

GUEST WORKERS/OHS

Be our guest

There has been a 17 per cent increase in the number of migrants coming to Australia under the Howard Government's 457 guest worker visa scheme. In the first six months of 2006-07, 21,464 visa applications have been approved. However, the Office of Workplace Services claims it is compiling a hit list of rogue employers who abuse the system, who may be barred from employing foreign workers. We'll believe it when we see it.

Backpay win

A Chinese labour hire firm has been forced to pay \$650,000 backpay to 38 workers who were underpaid while working on a Wetherill Park building site, in Sydney's west, between March and October. The workers were hired on 457 visas to work on the construction of a tissue-paper mill. The workers have been paid sums between \$16,000 and \$28,000 which compares with an average annual income in China of about \$2000.



JUST NOT CRICKET

Four of the Indian guest workers who are now being paid correctly thanks to the CFMEU

Win for Indian workers

A bit of Bollywood came to the Lidcombe offices of the CFMEU recently with a fundraiser to help a group of Indian guest workers ripped off by their boss.

The group of eight came to Australia on 457 visas after paying almost \$12,000 each to a Singaporean migration agent.

However within two weeks of arriving, they were asked to sign AWAs, with the boss telling them it was for "immigration" purposes.

CFMEU Organiser Stewart Edward said the company had been quite aggressive with the men, throwing chairs around the room and threatening them with deportation if they did not sign.

He said it was a credit to the men that they stayed strong.

They were also ripped off over their accommodation, paying \$100 a week each to live in the factory where they worked.

The men were working 60-70 hours a week on

a flat rate and were sometimes called to work at night. Edward said one worker had been earning more than \$1000 a week, but by the time deductions for accommodation, airfares and other items were taken out he was receiving \$100 in the hand.

A friend brought them to the CFMEU, and through its efforts they were re-employed with the company and re-housed. Recently the union won a settlement for the men in the AIRC, and they are now being paid correctly.

"The guys are delighted. They are probably the happiest members in the CFMEU," Edward said. He said the conditions the men were made to live in were unacceptable, so the union put them up until accommodation could be found for them.

In November a fundraiser was held at the Lidcombe office with saris and cricket dominating the event. Sydney-born Indian rocker Santhi Rajendren and a DJ brought the latest Bollywood beats to the Lidcombe office.

OHS: What to do after a serious work accident

When a death or a serious workplace accident occurs, there are several legal procedures that must be followed. The first priority, after assessing for any danger is for the care and welfare of the injured workers(s) and then to make sure that nobody else is at risk.

Any death or serious workplace accident requires police as well as WorkCover NSW to attend the scene.

This is normal procedure and the role of the police is to take statements and gather evidence regarding the accident.

Their role is also to identify if the accident was simply a "workplace accident" or otherwise. All serious accident scenes, whether at

work or other places are considered "crime scenes" until they are investigated and the scene released by the police.

WorkCover's inspectors play a similar role and you must take instructions from them as well as the police. They can both give you permission to enter the scene or prohibit your entry.

The OHS Regulation, clause 344, defines what a non-disturbance occurrence is. The accident scene is not to be cleaned up or anything moved until police or WorkCover NSW give permission to do so.

You can move anything to treat the injured worker, but after that is finished, you must not remove anything or clean

up the scene. If it is safe to do so, the area surrounding the accident should be taped off approximately 4m around and nobody allowed in unless it is NSW Police or WorkCover NSW.

The police will give instructions as to what will happen next. Some death and accident scenes are "held" by the police and WorkCover NSW for some time, before they are released.

It is very important that evidence is not tampered with or removed as doing that can interfere with the police and WorkCover investigation and can be deemed an offence.

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