

Worker Accommodation Standard

Introduction

This Worker Accommodation Standard (**Standard**) operates within the context of established legal requirements and regulations (including those set out in Work Health and Safety (WHS) legislation, and under the *Fair Work Act 2009* (Cth)), and existing labour mobility scheme requirements. The Standard reinforces that no worker should be accommodated in facilities which does not meet relevant requirements; further, if local laws, regulations or legal requirements differ from the Standard, the party responsible for the accommodation should apply the requirement that affords the greater protection to workers.

The Standard reiterates that accommodation provided or arranged for any worker should always comply with relevant State, Territory or local government laws, including regulations, rules and codes (such as those relating to fire safety). This applies to workers who are employed directly by growers or suppliers, or those engaged via Labour Hire Providers (LHP).

Key Definitions

For the purposes of the Standard:

- “**Worker Accommodation**” is defined as any accommodation and sleeping facilities provided for out of work hours, arranged on the workers' behalf. It may be provided at no cost or at a rental fee agreed with the worker, which is paid for by the worker, the supplier or a LHP.
- An “**Accommodation Provider**” is defined as the party that is responsible for arranging accommodation for workers and managing accommodation deductions. They do not have to own the accommodation to be the responsible party.
- “**Group Accommodation**” is defined as backpacker style hostels, motels, hotels, caravan parks etc.
- “**Accommodation**” is defined as a standard house.

Reference list to existing standards and guidelines:

The below list of existing standards and guidelines is not exhaustive, however responsible parties are required to ensure they are aware of each of the below (where relevant) and are meeting all requirements:

- [PALM scheme Approved Employer Guidelines](#)
- [Labour Hire Authority - Guides and Factsheets](#)
- [Sedex Members Ethical Trade Audit \(SMETA\) Auditor Manual](#)
- [Fair Farms Standard Version 3.0](#)

Minimum Required Worker Accommodation Standard

1. Rent costs should be fair and provide good value for money

- a) Employers are to ensure they offer sufficient hours of work to employees to ensure Accommodation and/or Group Accommodation costs do not leave a worker without weekly take home pay.
- b) Value for money should be calculated with reference to equivalent properties in the region, condition of the accommodation and the number of workers residing at the premises.
- c) The cost of accommodation to workers must not discriminate between workers based on their visa status for the same type of accommodation.
- d) Workers must be notified in writing, in simple English or in a language they understand, a breakdown of all costs (rent, electricity, internet, water, cleaning, etc) and the gender make-up of the accommodation prior to agreeing to the lease/contract. Any changes in costs need to be communicated in writing and signed by the worker.
- e) All deductions related to accommodation must be transparent, clear, itemised and communicated to workers in writing in advance.

2. Accommodation must provide adequate living space, kitchen facilities, and sanitation provisions.

- a) Separate accommodation for each gender must be provided unless in Group Accommodation (e.g. backpackers) or unless workers have requested they would like to share (this must be in writing).
- b) In Group Accommodation, bedrooms must be separated by gender (excluding couples and family accommodation).
- c) Accommodation must provide each worker with a separate bed, including a bed base or frame and a mattress. Beds may only be shared by couples.
- d) Beds should only be in prescribed bedrooms and not repurposed spaces (e.g. garages, living rooms, or hallways).
- e) Beds should be easily accessible and clear of obstructions, such as ceiling fans. Thoroughfares should allow ease of movement and remain unobstructed.
- f) Bedrooms provided should be safe (lockable doors) and provide the workers privacy (curtains/blinds on windows).
- g) Accommodation must provide a minimum of 1 toilet (excluding urinals) and 1 shower for every 10 workers, in good working order. In Group Accommodation bathrooms need to be separated by gender.
- h) Accommodation must ensure that there is adequate water supply that is continuously available (which is safe for drinking, cooking, bathing, and washing) and there is hot water sufficient for the number of people residing in the Accommodation.
- i) Adequate heating, cooling and ventilation must be provided as appropriate for the local climate.
- j) Accommodation must provide adequate kitchen bench space for preparation, cooktops, electric and cooking equipment for the number of workers in the Accommodation.
- k) Relevant fire safety and electric measures and equipment must be in place (e.g. fire blanket, fire extinguishers, fire alarms, first aid kit, test and tag undertaken, etc.) for the accommodation.

- l) Accommodation must provide secure and sanitary facilities for food storage. For rural locations, this means there is larger fridge and freezer storage available.
- m) Washing machine facilities must be in good working order and sufficient for the number of workers in the accommodation.
- n) Each worker must be provided with secure storage to lock personal items (this must not be able to be moved – a small lockbox does not suffice) as well as sufficient storage for personal belongings, such as clothing.

3. Accommodation must meet a reasonable standard that is clean, safe, secure, and in good working order.

- a) The property and all facilities provided must be in good repair.
- b) The property must be weatherproof, structurally sound, and all external doors and windows must be lockable.
- c) All internal doors must be solid and in good repair. Curtains or temporary dividers are not to be used.
- d) Accommodation and/or Group Accommodation must be free of Mould, damp, and vermin.

4. Ensure facilities meet the Standard and take responsibility for addressing any identified issues.

- a) Accommodation Providers should regularly check their facilities to ensure they comply with applicable legislation and with this Standard.
- b) Accommodation and/or Group Accommodation must be checked regularly by a competent party against the relevant laws and standards. The regularity in which sites are visited is dependent on the amount of time workers are living there. This should include as a minimum a visit within the first two weeks of when workers arrive and yearly for long term multiyear tenancies.
- c) Prompt corrective action must be taken to address any violations of worker accommodation standards.
- d) Remedies, such as compensation or alternative arrangements, when non-compliance causes disruption to workers, must be provided.