



# EVERYBODY OUT



## IN THIS EDITION

### JUNE 2023 EDITION

Everybody Out is an industry newsletter produced by the Australian Public Transport Industrial Association (APTIA), the industrial arm of the Bus Industry Confederation (BIC). The editor of this newsletter is Ian MacDonald, National IR Manager of the BIC. Enquiries relating to the contents of this newsletter can be directed to:

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### IMPORTANT DATES

#### APTIA IR Breakfasts for 2023

- Perth – Thursday 13 July 2023, hosted by TWU Super
- Sydney - Thursday 14 September 2023, hosted by Navigate Work, NSW Parliament House
- APTIA Annual General Meeting – Sunday 29 October 2023, Adelaide



Tony Hopkins, BIC Chairperson and  
APTIA Council member

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## MEMBERSHIP NEWS

### APTIA's IR breakfasts



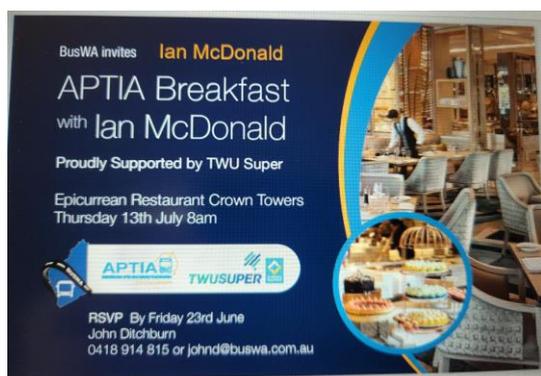
It was APTIA's absolute pleasure to hold APTIA's Melbourne based, IR breakfast, this month, hosted by Chris Gianatti, from KHQ Lawyers. With around 15 Victorian bus operators we were able to canvass many of the most important issues facing the industry, from recruitment to industry bargaining.

BIC/ APTIA's Recruitment and Retention project was at the forefront of discussions and given overwhelming support from the Victorian Operators who had made significant inroads to improving the downturn through the efforts of the Bus Association of Victoria.

Head of People and Culture at CDC Victoria, Claire Mear was also able to share the work that CDC Victoria had undertaken to improve the working environment to enable greater participation by female drivers in the industry.

The breakfast occurred in the same week as the bus tragedy in Greta NSW and focussed also on the school bus crash in rural Victoria only three weeks before.

These incidents will lead to much more discussion amongst the industry as to the use of seatbelts, the subsequent regulations around their usage and a much-needed review of the welfare impacts upon drivers, involved in such incidents.



APTIA is very much looking forward to its first IR breakfast in Perth, WA, on Thursday 13 July 2023.

John Ditchburn, the CEO of BusWA has booked the Epicurean Restaurant in Crown Towers at the Perth Casino for the breakfast.

The breakfast will be hosted by TWU Super and with National Business Manager, Varenya Mohan-Ram, in attendance, the morning promises to a significant event for APTIA and BusWA members.

**Note: The remaining APTIA IR breakfast will occur on Thursday, 14 September 2023, in Sydney. It will be hosted by Nikki Britt from Navigate Work, in the Parliament of New South Wales and is supported by the Honorable Jenny Aitchison, MLA, Minister for Regional Transport and Roads and the Deputy Leader of the Liberal Party, and Shadow Transport Minister, the Hon. Natalie Ward.**

## Well Done – David Tape



This month will see the departure of David Tape as the Executive Director of the Queensland Bus Industry Council, (QBIC). David had been the ED for over 16 years and has during that time overseen many changes, but most importantly, maintained stability within the membership and has provided much value for QBIC membership, which has included close relationships with Government, at both the political and bureaucratic levels.

The QBIC Annual Conference is always one of the most attended conferences, always containing terrific content and admittedly, at some of the Country's leading destinations.

David was deservedly awarded life membership to QBIC at the recent QBIC Conference in Cairns. It was fitting that the current President Michael Baulch and previous President of QBIC, Wayne Patch were on hand to present this prestigious Award.

During the time that David was the Executive Director, QBIC has been an active member of the Bus Industry Confederation (BIC) and a foundation member and greater supporter and participant with the Australian Public Transport Industrial Association (APTIA).

Our very best wishes and a big thank you.

PS. We hear on the grapevine that David may not be completely lost to the industry. More to come.

## Recruitment and Retention Project



The purpose of the Recruitment & Retention Project is to look at ways to improve the image of the industry so that BIC / APTIA's members can offer a more appealing career pathway to the potential recruitment of drivers.

