



WWOOF Australia
 World Wide Opportunities on Organic Farms
 wwwoof.com.au +61 (0)455 023 173
 Buchan, Victoria, 3885 Australia

Why Hosts shouldn't blur the lines between WWOOFing and paid employees

The WWOOF Guidelines are clear that WWOOFing is not paid work. Volunteers should never be treated as employees. It is vital that there is never an indication that a volunteer is being treated as an employee. They are a guest on your property, they are there to learn about your organic practices and techniques while getting to know their Host and take part in Australian life and culture. Fair Work Australia can apply a test to determine if someone is a genuine volunteer, the main criteria is that the volunteer has more to gain from the relationship than the host. If the host is seen to have a financial gain from the work done by the volunteer, Fair Work Australia (FWA) may determine that the volunteer was actually an unpaid employee and order that they be paid.

WWOOFers and WWOOF Hosts all agree on joining WWOOF that they will follow the WWOOF Guidelines and therefore should all understand that money will not change hands. Hosts need to ensure that their WWOOFers are all registered WWOOF members to be sure that they have agreed to the WWOOF Guidelines to protect themselves from future claims. If they are not registered WWOOF members hosts can assist them to join WWOOF or refuse to host them.

Below are a few of the most obvious differences between volunteers and employees

Volunteers	Employees
Have flexible volunteering times.	Have fixed start and finish times with set morning and afternoon tea breaks.
Are provided with all meals and accommodation and help out with preparation and clean-up of meals and snacks, learning to cook new foods and sharing their cooking skills with their host.	Bring their own lunch (some awards may include lunch provided by employer). Employees may have meals and/or accommodation included in their award or may pay employer for meals and lodging if it is not possible to go home each day.
Are treated as guests.	Are treated as workers.
Are not expected to perform tasks competently, but with practice and good teaching from hosts may achieve this.	Are expected to perform set tasks during their workday and have a responsibility to ensure their tasks are completed competently.
Spend time socially with Hosts when they are not volunteering. They will often attend local functions with the host to experience community life.	Generally, do not socialise with their employer after work hours.
	Go home after work if possible or practical and will usually go home on weekends when practical if they do stay during workdays.
Are taught about the Hosts organic techniques and practices. Where possible they will learn many different skills and put them into practice.	Learns the skills needed to do their job
Are not expected to have any skills to offer other than enthusiasm and willingness to learn and help to the best of their ability.	
The host has no expectation of a financial benefit from the assistance given by the volunteer.	The employer intends to gain a financial advantage from the work the employee is paid to perform.
Will often spend time learning English to improve their communication skills	Are expected to have reasonable communication skills.
Will often create lasting friendships with their hosts and families often inviting hosts to visit after their stay.	
Learn about the lifestyle of their Host by taking part in their lives.	

Will learn about Australian Culture by living with and spending time with an Australian host.	
---	--

It is vital that WWOOFers are treated as volunteers, and not employees. As the above chart shows there are some truly clear distinctions between the two.

Fair Work Australia deals with complaints from employees who believe they have not been paid correctly and their advice to WWOOF Hosts is as follows.

- If Fair Work Australia had a complaint, they are legally bound to investigate the complaint.
- If WWOOFers were paid for 2 hours and WWOOFed for 6 hours on any given day FWA may consider when they investigated that all 8 hours should have been paid, so it is much safer for Hosts NOT to pay WWOOFers at all. (If a Host pays a WWOOFer any amount, FWA considers they are then in an employer/employee relationship for ALL hours.)
- If you decide you wish to employ a WWOOFer, make a clear distinction that from a specific date you will become their employer, they cease WWOOFing from that date and you give them pay slips for their wages, showing the Award wage is paid. They will need to come to an arrangement for their meals and accommodation as an employee. See the [ATO website](#) for important information about employing Working Holiday visa holders.
- Some awards allow deductions; make sure you know what these are and seek advice if unsure.
- If an employer offers payslips for 88 days then they MUST follow the award and cannot deduct the full wage for meals and accommodation, if FWA investigate they would most likely rule against the Employer & make them backpay full wages, super etc.
- Basically, if it looks like a WWOOFer is being treated like an employee and they put in a complaint, FWA may rule that this is what they are, so particularly on commercial farms it is **vital** to ensure their WWOOFers are **never** treated as employees.
- If Hosts have volunteers doing work that brings the employer an income and they are seen to be the ones who gain most from the relationship FWA may rule that the volunteer should be paid.
- WWOOF Hosts should emphasise learning about organics, permaculture, biodynamics & sustainability as an aspect of the volunteer / Host relationship, as well as the cultural exchange & social aspect of the exchange.
- People can put in a complaint up to 6 years later and FWA are bound to investigate.