



Aia Tatau i Falefaigaluega i totonu o Ausetalia

O ai e iai aia tatau i totonu o falefaigaluega i Ausetalia?

O tulafono faigaluega a Ausetalia e puipuia ai tagata faigaluega i lo latou nofoaga autū o galuega o lo'o i Ausetalia, po o i latou fo'i o lo'o faigaluega mo se kamupani Ausetalia. E le mana'omia i tagata faigaluega ona avea ma tagatanu'u Ausetalia po o ni tagata nofo tumau ina ia puipuia i lalo o tulafono o galuega i Ausetalia.

E tutusa aia tatau ma puipuiga o galuega mo i latou e umia visa ma tagata uma o lo'o faigaluega i Ausetalia. E lē mafai e konekarate po o maliega ona aveesea nei aia tatau.

O fea ou te alu ai mo se fesoasoani?

O le Fair Work Ombudsman¹ (FWO) e nafa ma le fa'amalosia o tulafono o galuega i totonu o Ausetalia.

O le FWO e iai meafaigaluega aoga i luga o le upega tafailagi e mafai ai ona e siaki lou totogi ma fa'aaoga le pay calculator.² E vave ma faigofie ona fa'amaumau ou itula faigaluega i le fa'aaoga mai o le Record My Hours app - Fair Work Ombudsman.³

Afai o e popole i le lē lelei le faiga o oe e lau falefaigaluega pe lē usita'i i tulafono o galuega i Ausetalia, e mafai ona e fa'afeso'ota'i le FWO mo fa'amatalaga, fautuaga, po'o se fesoasoani. E mafai ona e valaau mai i le 13 13 94.

Atonu e mafai fo'i ona e maua fua se fesoasoani fa'aletulafono mai isi fa'alapotopotoga, e pei o le Legal Aid, se nofoaga fesoasoani fa'aletulafono mo le nu'u, po'o se iuni.⁴

Ae fa'apefea lo'u visa?

E lē mafai e lau pule ona fa'aleaogaina lau visa, tusa lava pe ua e solia tu'utu'uga o lau visa. Na'o le Department of Home Affairs (Home Affairs), e aofia ai ma le Australian Border Force (ABF), e mafai ona fa'atagaina, te'ena, po'o le fa'aleaogaina o visa.

Ua fa'aulufaleina e le Malo o Ausetalia ni tulafono fou e fesoasoani i le puipuia ai o i latou o lo'o umia visa ma o lo'o feagai ma sauaga i galuega. O nei puipuiga fou o lo'o aofia i le polokalame Strengthening Reporting Protections Pilot.⁵

Atonu e te agava'a mo le ulua'i polokalame pe afai o lo'o e umia se visa le tumau **ma e iai le fa'atagaga e faigaluega ai**.

Afai o oe umia se visa le tumau ma e **lē fa'atagaina lou faigaluega**, o le a iloilo e le Home Affairs lau mataupu i luga o ona tulaga fa'apitoa.

Afai e te agava'a mo le ulua'i polokalame, **e lē fa'aleaogaina** e le Home Affairs lau visa pe a:

- Ua e solia se tu'utu'uga o lau visa e feso'ota'i ma galuega, ma
 - E iai se feso'ota'iga i le va o le soliga o lau visa ma se mataupu e uiga i sauaga i le galuega, ma
 - Pe a iai nisi o tu'utu'uga ua fa'amalieina.
- Mo le maua o lipoti o puipuiga fou, e tatau ona e:
- la fa'amaonia lau mataupu e uiga i le sauaga i galuega e se ofisa o le malo o lo'o auai i le polokalame po'o se fa'alapotopotoga fa'amaonia, a'o le'i fa'ailoa atu i le Home Affairs⁶
 - Fa'amatala le so'otaga i le va o le mataupu e uiga i le sauaga i galuega ma le soliga o tu'utu'uga o lau visa, ma
 - la e ta'utino e te usita'i i tu'utu'uga o lau visa i le lumana'i.

Ia fa'ailoa atu i le Home Affairs se mataupu e uiga i le sauaga i galuega, e mafai ona e fa'atumu le Strengthening Reporting Protection Request Process form.⁷

O ā a'u aia tatau i le nofoaga faigaluega?