The project does not intend to get into the specifics, as to why there is a problem with attracting drivers to the industry. The reasons are well known and the downturn in drivers or lack of new drivers is also not consistent across all States or Regions.

In any event, various State Association members and Operator members of APTIA have undertaken successful initiatives and there is no need for APTIA to duplicate those.

APTIA welcomes the establishment by the NSW Government of the NSW Bus Industry Taskforce, which will also deal with the specific solutions.

The BIC/APTIA project will simply be to hold the various State Governments to account to ensure the best interests of APTIA's members are protected from any adverse policy decisions or knee jerk reactions to the downturn.

We will also have a strong advocacy position when we approach the State and Territory Governments next year.

I would also like to see a Toolkit prepared for members to provide simple ideas about how to improve their recruitment techniques and to have this toolkit supported with a more upbeat marketing campaign to reinforce the fact that bus driving is a very worthwhile occupation.

To get there, the APTIA Council resolved to impose a voluntary levy upon the APTIA membership to fund the project, which includes the appointment of at least two consultants and the cost of the meetings and road trips.

BIC Council has resolved to provide BIC's services in support of the project. This includes the National IR Manager, who will drive the project and up to \$25, 000.00, which easily makes them the highest financial contributor to the project.

I am confident the members will support the project with their funding, although, as voluntary contribution, this is not guaranteed.

Once sufficient funds are available APTIA will establish a small working group from the membership to manage the development stages, which will include finalising the brief to the Consultants, assisting with the work of the Consultants and participating in the planned major launch at BIC's Annual Conference in late October.

I have also attended an Industry Roundtable meeting, which was chaired by John Lee on behalf of the NSW Government Industry Taskforce.

John is a former Director General of Transport in NSW, a former CEO of State Transit, and a former CEO of Comfort DelGro Cab Charge, as it was known in those days.

The focus of the Taskforce is to review the reliability and quality of bus services across NSW with specific reference to the effectiveness of the current networks in meeting a range of community needs.

A part of the APTIA recruitment and retention project will be to monitor the outcomes from the Taskforce, from a nationwide perspective, to ensure that the outcomes do not include:

- A return to State control of bus operations after a prolonged debate over the impacts of privatisation.
- Continued revenue contraction for private operators forced to compete in tenders for operating bus services, with negative consequences for the workforce.  
An extension of contract renewal by tender for non-urban regions across the country, again with the impact that such processes have upon the workforce.

## INDUSTRY NEWS – What you need to know?

### Rates of Pay

The Fair Work Commission's expert panel has this morning approved a **5.75%** increase in all award rates and an **effective 8.6%** rise in the national minimum wage, emphasising that the decision would have a limited effect on the broader economy and would not spur a wage-price spiral.

**The decision will lift the NMW from \$812.60 to \$882.80 a week and from \$21.38 to \$23.23 an hour.**

AWARD		BASE RATE	CASUAL RATE
<b>Passenger Vehicle Transportation Award 2020</b>			
	Grade 1	\$24.31	\$30.39
	Grade 2	\$24.87	\$31.09
	Grade 3	\$26.27	\$32.84
	Grade 4	\$27.19	\$33.99
	Grade 5	\$28.69	\$35.86
	Grade 6	\$29.96	\$37.45
<b>Allowances</b>	Meal - \$15.29	Travel – 0.95 Kls	
<b>Clerks-Private Sector Award 2020</b>			
	Level 1-Year 1	\$23.97	\$29.96
	Level 1-Year2	\$25.11	\$31.39
	Level 1-Year 3	\$25.88	\$32.35
	Level 2-Year 1	\$26.18	\$32.73
	Level 2-Year 2	\$26.67	\$33.34
	Level 3	\$27.66	\$34.58
	Level 4	\$29.04	\$36.30
	Level 5	\$30.22	\$37.78
<b>Allowances</b>	Meal - \$18.23	Travel – 0.95 Kls	
<b>Manufacturing and Associated Industries and Occupations Award 2020</b>			
<b>Note: All workshop persons in the bus and coach industry now come under this one Award</b>	C10	\$26.18	\$32.73

### Variations Passenger Vehicle Transportation Award 2020

The President of the Fair Work Commission has announced various amendments to the modern Awards following the introduction of the **Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022**.

The amendments form part of model terms relating to 'flexible work' and 'unpaid parental leave'.

#### Flexible work

The terms of the model flexible work term have largely been incorporated into section 65A which came into operation on 6 June 2023.

