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Standing Committee on Education, Employment and Youth Affairs
ACT Legislative Assembly

Submitted via email: committees@parliament.act.gov.au

Submission to Independent Inquiry into Insecure Work

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing Australia's culturally and linguistically diverse (CALD) communities and their organisations. FECCA provides advocacy, develops policy and promotes issues on behalf of its constituency to Government and the broader community. FECCA strives to ensure that the needs and aspirations of Australians from diverse cultural and linguistically diverse backgrounds are given proper recognition in public policy.

FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism so as to build a productive and culturally rich Australian society. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

FECCA commends the Standing Committee on Education, Employment and Youth Affairs for undertaking this inquiry into insecure employment in the ACT and for their commitment to consulting widely.

FECCA believes that employment is an effective way of empowering individuals. Employment assists in creating dignity, self-confidence and stability. It also benefits the physical and mental health and well-being of individuals and families. These positive consequences are integral for CALD community participation and social inclusion beyond the immediate settlement period and throughout the life course.¹

Key Message

Many people from a CALD background are employed in insecure work, which is often low paid, unsustainable, dangerous and isolating. FECCA believes that employment is an effective way of empowering individuals and assists in creating dignity, self-confidence and stability. It also benefits the physical and mental health and well-being of individuals and

¹ FECCA 2011, *Settlement is a Life-Long Process*, Submission to the Department of Immigration and Citizenship on Achieving social inclusion and participation for new and emerging communities beyond the immediate settlement period, FECCA, Canberra p. 13

families. These positive consequences are integral for CALD community participation and social inclusion beyond the immediate settlement period and throughout the life course.²

Recommendations

FECCA recommends the following:

1. The collection of data on CALD insecure workers. This needs to be disaggregated by country of birth, cultural background, language, gender and whether an individual is living with disability.
2. Research into the specific challenges and barriers which contribute to keeping CALD employees in insecure employment as well as into effective or good practice pathways for individuals to find sustainable, safe and secure employment.
3. Culturally and linguistically sensitive information provision regarding worker rights within CALD communities.
4. Targeted pathway programs which assist those vulnerable to or currently employed in insecure work conditions to access training and skills development.
5. Australia to become a signatory to the *Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*.
6. Greater implementation of cultural competence training for employers. This training should also seek to promote and build systemic changes in organisations and industries.

The extent, nature and consequences of insecure work in the ACT

The Australian Council of Trade Unions (ACTU) states ‘around 40% of workers are engaged in insecure work arrangements such as casual work, fixed term work, contracting or labour hire.’³ It is unclear how many of these workers are from a CALD background although it is likely that CALD Australians are overrepresented in insecure employment.

This gap in research is predominantly due to limited disaggregation of statistics, such as country of birth and linguistic background. These factors are crucial to identifying and understanding intersectional social determinants which contribute to participation in insecure working arrangements. Including these factors in data collection is also integral to revealing not only the extent of CALD workers in this area but also fostering a deeper understanding of the unique challenges migrants and refugees face in participating in more sustainable and better quality employment. This is the case at both the federal, state and territory level.

The ACTU reports how there has been a ‘dramatic decline in permanent work, and corresponding growth of insecure forms of employment, such as, casual, contract work and labour hire.’⁴ This is of particular relevance to the ACT due to the vast number of employees employed in the Public Service sector and the recent cuts to permanent positions. A 2014-15 report by the Australian Public Service Commission demonstrated that workers in insecure jobs ‘grew by 15 per cent in little more than a year to 15,932’.⁵ This number further increased to 17,923 in 2015-16.⁶ The 2015-16 report also notes how ‘the highest proportion of APS employees are based in the ACT’.⁷

² FECCA 2011, *Settlement is a Life-Long Process*, Submission to the Department of Immigration and Citizenship on Achieving social inclusion and participation for new and emerging communities beyond the immediate settlement period, FECCA, Canberra, p. 13.

³ See https://www.australianunions.org.au/about_actu

⁴ See <https://www.actu.org.au/our-work/submissions/2017/independent-inquiry-into-insecure-work-in-australia>

⁵ <http://www.canberratimes.com.au/national/public-service/australian-public-services-nonongoing-workforce-grows-in-size-to-16000-20150917-gjoudc.html>

⁶ Australian Public Service Commission, *State of the Service Report 2015-16*, Australian Government

⁷ Ibid.

The workers that are most at risk of insecure work and why

FECCA's Access and Equity consultations support the literature that argues migrant and refugee communities are generally more vulnerable to insecure employment conditions due to a range of intersectional and systemic barriers and challenges.

Within these diverse groups, certain jobseekers and workers from CALD backgrounds are particularly at risk of insecure employment. These include:

Refugee and humanitarian entrants

Refugee and humanitarian entrants, particularly during the initial years of settlement, are highly vulnerable to insecure employment conditions. This is often a result of extended periods spent in refugee camps where education is often interrupted. This factor may also be perpetuated by financial and housing insecurity, as well as limited recognition of skills and qualifications gained overseas. Low levels of English language and literacy also contribute to exclusion from sustainable employment options, as do recruitment and workplace discrimination and racism.

Women

At FECCA's National Multicultural Women's Conference, held in 2017, employment was a key concern, with the acknowledgement that employment is an important part of the settlement process, providing migrant and refugee women with access to economic security and interaction with the broader community.

