

Media Release



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Wage Theft Bill 2020 creates unfair burden on farming business

The Victorian Farmers Federation is dismayed at the passage of the Wage Theft Bill 2020.

VFF Vice President Emma Germano said “farmers are honest, hardworking people who treat their employees with respect and are committed to ensuring that they receive income and benefits as they are entitled to under the law.

“We already have one of the most complex industrial relations systems in the world. This Bill adds a level of complexity and unnecessary duplication that will exist only in Victoria.

“Our very real concern is that farmers could be captured by this Bill and unfairly punished for inadvertent errors simply due to the two track approach to industrial relations.

“Equally, we are worried that burdensome regulatory compliance acts as a disincentive for business owners to employ staff. This disincentive means that farmers and their families do the work which staff could be employed to do. Doing all the work themselves means that farmers run a greater OH&S risk, due to long hours, than they would otherwise run,” Ms Germano said.

The VFF’s opposition to the Bill has been supported by every peak industry and business group in Victoria.

VFF wrote to the cross bench Members of Parliament to ensure they understood the legitimate concerns with the Bill.

Where there are shortcomings in existing laws, the VFF believes government should focus on strengthening enforcement, improving education and understanding of the law, and untangling complex laws which contribute to non-compliance.

“In this post COVID environment, we need certainty. The VFF will support initiatives that remove complexity, duplication and unnecessary burdens on our farmers. This legislation falls well short of that,” Ms Germano said.

To make matters even more confusing, the Federal Government’s proposed legislation that addresses wage underpayment, deliberate worker exploitation and introduces significant jail terms and fines could override the Victorian legislation.

There is a real risk that this proposed law could face constitutional challenges based on an inconsistency between a state law and a Commonwealth law.

“We are disappointed that the Andrews Government did not listen to the common sense calls of the business sector. This is all the more important as Victoria looks to create jobs to recover from the COVID-19 outbreak”, Ms Germano said.

Media Contacts:

Amelia Bitsis, Victorian Farmers Federation, 0429 827 604

Farrer House 24-28 Collins Street Melbourne 3000

Ph. 1300 882 833 | Fax. 03 9207 5500 | E-mail. vff@vff.org.au | www.vff.org.au