To ensure consistency with the NES and to remove a potential source of uncertainty, the view of the FWC is that the 122 modern awards that contain the model flexible work term should be varied by removing the model term and replacing it with a reference to the NES, along with a note, as follows:

*“Requests for flexible working arrangements are provided for in the NES. Note: Disputes about requests for flexible working arrangements may be dealt with under clause X – Dispute resolution and / or under section 65B of the Act.”*

### **Unpaid parental leave**

Consistent with the view of the FWC is that a note should be inserted in modern awards pertaining to the new unpaid parental leave jurisdiction.

The FWC determined that the following provision will be included into the modern awards.

*“Parental leave and related entitlements are provided for in the NES. Note: Disputes about requests for extensions to unpaid parental leave may be dealt with under clause X – Dispute resolution and / or under section 76B of the Act.”*

## **The first multiple enterprise bargaining**

The IEU's WA branch has leapt right out of the gates to become the first union to seek a single interest multi-employer bargaining authorisation, using the Albanese Government's Secure Jobs changes to compel Catholic school employers to negotiate on behalf of thousands of general and education support workers.

The union says it is using the Fair Work Act's new powers that allow bargaining representatives to seek a single interest authorisation as it is not prepared to wait for employers representing 163 schools to do so once they wrap up long-running negotiations for a new teachers' deal.

FWC President Adam Hatcher will tomorrow afternoon conduct a directions hearing for the application, which the IEU's WA branch filed in its capacity under s248(1)(b) of the Fair Work Act on the day the Albanese Government's expanded multi-employer bargaining framework took effect, on June 6 (see Related Articles [here](#) and [here](#)).

The union says the nine entities it seeks to bargain with, which include Catholic Education WA, Trustees of Edmund Rice Australia, Marist Schools Australia, and Mercy Education, already obtained a single interest employer authorisation in 2021 to cover teachers.

Noting that Deputy President Melanie Binet extended it in February following teachers' rejection of two employer offers, the union says the FWC has been satisfied they "have agreed to bargain together pursuant to s249(b)(i) of the (then) Act" and it "expects that this will apply again for this authorisation".

The employers represent almost every Catholic school in the state and employ more than 4500 general and support staff, including education assistants, administrative staff, boarding house parents, gardeners, canteen workers and technicians, the union says.

The union intends its application to also capture general and support staff working in the employers' long day care, preschool, kindergarten and after school care facilities.

IEU WA branch secretary Rebecca Collopy told *Workplace Express* that despite the union's "multiple requests" to start bargaining for support staff, "the employers have refused, saying they will only start bargaining for support staff when bargaining for the teachers has concluded".

As a result, Collopy says support staff are continuing to rely on "unenforceable state jurisdiction agreements which expired in 2016 to provide conditions above the minimum".

But given the new elements of the multi-employer bargaining framework now "allow unions to make these [single interest] applications as well", she says "that is what we have sought to do here".

"IEU support staff members have waited long enough to be heard by their employers," Collopy says, with the union now developing a log of claims for these workers that is likely to tackle issues such as "spiralling workloads, lack of career progression and lack of flexibility".

Collopy says the group of employers are "well resourced, and entirely capable of bargaining for both groups of employees".

They also have a "well-established common interest", she says, having made three applications to the FWC "to confirm that exact same common interest" during the current bargaining round for the teachers' agreement.

"Without the hard work of employees like education assistants, administrative staff, boarding house parents, gardeners, canteen workers and technicians, these schools simply would not be able to function," she says.

"They're ready to bargain, and we're ready to back them in."

Collopy says the union is looking forward to "the opportunity to kickstart long overdue bargaining for IEU support staff members in Catholic schools".

Under the Secure Jobs changes, the FWC must authorise single interest bargaining where requirements are met, if satisfied that either "the employer's consent to the application or there is majority support among the employees of each employer" to bargain.

**The FWC told *Workplace Express* today** that it has established a major case page for the IEU WA branch application "because it is the first single interest employer authorisation application".

It says, "similar major cases for future single interest employer applications may also be established depending on the nature of the case and/or the views of the presiding member".

**The IEU is also involved in the first test** of new supported bargaining laws – alongside the UWU and AEU – with the FWC to hear in mid-August their landmark application to authorise multi-employer negotiations involving 65 employers and 12,000 workers in the early childhood education and care sector.

