needs of Australia's Food Production, Manufacturing, Transport and Distribution industries, JSA recommended the need to deliver national labour hire regulation as an immediate priority, including adequate resourcing for regulators to help detect and address cases of worker exploitation.²⁵

Currently, labour hire licensing schemes operate in Queensland, South Australia, Victoria, and the Australian Capital Territory. Australian Government, State and Territory Workplace Relations Ministers have worked towards a harmonised approach to national labour hire regulation²⁶ but this approach doesn't have full support at this stage.²⁷

The state and territory labour hire licensing schemes impose a range of obligations on labour hire providers and hosts within their scope. The broad objectives of these schemes are to:

- protect workers from exploitation by labour hire providers
- ensure a level playing field for businesses
- promote the integrity of the labour hire industry.

16 In December 2024, 2.6% of all employed people had a job in Labour supply services – [ABS release](#).

17 [Use of labour hire and contract workers in Australia](#) – Parliament of Australia.

18 Department of Economic Development, Jobs Transport and Resources, Parliament of Victoria, Victorian Inquiry into the Labour Hire Industry and Insecure Work (Report, 2016), p 6.

19 Labour Hire Data Snapshot, ABS Counts of Australian Businesses, including Entries and Exits, July 2020 to June 2024 (released August 2024) (ANZSIC code: 72120 Labour Supply Services). However, this figure is likely to be lower than the total number of labour hire providers intended to be captured under the scheme. It is likely there are other labour hire providers registered under a different ANZSIC code relevant to the industry in which they are operating (e.g., cleaning, construction, health care).

20 ABS, Characteristics of Employment, August 2022.

21 [National Labour Hire Regulations: Towards a single national scheme](#).

22 [DEWR communique on meeting of workplace relations and work, health and safety ministers, 13 December 2023](#)

23 [DEWR communique on meeting of workplace relations meetings, 20 June 2024](#)

24 [An essential ingredient: the food supply chain, JSA, January 2022](#).

25 [An Essential Ingredient: The Food Supply Chain Workforce](#) – Jobs and Skills Australia, see Recommendation 6, page 108.

26 Department of Employment and Workplace Relations, [Communique from the Workplace Relations Minister's Meeting 20 June 2024](#).

27 Queensland Parliament, [Letter from Honourable Jarrod Bleijie MP to Senator the Hon Murray Watt](#), 19 February 2025.



The South Australian scheme is sector specific, applying only to the horticulture, meat and seafood processing, cleaning, and trolley collection sectors, while the other schemes are universal in coverage.

The state and territory labour hire licensing schemes require labour hire providers to be licensed to operate, and hosts must only engage licensed labour hire providers. All schemes place ongoing obligations on licensed labour hire providers to comply with relevant laws, including the FW Act. Obligations, application requirements, licence durations, reporting requirements, fees, and penalties for contraventions differ across schemes.

For the purposes of this Strategy, the FWO collaborated with labour hire licensing regulators by:

- sharing findings of non-compliance with the FW Act involving licensed labour hire providers
- passing on information about suspected non-compliance with state labour hire licensing laws
- conducting joint operations and/or site inspections.

Information relating to approximately 70 businesses was shared with the QLHLCU, LHA and CBS and contributed to a range of actions, including:

- cancellation of labour hire licences
- formal warning letters to labour hire providers and users of labour hire providers (i.e growers)
- conditions put on labour hire licences
- investigations into non-compliance with state labour hire licensing legislation
- successful prosecutions of offences under relevant labour hire licensing legislation.

Over the last year, we have increased our compliance presence in Victoria, as well as collaborative efforts with the Victorian labour hire regulator, the LHA. In addition to sharing intelligence and making referrals, we've conducted over 20 joint field inspections at farms across high-risk regions. Some inspections have been conducted as part of the Phoenix Taskforce with the ATO and ABF.

The inspections have focused on non-compliance with a range of workplace laws and identifying and responding to unlicensed labour hire providers.

This collaboration has led to businesses being penalised by the FWO and/or having their licence refused or cancelled by the LHA. Licensing action by labour hire regulators such as those in Victoria and Queensland supports our efforts to remove bad actors from the horticulture sector.

To shift the stubborn non-compliance in Victoria, the FWO will continue its focus on Victoria's high-risk regions and will work collaboratively with the LHA and other regulators. For instance, in situations where the evidence indicates non-compliance is orchestrated across regional or jurisdictional boundaries, we will design investigation plans with regulators such as the ABF and the ATO.