E iai tulafono i Ausetalia e uiga i lou aia tatau i le galuega, e pei o le aofa'i mauualalo e mafai ona totogiina ai oe (mai le aso 1 Iulai 2024, o le totogi mauualalo i le itula mo tagata matutua faigaluega tumau po o se vaega taimi o le \$24.10 i le itula), o le aofa'i mauualuga o itula e mafai ona e galue ai, ma le taimi e tatau ona e maua ai se malologa. O nei tulafono e mafai ona maua i nofoaga eseese e pei o se fa'aailoga galuega (award)⁸ po'o se maliega faigaluega ua lesitalaina (e pei o se

¹ <https://www.fairwork.gov.au/>

² <https://calculate.fairwork.gov.au/findyouraward>

³ <https://www.fairwork.gov.au/tools-and-resources/record-my-hours-app>

⁴ <https://www.fairwork.gov.au/tools-and-resources/other-workplace-relations-help/legal-help>

⁵ <https://immi.homeaffairs.gov.au/visas/working-in-australia/work-rights-and-exploitation/strengthening-reporting-protections-pilot>

⁶ <https://immi.homeaffairs.gov.au/visas/working-in-australia/work-rights-and-exploitation/strengthening-reporting-protections-pilot#content-index-3>

⁷ <https://immi.homeaffairs.gov.au/visas/working-in-australia/work-rights-and-exploitation/strengthening-reporting-protections-pilot/request-process-form>

⁸ <https://www.fairwork.gov.au/employment-conditions/awards>

maliega a le kamupani),⁹ po o se konakarate faigaluega.

E tutusa aia tatau ma puipuiga masani a i latou e umia visa ma isi tagata faigaluega i Ausetalia i lalo o le Fair Work Act 2009 (Cth).¹⁰

O nei mea e aofia ai:

- Totogi ma tupe maua – mo se fa'ata'ita'iga, amata i le aso 1 Iulai 2024, o le totogi maualalo i le itula mo tagata matutua faigaluega tumau o taimi ma le aufaigaluega i vaega o taimi e \$24.10 i le itula. E masani ona fa'afouina fua fa'atatau maualalo o totogi i tausaga ta'itasi.
- Puipuiga mai le fa'ate'aina ona o auala fa'aletonu (pei o le 'fa'ate'a' pe 'fa'amavae') i nisi tulaga.*
- Puipuiga mai le fa'ailoga tagata (fa'atauva'a pe fa'aletonu le faiga) ona o le fa'aaogaina o se aia tatau i le galuega – mo se fa'ata'ita'iga, le mafai ona faigaluega ona o le ma'i po'o le manu'a, po'o le faia o se faitioga po'o se fesili e uiga i la latou galuega.
- Puipuiga mai le sauāina fa'afeusuaiga ma le fa'amalosi i le galuega.
- Puipuiga mai fa'ailoga tagata – e aofia ai le puipuiga mai fa'ailoga fa'aletulafono ona o le matua, a'afiaga tumau o le tino, itupa, ituaiga tagata, fa'asinomaga fa'afeusuaiga, ma le tapuaiga.

*Afai ua e manatu o se auala fa'aletonu po'o se auala fa'aletulafono ua fa'ate'aina ai oe, e 21 aso ua tu'uina mai e faia ai se tagi i le Fair Work Commission. E iai tulafono ma tu'usaunoaga e fa'atatau i ai. E tatau ona e saili fautuaga e fa'atatau i nei mea i se taimi vave lava.¹¹

E tāua le usita'ia o tu'utu'uga o lau visa. Afai e iai ni ou popolega i lou mafai ona usita'ia tu'utu'uga o lau visa, e tatau ona e talanoa i se sui faufautua malaga ua lesitalaina (RMA), se sui fa'atulafono, po'o le fa'afeso'ota'i o le Department of Home Affairs.¹²

Peita'i, e iai ou aiā tatau ma puipuiga i lalo o tulafono o galuega tusa lava po'o le ā lau tulaga o femalagaa'iga.

E aofia ai tulaga i lalo o le Migration Act pe a e:

- Solia se tu'utu'uga o lau visa,
- E le'o iai sa'u aia tatau e faigaluega ai i Ausetalia i lalo o tu'utu'uga o lau visa, po'o
- Le le umia o se visa.

O a fa'ailoga i le galuega e fa'atatau i sauaga?

O amioga fa'asauā e mafai ona aofia ai le tele o tulaga e fa'ailoa ai le sauāina o se tagata faigaluega

i le galuega.¹³ E mafai ona aofia ai ituaiga eseese o faiga, e pei o:

- Fa'amata'u e fa'apea o le a fa'aleaogaina lau visa.
- Fa'amalosia le faigaluega.
- Umi tele itula galue.
- Totogi maualalo i le galuega ma a'oa'oga e le'i totogia.
- Le 'auina atu o pepa o totogi.
- Le tonu tupe to'ese mai totogi (e aofia ai nofoaga e nonofo ai, a'oa'oga, meai po'o fela'uaiga), tupe teu po'o fuafuaga e toe ave ai se vaega o le totogi ('cash-back').¹⁴
- Le le mauaina o aia tatau i le galuega, fa'ata'ita'iga, totogi mo aso malolo e aofia ai aso malolo ona o le ma'i ma aso malolo fa'aletausaga, po'o le totogiina o le superannuation.
- O le aveeseina o lau tusifolau ma o lo'o taofia e se isi tagata.
- O le fa'amalosi e te galue i tua atu o tu'utu'uga o lo'o ta'ua i lau visa.
- O le fa'amalosi e totogi muamua se tupe po'o se 'teugatupe' mo se galuega.
- O le taumafai a le pule a le galuega e 'alo ese mai le totogiina o lafoga i le totogiina o oe i se tino i tupe.
- O le fa'avasegaina o oe o se tagata faigaluega tuto'atasi nai lo le avefa ma tagata faigaluega masani.
- Galue i ni tulaga lamatia ma e le saogalemu.
- O le tu'uina atu e lau pule i le galuega se nofoaga e le lelei mo le nonofo ai, ma le fa'amalosia o lou totogiina o lea nofoaga.
- Le fa'atagaina oe e te alu ese mai le fale faigaluega.
- Fa'amalosia ia aua ne'i auai i se iuni.

E tupu le fa'aogaina fa'asauā i le galuega pe a le iloa, le malamalama, po'o le le usita'ia e tagata faigaluega aia tatau ma tiute i le galuega, pe ona o le le iloa moni, po'o le faia fa'amoemoeina.

E fa'apefea ona a'afia a'u aia tatau i le galuega i tu'utu'uga o lo'u visa?

O lau visa Ausetalia e ono iai ni tu'utu'uga e fa'atatau i galuega e mafai ona e faia pe e le mafai ona e faia E mafai e le pule o le galuega ona fai atu ia te oe e fai, pe aua ne'i faia, ni galuega ona o tu'utu'uga o lau visa. Mo se fa'ata'ita'iga, afai e na'o se galuega fa'apitoa e fa'atagaina i tu'utu'uga o lau visa, e mafai e lau tagata faigaluega ona fa'atonu oe e galue i na o lena matafaioi.

O le tusi fa'amaonia o lau visa o le a aofia ai fa'amatalaga e uiga i tu'utu'uga uma e fa'atatau i lau visa. Pe a le o lea, e mafai ona e siakiina fa'amatalaga o lau visa, e aofia ai tuutuuga o lau visa, e ala i le Visa Entitlement Verification Online: Visa holder su'esu'ega

⁹ <https://www.fairwork.gov.au/employment-conditions/agreements>

¹⁰ <https://www.legislation.gov.au/C2009A00028/latest/versions>

¹¹ <https://www.fairwork.gov.au/ending-employment/unfair-dismissal>

¹² <https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/see-your-visa-conditions>

¹³ 'O le fa'augaga o le 'Sauāina' o lo'o i lalo o le vaega 271.1A o le Tulafono Fa'asalaga - <https://www.legislation.gov.au/C2004A04868/latest/text/2>

¹⁴ E le o tupe uma o lo'o to'esea e lē tonu.

([immi.gov.au](https://online.immi.gov.au/evo/firstParty?actionType=query)) (VEVO)¹⁵ i le upega tafailagi a le Department of Home Affairs.

Afai na e fesiligia se RMA po'o se loia mo se fesoasoani, e mafai fo'i ona latou fesoasoani ia te oe i le fa'amalamalama o tu'utu'uga o lau visa.

Mo nisi fa'amatalaga

Tagata umia visa ma tagata malaga mai i fafo - Fair Work Ombudsman¹⁶

O le National Employment Standards (NES)¹⁷ o tulaga maualalo lea e tatau ona ausia i galuega mo le to'atele o tagata faigaluega.

O le Fair Work Information Statement (FWIS)¹⁸ e aofia ai fa'amatalaga e uiga i le NES ma isi aia tatau maualalo mo tagata faigaluega. E tatau i le pule o le galuega ona tu'uina atu le Fair Work Information Statement (FWIS) i tagata faigaluega fou uma.



Fair Work Ombudsman



Fair Work Commission



Fa'amaumau O'u Itula



Australian Taxation Office



Fa'amalosiina o Lipoti Protections Pilot



Workplace Justice Visa Pilot



Australian Federal Police

O lenei pepa na gaosia e le Department of Home Affairs, ma ua fuafuaina mo le tufatufaina atu e RMAs. O lenei pepa, e le o aofia ai se fautuaga fa'aletulafono po'o se fesoasoani tau femalagaa'iga mai se RMA.

¹⁵ <https://online.immi.gov.au/evo/firstParty?actionType=query>
¹⁶ <https://www.fairwork.gov.au/find-help-for/visa-holders-migrants>

¹⁷ <https://www.fairwork.gov.au/employment-conditions/national-employment-standards>

¹⁸ <https://www.fairwork.gov.au/employment-conditions/information-statements/fair-work-information-statement>