Application for single interest employer authorisation – Independent Education Union of Australia WA branch, FWC major cases homepage

## Immigration update

APTIA has been working with the Australian Chamber of Commerce to advance our industries opportunities to enable recruitment from foreign parts. It seems that it is not possible to have bus driving incorporated into the special skills categories, but our predicament is being taken up by ACCI as part of their work with the Department of Home Affairs. Set out below is a recent update received from ACCI as to their work with the Department,

The three proposed visas are:

- Targeted Industries Pathway – supported by Jobs and Skills Australia analysis, labour needs could be determined through an industry-specific tripartite process – this for a lower paid worker outside of the TSMIT.
- Core Skills Pathway – Jobs and Skills Australia analysis and consultation would determine whether a skill shortage exists and is expected to persist – this visa is to sit between the TSMIT and the specialist skills visa.
- Specialist Skills Pathway - the high-income requirement would be an indicator that skills are in high demand in the labour market and would be closely monitored by JSA and the Department of Home Affairs

Other key points ACCI highlighted in relation to the specialist skills pathway:

- There should be a 10-day service guarantee for applicants of the specialist visa.
- With the potential for migrants to have greater capacity to move between employers, there should be safeguards for employers, such as a minimum period with the sponsoring employers – doubtful that this will succeed. ACCI suggested at the meeting that an employer who has a visa holder poached by another employer should receive payment from the poacher – this could be prorated by the length of time the employee has spent with the employer.
- It is important to note that NZ allows for employer sponsored visa holders to move freely between employers, provided the employer is registered, and this is creating large problems for businesses over there as some employers wait for another business to bring the worker into the country and then poach them, avoiding all the associated costs.
- The introduction of pro-rata payments for relevant fees (e.g., SAF levy).

### **Targeted industries pathway**

This visa is to be for industries that have been deemed critical for national security or resilience, whose labour issues cannot be addressed internally.

The visa is to be for the salary range below the TSMIT \$70,000. The government is particularly focused on this visa for the care sector for example. The government wants to move away from using working holiday makers and students to plug these critical gaps.

### **Core Skills pathway**

This visa is to be for the majority of temporary visa holders and will have been identified by JSA as being in a shortage and expected to persist. The salary range for this category is to sit above the TSMIT. I think we should urge the government to use those occupations on the skills shortages list. We will need to ensure if this is the case that this list is updated annually when the new report is published.

I do wonder how high the salary range can go and if is a point where it reaches into the specialised skilled visa salary space.

### **Greater worker protections**

I have already mentioned this above, but the unions in particular are very big on worker protections and increased mobility, we are definitely going to be seeing some changes in this area.

I think the government is looking to allow visa temporary visa holders to move between employers without applying for a new visa, they will just need to update Home Affairs who their new employer is provided it still meets one of three categories, this is because the government feels workers are exploited/have their visa status held over them.

This is obviously very alarming for members, given the \$10,000-\$30,000 that can be spent on obtaining a temporary worker. There should be safeguards for employers, a range of options could be proposed by us such as a minimum period with the sponsoring employers – doubtful that this will succeed, given the government wants to move away for this model. We could also request that an employer who has a visa holder poached by another employer should receive payment from the poacher – this could be prorated by the length of time the employee has spent with the employer. I am particularly concerned about small/medium business that are outside of a metro area that brings in a temporary worker, only for them to be poached by a large company based in Sydney offering a salary the other business cannot compete with.

It is important to note that NZ allows for employer sponsored visa holders to move freely between employers, provided the employer is registered, and this is creating large problems for businesses over there as some employers wait for another business to bring the worker into the country and then poach them, avoiding all the associated costs. This then leaves the initial company out of pocket and back to square one. Also, this system seems to always put the blame on the employer but doesn't seem to acknowledge that employees will also do the wrong thing by taking advantage of the employer helping them into the country and then leaving for a much higher salary.

### **Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023**

Senate has today passed the Albanese Government's latest tranche of changes to the Fair Work Act, which include boosting flexible unpaid parental leave from 30 days over 24 months to 100 days.

It backed the Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023 after it defeated a series of Opposition amendments by 33 votes to 28.

The legislation, which is awaiting the Governor General's assent.

- **increases** the s72A flexible unpaid parental leave entitlement from 30 days over 24 months to 100 days.
- **clarifies** that when a workplace determination takes effect, the applicable enterprise agreement no longer operates.
- **guarantees** superannuation as a right under the NES; and
- **makes payroll deductions** for authorised purposes an easier process for workers and businesses.

It also clarifies that temporary migrant workers are entitled to workplace protections under the Fair Work Act and changes the way that long service leave is calculated for casual mineworkers in the black coal mining industry.