The casualisation of the workforce was a particularly salient concern. Women are more likely to be low paid employees – that is earning below, at, or just above the minimum wage. Women from CALD backgrounds are overrepresented in insecure employment fields, which include industries such as manufacturing, accommodation, food services, cleaning and labouring. They are more likely to be employed on a casual basis and to be at a disadvantage negotiating terms of employment. The negative impacts of insecure employment on CALD women not only affect individuals and their workplaces, but on a much larger scales, impacts Australia's productivity, welfare system and social cohesion.

Support to return to work after having children was also an important issue raised by delegates. Child care reform has the potential to achieve the two key objectives of the child care system – increasing labour force participation and improving individual child development. Child care needs to be accessible for families where one or both parents work in insecure work and/or work with variable hours. Paid parental leave and flexible working arrangements are also important aspects of policy affecting CALD women when they have children and are planning their return to work.

Difficulties with obtaining recognition of skills and qualifications earned overseas are among the key barriers to accessing employment in Australia. Limited information on the process to have overseas qualifications recognised, along with the costs of obtaining the recognition, pose major challenges for migrants and refugees (with the latter facing an additional complexity of providing documentation from their countries of origin). Without access to this recognition, migrant and refugee women find it difficult to access employment that is commensurate with their skills.

Older migrants

Older migrants may be more vulnerable to insecure work environments. In some cases this is a result of long term employment in insecure conditions, which can create career stagnation and limits upskilling opportunities. This susceptibility can also be a consequence of cultural attitudes towards ageing and new skill acquisition which discourage older migrants from actively pursuing upskilling opportunities.

Youth

Young people from a refugee and migrant background make up a significant proportion of the Australian youth population. Their engagement as active citizens in Australian society, including their meaningful economic participation, has significant and long-term benefits for them, their families and communities, and for a diverse, socially cohesive Australia.

The research and the community engagement that our organisation undertakes across Australia indicate that many young migrants and refugees face multiple levels of disadvantage, especially in relation to economic participation. The design of government employment programs needs to consider and address the multiple levels of this disadvantage.

Concern over young CALD jobseekers being channelled into insecure employment by employment services is frequently expressed by CALD community members in FECCA's Access and Equity consultations. This was a particular issue for new and emerging community (NEC) members, who felt that this process is isolating for youth and could limit their future professional development opportunities.

For all the above-mentioned group, insecure work has a significant effect on:

- their financial security due to low wages, fluctuating working hours and limited paid leave entitlements. Keeping up with the costs of day-to-day living and affording basic necessities such as housing, groceries and transport can be difficult to manage with an unreliable income. This financial insecurity can also have a detrimental effect on social connectedness and inclusion, which is also important to sustaining mental and physical health and wellbeing.
- occupational health and safety of workers and workplaces due to limited knowledge and limited access to information because of workload intensification, bullying on the part of employers, and threats to employment security.
- wellbeing and health of workers outside the workplace, including impact on family and other relationships due to demanding work hours, stress, physical injury and financial insecurity. This inhibit the capacity for employees to engage, contribute and build family and community relationships both within and outside their workspaces.
- training and skills development leading to career stagnation, skills reduction and inability to enter more sustainable work opportunities
- career progression and opportunities due to many workers in insecure jobs are considered expandable and there is little recognition of the skills needed and acquired in such employment
- social inclusion due to isolation, racism, bullying, instability and low pay that do not create feelings of belonging nor do they foster trust and feelings of security.

Conduct and regulation of insecure work in the ACT

Australia is not yet a signatory to the *Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*. As a signatory to this Convention Australia would have to report and implement measures that seek to improve the human rights of

migrant workers and their families. FECCA recommends that Australia becomes a signatory to the *Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*.

Further, in previous consultations that FECCA has made with the community, attendees have expressed an eagerness to engage with unions and speak about insecure work environments and instances of bullying and discrimination. Insecure work environments are not facilitating this engagement due to a variety of reasons, including intensive workloads, bullying and fear of loss of job. Not being able to influence workplace standards, report illegal practices, or engage in dialogue is fundamentally antithetical to the government's Social Inclusion agenda which stipulates that all Australians should be able to contribute and have their voices heard.⁸

FECCA recommends that unions continue to work to provide accessible and equitable pathways to membership, information and events for CALD Australians. This could be conducted through the provision of culturally competent and linguistically sensitive forms of information provision. FECCA further recommends that the Australian Council of Trade Unions (ACTU) continue to foster strong connections with CALD communities, organisations and individuals, particularly those involved in insecure work. This may include engaging with community leaders to discuss specific barriers and challenges their community faces in regards to employment in and standards of insecure work.

FECCA welcomes the positive developments such as the Fair Work Ombudsman's online tools for workers and their employers to obtain information or to provide intelligence about their workplace: the Record My Hours smartphone app; the Pay and Conditions Tool (PACT) and the Anonymous Report function.⁹ FECCA encourages the Fair Work Ombudsman to make this information available through accessible formats and through the provision of culturally competent and linguistically sensitive forms.

FECCA thanks the ACT Government for the opportunity to make a submission to this important inquiry. If you would like to discuss any aspect of this submission further, please contact the FECCA Director, Dr Emma Campbell at emma@fecca.org.au or on (02) 6282 5755.

⁸ Australian Government 2011, *The Social Inclusion Agenda*, website, Australian Government, Canberra, accessed 14/12/22: <<http://www.socialinclusion.gov.au/>>.

⁹ For more information, see <https://www.fairwork.gov.au/>