

From: [REDACTED]
Sent: Friday, 26 November 2021 11:44 AM
To: AMOD <AMOD@fwc.gov.au>
Subject: Submission Reference AM2020/104

Dear FWC,

I refer to the Full Bench of the Fair Work Commission decision reference AM2020/104 and wish to provide the following comments from the point of view of a family run blueberry farm which has been producing blueberries for the past 26 years.

I will not comment on the current state of labour shortages which began after the government recently made changes to the backpacker income and superannuation taxes, and then were significantly worsened by COVID-19 travel arrangements. However, labour shortages together with AM2020/104 will significantly impact our ability to produce fruit efficiently. At the very least we will need more staff to oversee the harvest and payroll, and we will lose our best workers who currently achieve well above the hourly rate.

My most important comment now is that the industry will need time to analyse and develop ways of keeping appropriate records so that our pay calculations meet all of the FWC requirements. We currently work with a local software developer who has put a lot of time, effort and funds into assisting piecerate farmers to meet the current award requirements in relation to paying piecerate. It will take him time to consider the final wording of the changes and then update his software to make sure that farmers continue to meet the new FWC requirements. I honestly have no idea how a small family farm could possibly do this without the assistance of updated software. The deadline for compliance with the new requirements should allow for software to be put in place. I would also suggest FWC consult with all software developers to get a sense of how long it will take.

A separate question I have is about piecerate versus hourly. What is the expected process for switching between piecerate and hourly for workers picking below the hourly rate? If there is a piecerate agreement made with a picker, will paying an hourly rate instead be acceptable? What will the unit be e.g. daily, weekly or pay period?

I hope you find these comments useful in assisting you to finalise the wording and timing so that the intention of the decision can be easily implemented by all types of farmers.

Kind regards,

Lynette and Otto Saeck

Blueberry Fields
769 Fernleigh Road
Brooklet NSW 2479
Email [REDACTED]
Web www.blueberryfields.com.au