The migrant worker reform gives effect to recommendation 3 of the March 2019 report of the Migrant Workers Taskforce, which Labor had committed to "implementing in full".

The LSL changes follow a 2021 independent review, conducted by KPMG, finding the current Coal Mining Industry (Long-Service Leave Funding) Scheme not "fit for purpose" for workers engaged as casuals or through labour hire and contracting arrangements.

The review recommended that the then Morrison Government "enact legislative amendments to ensure that casual employees are treated no less favourably than permanent employees" in the long service leave scheme.

Burke said earlier this year that about 6000 casuals will benefit from the changes.

## IMPORTANT DECISIONS

### Costs against accountant who scoffed at "ludicrous" settlement offer.

#### Debus v Condor Energy Services Limited (No 2) [2023] FedCFamC2G 465 (1 June 2023)

A court has awarded costs against a worker who scoffed at "ludicrous" settlement offers made by his former employer, suggesting he should have given more than 30 minutes' thought to the consequences before rejecting them.

The assistant accountant filed his adverse action claim based on mental health discrimination against Condor Energy Services Limited and its chief executive after his summary dismissal late in 2019, three months into his probation period, "due to ongoing issues with your conduct and negative and disruptive workplace behaviour".

Seeking reinstatement, compensation and an apology, the accountant disputed that on one occasion he threatened to headbutt someone, although he deposed that he had "always had a temper".

Federal Circuit and Family Court Judge Greg Egan also heard that the accountant suffered from Asperger's Syndrome and that he had a "significant history" of mental health treatment with numerous psychologists, therapists, and counsellors, "as well as countless G. P's".

After a four-day trial in May/June and September last year, Judge Egan in December dismissed the case, finding the accountant "failed to establish any causal relationship" between his disability and his dismissal.

"The court finds that no one at Condor knew or suspected that the [accountant] was labouring under any mental disability either prior to the commencement of his employment, or during the course of his employment," the judge concluded.

In being asked to award costs against the accountant, Judge Egan heard that the defendants through their representative Nigel Saines SC first made a Calderbank offer in a letter to the accountant in July 2020.

The letter put him on notice that costs would be sought if he did not discontinue the proceedings, in which case both parties would bear their own costs.

The defendants gave him a week to respond.

Twenty minutes later, the accountant sent an email to Saines, beginning "Dear Nellie".

"Thank you for your email and the associated 'offer,'" he continued, before "utterly reject[ing]" the respondents' position.

"As I am yet to file my statement of claim and associated affidavit, nor applied for the numerous subpoenas that I intend to utilise, continued assertions that, if I may paraphrase, 'I don't have a leg to stand on' are baseless and do not reflect the facts that I will put before His Honour."

"Thanks, but no thanks."

Saines sent a second letter in May 2021, giving the accountant four days to respond to a settlement offer of \$5000, plus any unpaid wages and leave entitlements.

Ten minutes later, the accountant by email said, "I AM NOT prepared to settle on such ludicrous terms".

"Make your case for costs, and I shall continue to pursue a trial remedy," he continued.

"Please inform your clients that continued harassment on this point is futile.

"I will see this matter to its completion regardless of potential costs.

"See you all in court."

Weighing the costs application, Judge Egan noted the speed of the accountant's responses "made in an offended tone and in robust terms".

"[He] expressed his rejection of such offers in terms of his intending to proceed with his claims irrespective of the claimed prospect of adverse findings being made against him."

"Such correspondence on [his] part indicated that he had not closely and attentively considered what the consequences might be if he were to not accept the offers, and subsequently have his claims rejected by the court."

**Judge Egan said that the first Calderbank offer** "made it clear that the [accountant's] claims that his dismissal from the employment of the respondent due to a mental health disability was without substance because no one in the employ of the respondent knew that he suffered from any such disability".

"The court finds that for the [accountant] to have continued to press on with his claims in the face of such denials was at the time unreasonable, and that it remained so until the handing down of judgment," the judge said.

"[He] ought to have weighed up and balanced the claims being advanced on behalf of the respondent against the claims made by him in a considered and measured way.

"He failed to do that.

"[He] ought to have accepted the First Calderbank offer.

"In the exercise of the court's discretion, the court finds that [Condor Energy Services] is entitled to its and the [chief executive's] costs of and incidental to the proceeding, on the indemnity basis, as and from 7 July 2020 (that being the date of the making of the First Calderbank Offer and the date of the First Refusal Letter) until 23 December 2022, that being the date of the handing down of judgment."