As detailed elsewhere in this report, stronger compliance results in regions less dependent on labour hire, highlight the inherent risks and failings of labour hire, as compared to direct employment.

Labour Hire Authority in Victoria

In November 2023, the FWO disclosed information to the LHA about potential non-compliance by 2 labour hire providers that were licensed to operate in Victoria.

Under Victoria's *Labour Hire Licensing Act 2018* (Vic LHL Act), licensed labour hire providers must comply with a range of relevant laws, including the FW Act. We provided information to the LHA about a licensed provider's non-compliance with a notice to produce and an infringement notice.

In addition, under the Vic LHL Act, labour hire providers who act as intermediaries and on-supply workers from other labour hire businesses must ensure they only enter these arrangements with other licensed providers, as well as ensuring they have a licence to provide labour hire services themselves. We provided invoices demonstrating relationships between a licensed provider and unlicensed providers. Information shared by the FWO was a factor in the LHA's subsequent decision to cancel the licences of 2 labour hire providers.

Queensland's Labour Hire Licensing Compliance Unit

During a site inspection to a farm in Queensland, workers indicated they were paid wages in cash and some gave information identifying the employing entity. The purported employer denied having any relationship with the informant.

Based on documentation provided by the farm owner, it was identified that 7 businesses had been engaged to provide workers on the farm. Over \$2,200,000 was paid to those 7 businesses, none of which were licensed to provide labour in Queensland. This information was disclosed to QLHLCU who confirmed the information was used in an ongoing investigation.

Referral based proactive investigations

We received real time referrals of non-compliance and intelligence from stakeholders that led to 56 proactive investigations and resulted in:

- 16 infringement notices being issued (fines totalling \$78,389)
- 20 compliance notices (\$32,630 recovered for 17 workers).²⁸

PALM scheme

We worked closely with DEWR on several occasions when investigating employers operating in the horticulture sector who were also approved employers under the PALM scheme. These investigations did not involve PALM scheme workers.

Greater Sydney inspections

In November 2023, Fair Work Inspectors undertook 4 unannounced site inspections of farms following the receipt of intelligence from the ABF indicating suspected exploitation of vulnerable workers in Greater Sydney.

The inspections uncovered employers underpaying workers the minimum rates of pay under the Horticulture Award and failing to make and keep time records and provide pay slips.

Fair Work Inspectors issued 8 infringement notices totalling \$35,606 in fines and 3 compliance notices, recovering \$29,874 for 6 workers.



²⁸ A proactive investigation is one that the FWO decides to initiate on the basis of its research and data holdings. It is distinguished from a request for assistance involving a workplace dispute received from a (current or former) employee.

Next steps and considerations

Overall, we found compliance levels were mixed across regions, ranging from signs of improvement in historically non-compliant Queensland regions, to extreme and very high levels of non-compliance in other states.

We have had some deterrent effect by clamping down on businesses in hot spot regions misusing piece rates and exploiting vulnerable visa holder workers. However, more needs to be done to ensure the sector is free of unscrupulous growers and labour hire providers, who adversely impact the sector's reputation domestically and internationally.

The FWO recognises that it cannot regulate the horticulture sector on its own and that every part of the workplace relations system has an important role in:

- promoting and expecting a culture of compliance with workplace relations laws
- fostering productive and inclusive workplaces
- maintaining workplace standards in line with legal obligations
- creating a level playing field for compliant employers.

Accordingly, we will endeavour to work collaboratively with industry partners and workers (where they feel safe and supported in engaging with us) to enhance sustainable compliance.

Our next steps will involve both the provision of advice, assistance and education, and compliance and enforcement activities. In planning these activities we will consult with industry partners to consider advancement of the following options:

1. Focusing on regions with a 'very high' to 'extreme' non-compliance rating develop a labour hire providers strategy for the horticulture sector that focuses on addressing significant non-compliance by:
 - identifying unlawful labour hire providers and undertaking compliance and enforcement activities to ensure compliance
 - coordinating awareness, advice and education initiatives as well as investigation procedures around growers that engage labour hire providers, including supporting growers to develop systems to verify that they are engaging licensed labour hire entities who are maintaining workplace standards²⁹
 - working closely with state labour hire regulators
 - working closely with other state and federal regulators that comprise the Shadow Economy Taskforce and the Phoenix Taskforce.
2. Maximise promotion of our free education resources through multiple channels, including working with industry partners to provide specific advice to small to medium sized enterprises in the horticulture sector, with a focus on improving application of award conditions and reducing inadvertent non-compliance.

