



Update for Fair Farms Participants and Stakeholders regarding COVID-19

Dear valued Participants and Stakeholders,

As the coronavirus (COVID-19) is spreading in Australia, there are impacts for our domestic farm operations and supply chains. The situation is dynamic, with new measures and restrictions being recommended or imposed almost daily, as the number of registered infections grows.

The Fair Farms program is taking the outbreak of COVID-19 in Australia very seriously and is committed to help soften its impact on horticulture businesses and its workers. Fair Farms supports growers with upholding workers' welfare in these unusual and uncertain times, while continuing their production where this is possible.

This update seeks to provide producers, buyers and auditors in Australia with:

- guidance on managing compliance with the Fair Farms Standard, and
- direction for Fair Farms Audits

during and after the coronavirus outbreak.

1. Workplace Health and Safety (WHS)

Participants in the Fair Farms program are committed to ensuring the workplace health and safety of their workers. It is recommended that all program participants regularly check and implement the latest WHS recommendations and restrictions issued by government (State/Territory and federal) as the coronavirus pandemic unfolds. In particular, the advice and direction from government in these areas should be followed:

- personal hygiene
- social distancing
- movement/quarantine of workers.

Please refer to the weblinks provided in the Appendix for detailed information from government and other relevant sources.

2. Upholding ethical employment practices

While these are extraordinary times, it is always important to maintain ethical employment standards. Many of our workers in the horticulture industry are vulnerable because they're from overseas, have limited understanding of their rights and little or no access to social benefits.

Fair Farms encourages maintaining a cooperative and consultative approach with your workers to ensure everyone is confident they will be safe at work. Keep your workers updated on any changes that may affect them, and work with them to develop any additional COVID-19 specific WHS measures and procedures.

3. Additional working hours requirements – Fair Farms Standard F6.13.1

Recommendations and directions will likely change over time, and so practices on farm will need to be adapted continuously, as we all learn more about the spread of the coronavirus.

Section F6.13.1 of the Fair Farms Standard requires that:

- workers do not work more than 18 hours in a single day
- ordinary working hours, excluding overtime, do not exceed 38 hours per week
- in the case of voluntary overtime or additional hours, working hours do not exceed 60 hours in any 7-day period
- only in cases of exceptional circumstances (including unexpected production peaks, accidents or emergencies), working hours do not exceed 80 hours per week.

Impacts of COVID-19 on your business may be classified as an “exceptional circumstance”. Please note that if your workers work between 60-80 hours per week because of COVID-19, you need to demonstrate at audit that this was caused by COVID-19.

Should your workers need to work additional hours, you must adhere to any additional hours/overtime obligations in the relevant Award or Enterprise Agreement, where applicable.

Section 6.13.2 of the Fair Farms Standard continues to apply, requiring that:

- Additional hours worked by workers are voluntarily undertaken – i.e. not forced
- Appropriate safeguards are put in place to protect workers’ health and safety and manage fatigue.

4. Fair Farms Audits

At this time, Fair Farms Audits can continue to take place with some changes to the way the audits are conducted. The Participant should advise the auditor ahead of the audit if there are any restrictions for visitors to access the site.

Fair Farms would like to remind participants and audit firms that remote or virtual audits are not permitted.

Workers Interviews

Participants and auditors should consider whether to forgo group interviews and only do the required number of individual interviews as indicated in the table below. Such deviation is to be marked in the audit report and attributed to COVID-19.

These interviews should preferably be held outdoors, away from other people. Auditors are instructed to adhere to any relevant social distancing measures.

Number of Workers (inc. agency casuals exc. Management)	Individual Interviews Required	Group Interviews of five	Total Interviews	Sample for payroll testing	Facility Tour?
1 - 25	5	0	5	5	Yes
26 - 50	7	1	12	7	Yes
50 - 100	10	2	20	10	Yes
For every 1 - 250 above	+5	+1	+10	+5	Yes

Recertification Audits

If your Recertification Audit is affected by COVID-19, please contact your auditor or the Fair Farms team to discuss a deferral under section 11.1 of the Fair Farms Rules.

5. Buyers' responsible sourcing practices

Fair Farms strongly encourages participating buyers of fresh produce (retailers and wholesalers) to consider the impact on farm workers when negotiating terms with suppliers. Buyers should assess how they can support their less resilient suppliers stay financially afloat during the coronavirus outbreak. Bearing in mind that the risk of workers not getting paid their full entitlements increases sharply when a supplying business gets is under financial pressure.

Contact the Fair Farms Team

For questions, please contact us on:

PH: (07) 3620 3844

Email: fairfarms@growcom.com.au

See appendix over the page.

Appendix – COVID-19 resource links

Information from the **Commonwealth Department of Health** on the coronavirus can be accessed here:
<https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert>

WorkSafe Australia publishes Questions & Answers on the coronavirus here:
<https://www.safeworkaustralia.gov.au/covid-19-information-workplaces>

The **Fair Work Ombudsman (FWO)** has put up a Questions & Answers section on their website specifically on the coronavirus that is updated daily:
<https://www.fairwork.gov.au/about-us/news-and-media-releases/website-news/coronavirus-and-australian-workplace-laws>

We recommend you stay up to date with your State/Territory health departments and WHS agencies for relevant information, advice and updates.

Also regularly check the websites of horticulture industry bodies for industry-specific guidance and resource links:

- **Growcom:** <https://www.growcom.com.au/coronavirus/>
- **AUSVEG:** <https://ausveg.com.au/home/coronavirus-resources/>