## **“Serious” underpayment case costs small employer nearly \$400K**

### **Basi v Namitha Nakul Pty Ltd (No 2) [2023] FCA 671 (22 June 2023)**

In a penalty ruling featuring the Fair Work Act's rarely used "serious contravention" provision, an Indian restaurant operator and its director have been fined \$150,000 and \$50,000 respectively for "flagrant[ly]" underpaying and demanding cash back from two cooks threatened over their visa status.

First successfully employed in 2020, three years after the passage of the Protecting Vulnerable Workers Act (see Related Article), the serious contravention provision at s577A unlocks higher civil penalties for knowing and systematic breaches of workplace laws.

In declaring the provision applied to seven of 10 breaches in the case of Indian national Midhun Basi and three of 10 for Pakistani national Syed Haider, Federal Court Justice John Halley observed that the "reprehensi[ble]" conduct of Illawarra restaurant operator Namitha Nakul Pty Ltd and its director Vaisakh Usha "requires the imposition of significant penalties to deter both the respondents and other restaurant operators and owners from engaging in similar conduct in the future".

"The respondents engaged in conduct that exploited workers on temporary immigration visas through cash back arrangements, underpayments and failures to make superannuation payments combined with demands for money to meet PAYG liabilities and visa sponsorship costs enforced by threats of withdrawing visa sponsorship," the judge said.

While accepting that the two restaurants had closed due in part to adverse reporting about the case – some of it "emotive and inaccurate" – Justice Halley ultimately found in weighing penalties that "the central theme of the press coverage was essentially correct" and that "the respondents can fairly be described as the architects of their own misfortune".

Having found in his liability judgment last year that the director and Namitha Nukul Pty Ltd breached 10 provisions of the Act, Justice Halley today said he had taken into account the need for both specific and general deterrence for each contravention.

"Relatively modest penalties may have been sufficient to achieve specific deterrence, given the respondents limited financial resources and the closure of the restaurants," he said.

"I am not satisfied, however, given the extent and seriousness of the respondents' contraventions, that relatively modest penalties would sufficiently deter other employers from engaging in similar conduct.

"The cashback arrangements implemented by the respondents with respect to Mr Basi were deliberate and calculated.

"They can be best described as a cynical and reckless attempt to circumvent the conditions on which Mr Basi had been provided with a temporary visa.

"They enabled the respondents to erect a façade that Mr Basi was being paid the minimum wage necessary for his visa sponsorship and at the same time provided the mechanism by which his employer could obtain the benefit of his services for a substantially reduced amount.

"Mr Usha's attempts to disguise the cashback arrangement by claims that they constituted repayments of implausible loans that he had made to Mr Basi further highlighted the need for a significant penalty.

"This will ensure that the respondents and other employers seeking to sponsor and employ vulnerable visa holders in the restaurant industry are deterred from engaging in similar conduct in the future."

Settling on penalties totalling \$200,000, Justice Halley considered an application that they be paid in monthly \$1000 instalments, given that the restaurant businesses are shuttered, and the director currently works as a casual chef "earning approximately \$450 a week".

"I accept that the respondents may have limited financial resources, but impecuniosity is not a basis on which penalties may be foregone or instalment plans of inordinate length might be permitted," the judge said.

"The aggregate amount of the penalties to be imposed on Namitha Nakul and Mr Usha is \$150,000 and \$50,000, respectively.

"If the penalties were to be paid at a rate of \$1,000 per month, it would take more than 16 years for them to be paid in full.

"Allowing that period of time, particularly with no suggestion of any interest being paid to reflect reductions in the real value of those amounts in future years, would substantially undermine any deterrence that might otherwise have been achieved by the imposition of the penalties."

Justice Halley also ordered the respondents to pay Haider \$100,304 and Basi \$93,649 for lost income.

**Responding to the judgment**, Work Lawyers principal Kristian Bolwell, who represented the cook's *pro bono*, expressed concern that the men would be paid and called on the Federal Government to set up a redress scheme if it was "serious" about achieving justice for exploited visa workers.

**Unions NSW and the Migrant Workers Centre meanwhile** today released the results of a survey of 1200 migrant workers in which a third reported being offered inferior wages because they were on temporary visas.

## IMPORTANT DATES

- Epicurean Restaurant, Crown Towers, Perth (Thursday 13 July 2023),
- Parliament House, Sydney (Thursday 14 September 2023)
- APTIA AGM – 15 October 2023 (Adelaide)



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