²⁹ While engaging labour hire providers is lawful (pending local labour hire licensing laws are met where applicable), section 550 of the FW Act provides for a person's involvement in a contravention to be treated in the same way as the actual contravention. A person is involved including if they're in any way, by act or omission, directly or indirectly, knowingly concerned in or party to the contravention. This means that a grower or entities or persons procuring labour may also be legally responsible when they are involved in their contractor's or subcontractor's underpayment of staff.

3. Increase our operational collaboration with:
 - labour hire licensing regulators through joint education initiatives, compliance activities and site inspections, information sharing, and intelligence referrals
 - other state and federal regulators through information exchange, joint inspections to enhance regulatory coverage and hold non-compliant employers to account
 - industry-led employer certification programs (e.g. Fair Farms and Staff Sure) to promote education and awareness of grower governance
 - local government, community legal centres and migrant resource centres to broaden our impact in assisting vulnerable workers
 - international regulators and multilateral organisations, including the International Labour Organization and International Association of Labour Inspection, to share information, learnings and best practice
 - major supermarket retailers to more holistically review and ensure the integrity of their labour supply chains³⁰
 - fresh markets to inquire into the provenance of produce and the associated compliance status of the vendors.
4. Explore compliance partnerships with compliant businesses that aim to enhance sustainable compliance, good governance and worker voice channels.³¹
5. Offer short-term secondment opportunities to FWO staff with interested industry partners that can promote innovation and assist in advancing education and awareness programs.
6. Increase engagement with those state governments that don't have a labour hire licensing scheme to support greater education, awareness and information being made available to labour hire entities.



30 The FWO's experience in the sector recognises that removing an unlawful labour hire provider (a price taker) from the market can have limited utility as they are easily replaced. It is more impactful to ensure the price makers (such as major retailers dictating quotations) actively monitor their contractual arrangements and supply chains, recognising the market influence of those companies and the incentives they offer that ultimately can affect compliance levels in a supply chain. The FWO is keen to commence reviewing these supply chains in 2026.

31 For more information on Compliance Partnerships with the FWO and Proactive Compliance Deeds refer to [Compliance Partnerships](#).



Resources

Our website [fairwork.gov.au](https://www.fairwork.gov.au) has free information on workplace entitlements and obligations including tools and resources to help employers and employees in the horticulture sector, such as:

- [Horticulture Showcase](#) – a virtual hub of workplace information and resources for the horticulture industry
- [Small Business Showcase](#) – tools and information specifically for small business employers
- [Webinars](#) – workplace information and legislative updates for demographically diverse and geographically dispersed audience groups
- [Pay and Conditions Tool](#) – pay, leave, and notice calculators
- [Labour hire arrangement orders](#) – employees, unions and hosts can apply to the Fair Work Commission for a regulated labour hire arrangement order. This is an order that regulates how a labour hire employee is paid by their labour hire employer. When an order applies, labour hire employees working for a particular host must not be paid less than the pay rate they would receive under the host's enterprise agreement (or other relevant workplace instrument). This is a 'protected pay rate'
- [Guide to labour contracting](#) – for help on how to select a potential contractor and identify if they are complying with workplace laws.

Reporting non-compliance and seeking information

Employers and employees can visit [fairwork.gov.au](https://www.fairwork.gov.au) or call the Fair Work Infoline on 13 13 94 for free advice and assistance. An interpreter service is available on 13 14 50. We also have an online [anonymous report tool](#) to report suspected breaches including options to report in languages other than English. Employees can also seek information from their employer and their union (if they are a union member).

Information is also available for employees and employers at our [visa holders and migrants](#) webpages.

If you think you have underpaid your employee, fixing it quickly and getting it right in future is important. Not following the law can lead to serious penalties. For further information, see our [step-by-step guide on how to fix an underpayment](#).

From 1 January 2025, intentional underpayment of wages or entitlements can be a criminal offence. We can investigate and refer suspected criminal underpayment offences for possible prosecution. This doesn't include honest mistakes. For more information, learn more at our [Criminal prosecution - Fair Work Ombudsman](#) webpage.

