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Australian workers' rights at risk if dodgy employers allowed to bypass laws

Dodgy employers who try to bypass Australian laws and workers' rights by importing a powerless workforce should face harsh penalties.

Temporary visas such as 457 and 456 are for skills shortages not as a scheme to bypass the rights and conditions of these vulnerable workers.

A case to be heard today in the Federal court alleges Hong Kong-based company Pocomwell Limited hired four Filipino men to work on WA oil rigs where they were paid \$US900 a month while working 12 hours a day, seven days a week.

ACTU Secretary Dave Oliver said "The fact the companies involved have fought to keep the matter out of court by claiming neither they nor their Filipino employees are subject to Australian laws should send fear into the hearts of all Australians."

"What they are essentially arguing is that they have the right to treat these foreign workers anyway they please. They can under pay and over work them because they have no rights under Australian law. "

"If employers are allowed to get away with this then Australian workers will be overlooked by companies who want to dodge their responsibilities around treating the workers fairly. They will import workers on temporary visas and those workers will be too frightened to speak up against their employer."

"The allegation is that these men were paid under \$3 an hour and worked seven days a week. Unfortunately unions hear these horror stories on a regular basis and that is why we argue that employers cannot hold all the power over workers and that all workers in Australia must have access to unions at work and be protected under law."

"While it is important that there are government agencies that prosecute incidences of exploitation, this case demonstrates why it is fundamentally important that workers have the right to speak to their union in their workplace."

Mr Oliver said he was also deeply concerned about allegations that the oil rig's manager, Maersk Drilling, was paying Perth recruiter SurveySpec \$400 a day for each painter, but the workers received less than 10 per cent of that.

"We need to know who is making the big bucks? You can be pretty safe in assuming this is not greatly beneficial or fair for temporary workers or local Australian workers trying to gain employment in these industries."

Media contact: Eleni Hale 0418 793 885