

Citrus Australia Ltd ABN 75 130 238 792
94 Lemon Avenue, Mildura VIC 3500
PO Box 10336, Mildura VIC 3502
t 61 3 5023 6333
f 61 3 5023 3877
admin@citrusaustralia.com.au
www.citrusaustralia.com.au



Dear Grower,

All employers in the horticulture sector, including citrus, are required to pay overtime to casual workers from **April 15, 2019**, under changes to the Horticulture Award.

The new requirements take effect from the first full pay period on or after **April 15, 2019**.

Changes to the Horticulture Award were handed down by the Fair Work Commission on April 2, 2019, giving employers less than two weeks to implement the changes.

This is grossly unfair to all employers in the citrus industry and wider horticulture sector.

Citrus Australia has written to Federal Agriculture Minister David Littleproud and Shadow Minister for Agriculture, Joel Fitzgibbon, to express its disappointment in the two-week notice.

It has also written to the Fair Work Ombudsman to ask that it will not prosecute farmers for non-compliance, for a period of 12 months after the implementation date.

Government rules and regulations are onerous for business owners and asking growers to implement a significant change like this within two weeks, leading into the busiest time of the season no less, requires some leeway for inadvertent non-compliance.

The Fair Work Commission decided in 2017 that casual employees working in the horticulture sector must receive overtime.

The decision was made that employers across the horticulture sector must pay casual employees a 15% 'night loading' when they work overnight, or overtime rates where the employee works more than 12 hours per day or 304 hours over 8 weeks.

The decision was made after much lobbying by the National Farmers Federation and Voice of Horticulture, who agreed to this, seeing it as less problematic than alternative options.

However, the NFF and other bodies, including Citrus Australia, had argued for a staggered or lengthy transition period for changes to come into effect.

This has made the decision to give businesses 14 days to implement the changes particularly disappointing.

We will continue to work to ensure no business is unfairly punished through inadvertent non-compliance this season and ask you to contact us if this occurs.

Yours sincerely,

Nathan Hancock
Chief Executive Officer
Citrus Australia Ltd