A small business employer can't be referred for criminal prosecution by us if:

- they've underpaid an employee, and
- we're satisfied that they've complied with the Voluntary Small Business Wage Compliance Code (the Code).

Learn more and download the Code at our [Voluntary Small Business Wage Compliance Code](#) webpage.

An employer who has voluntarily told us about their conduct that could be a criminal offence can seek to enter into a written cooperation agreement with us. Learn more about cooperation agreements, including when and how they're used and how to apply for one at our [Cooperation agreements](#) webpage.

Appendix A

Regions visited and types of crops inspected, in order of non-compliance:

Region	Inspection	Crops
Mornington Peninsula and Yarra Valley, Vic	11 April 2024 – 19 April 2024	Strawberries, Apples, Vegetables, Herbs and edible flowers
Riverina NSW	26 June 2023 – 30 June 2023 25 September 2023 – 29 September 2023	Citrus and Tomatoes
Sunraysia (Mildura), Vic	1 August 2022 – 5 August 2022 15 August 2022 – 19 August 2022	Citrus, Grapes (wine and table), Almonds, Garlic and Asparagus
Shepparton, Vic	18 March 2024 – 22 March 2024	Apples, Pears, Stone fruit, Tomatoes, Pomegranate, Citrus, Persimmon and Tomatoes
Coffs Harbour and Grafton, NSW	6 December 2021 – 16 December 2021	Blueberries and Bananas
Riverland, SA	21 February 2022 – 24 February 2022 11 July 2022 – 15 July 2022	Citrus, Wine grapes, Melons and Almonds
Adelaide and Adelaide Hills, SA	12 December 2022 – 16 December 2022 14 March 2023 – 17 March 2023	Strawberries, Cherries, Potatoes, Onions, Herbs, Lettuce and Vegetables
Whitsunday Coast, Qld	7 November 2022 – 11 November 2022 28 November 2022 – 2 December 2022	Mangos, Tomatoes, Pumpkins, Chillies, Corn, Capsicums and Beans
South-West WA	27 February 2023 – 3 March 2023	Apples, Pears, Stone fruit, Potatoes, Tomatoes and Vegetables
North and Northwest Tas	29 January 2024 – 2 February 2024	Berries, Wine grapes, Carrots, Swedes, Brussel sprouts, Turnips, Onions, Beets, Cabbage, Broccoli, Apples, Pears, Cherries, Tomatoes and Herbs
Lockyer Valley, Qld	25 July 2023 – 27 July 2023 29 August 2023 – 31 August 2023	Vegetables, Shallots and Ginger
Sunshine Coast, Qld	11 September 2023 – 15 September 2023	Strawberries, Blueberries, Mulberries, Lychees, Ginger, Beets, Turmeric, Tomatoes, Avocados, Bananas, Leafy greens, Pineapples, Passionfruit and Herbs
Stanthorpe, Qld	27 March 2023 – 31 March 2023	Apples, Pears, Strawberries, Tomatoes, Capsicum, Lettuce, Vegetables, Parsley / Herbs and Mushrooms
Wide Bay, Qld	6 June 2022 – 10 June 2022 20 June 2022 – 25 June 2022	Zucchini, Capsicum, Tomatoes, Beans, Snow peas, Strawberries, Citrus, Blueberries, Pumpkins, Macadamias, Sweet potatoes, Cucumber, Chilli and Avocados
Moreton Bay, Qld	25 July 2022 – 29 July 2022 8 August 2022 – 12 August 2022	Strawberries, Raspberries, Pineapples and Mushrooms

Notes:

As a result of the Mildura Inspections, we referred information to the LHA regarding 13 labour hire providers (plus their 7 host farms) that appeared to be unlicensed or engaging unlicensed labour hire providers.

As a result of the Riverland Inspections, we referred information to Consumer Business Services (South Australia) concerning 3 labour hire providers alleged to be operating without a licence. The state-based regulator assessed the evidence and issued each entity with a formal warning letter. We referred information to the ATO relating to several labour hire providers admitting non-payment of required taxes and superannuation.

As a result of the Adelaide Hills Inspections, we referred information to the ATO relating to several labour hire providers admitting non-payment of required taxes and superannuation.

As a result of the Wide Bay Inspections, we referred a grower and its 7 associated labour hire providers to both the ATO and the QLHLCU due to evidence of large-scale transactions, cash payments and unlicensed labour hire providers.





Australian Government

Fair Work
OMBUDSMAN

fairwork.gov.au