



## About FECCA

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing people from multicultural communities and their organisations across Australia. Through the membership of state, territory, and regional councils, we represent over 1500 community organisations and their members, as well as thousands of individual members.

For over 40 years, FECCA has proudly worked alongside multicultural communities, government, and broader Australian society to help build an Australia where everyone, no matter their background or how long they have lived in this country, can belong and thrive equally and without barriers.

FECCA pays our respects to Aboriginal and Torres Strait Islander elders past and present and recognises that the land we live and work upon was never ceded. FECCA proudly supports the Uluru Statement from the Heart and its call for the establishment of a First Nations Voice protected by the Constitution.

FECCA acknowledges that our work on behalf of multicultural Australia has learnt from and been enriched by First Nations people and organisations. There is so much more to do, and we are committed to continuing to listen, learn and support First Nations people in the journey to a more inclusive Australia.

FECCA would also like to thank and acknowledge the work of our member organisations as well as the many other actors across the migration and multiculturalism sector who contributed to developing this submission.



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## Executive Summary

Migration and multiculturalism are foundations of Australia's past, present, and future. The 2021 census showed that over 51% of the population was either born overseas or at least one parent born overseas.<sup>1</sup> However, our current policy settings do not adequately reflect this diversity and therefore do not make the most of the rich economic and social potential that this diversity offers.

Over its 40 years as the peak body for multicultural communities in Australia, FECCA has seen the negative impacts of bringing migrants to Australia without adequate investment in social support, protection from exploitation, and community development programs.

We have also seen the opposite. There have been periods in Australia's history where inclusive policy settings have supported new and existing migrants to better use their existing skills and develop new ones, to contribute fully to Australia's economy and broader society.

There is much to learn from the policy settings of the past that genuinely supported migrants.

FECCA urges the Employment Taskforce not to view migration and Australia's existing multicultural workforce through a purely short-term economic lens. It must be understood as a nation building project that delivers benefits to individual workers and their families, as well as the Australian economy.

Similar countries around the world are currently experiencing similar skills shortages and are competing for talent. Australia must rebuild its reputation and reposition itself as a destination of choice for skilled migrants.

The unique skills and qualities of both new migrants and established multicultural community members, including their ability to work in bilingual and bicultural settings, must be meaningfully recognised, developed, and remunerated.

In creating this submission, FECCA has consulted widely across our membership as well as the migration and multicultural sector. Together we have developed this summary of the many complex and nuanced challenges facing our communities and our country. We look forward to working with the government towards reform.

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<sup>1</sup> [Snapshot of Australia](#), Australian Bureau of Statistics



## Key recommendations

See [page 24](#) for the full list of recommendations

Political leaders must be proactive and intentional in publicly celebrating the value and benefits of migration and multiculturalism. Our leaders must set the tone of the national conversation.

Decision makers must genuinely consult with the migrant and multicultural sector to ensure that the right messages are being conveyed and the necessary impact is had across Australian society.

Ensure the review into Australia's migration future results in an overhaul of the migration system to build a system that is fair, timely, transparent, accountable, simple, and meaningfully informed by voices and experiences of current and past migrants.

Overhaul the Multiculturalism Policy Framework to support multiculturalism and the migration program through establishing an Office for Multiculturalism, reformed access and equity policy, greater support for new arrivals and cultural communities, and increased accountability.

Increase the responsibility and accountability of sponsoring employers to their employees by enforcing mandatory worker law information and enhancing oversight on labour hire.

Implement measures to enable people to make complaints and access options for redress.

Establish language inclusive career counselling, engagement with industry representatives, extended English training programs and integrated learning opportunities for work experience to benefit young people.

Establish fit for purpose programs to fast-track entry into jobs that meet people's skill level.

Establish institutional government oversight of skills assessment bodies within Australia.

Review the effectiveness of Workforce Australia. Reforms should include more specialist settlement and multicultural providers, and a funding model that encourages skills and qualification recognition.

Address the increasing dependence of the care sector on migrant and multicultural workforce (often on temporary visas).

Ensure reforms to the care workforce do not impose additional barriers that would be discriminatory towards migrant and multicultural workers.



## Introduction

A secure and successful multicultural workforce is integral to Australia's prosperous and multicultural future. For multicultural workers, secure employment empowers individuals and improves self-confidence and feelings of stability. Workers must be empowered through policies and practices that recognise their value and prioritise their safety and wellbeing.

Migrant and multicultural workers bring a diversity of backgrounds, life experiences, skills, and strengths to Australian society. A workforce which reflects Australia's multicultural diversity ensures better outcomes across service delivery, academia, and industry.

## An inclusive Australia

To build a strong and successful future for Australia, we need a more inclusive society where everyone can belong equally without barriers. We want to see all forms of diversity celebrated and valued, and a stronger understanding across government, industry, and broader society of the many benefits of cultural, ethnic, and linguistic diversity.

An accent, a hijab or an unfamiliar name should not hold people back in Australia. Yet, that is the current reality.

We must take action to create an inclusive nation where everyone can belong. It is also essential to ensure Australia remains an appealing destination for people to migrate to and build a life. In an increasingly competitive global marketplace for migrants, the benefits of migrant-positive social settings and policies cannot be overlooked.

### Inclusive political discourse

A more inclusive nation begins with strong national leadership.

Australians are overall supportive of migration and multiculturalism.<sup>2</sup> However, too often political leaders frame migrant workers as disposable, unskilled and only needed when the nation is in a jobs and skills crisis. This was highlighted through the treatment of temporary visa holders during the pandemic. Many migrants, even permanent ones, reported to FECCA the impact the lack of support and the accompanying political rhetoric had on their sense of belonging in Australia.

We need our country's leaders to reverse the perception among many migrant communities that Australia only values them for undertaking jobs that Australian born workers are unwilling to do, for lower rates of pay and poorer conditions. Migrants should feel valued for who they are and the full package of skills and qualities they bring to Australia.

1. Political leaders must be proactive and intentional in publicly celebrating the value and benefits of migration and multiculturalism. Our leaders must set the tone of the national conversation.
2. Decision makers must genuinely consult with the migrant and multicultural sector to ensure that the right messages are being conveyed and the necessary impact is had across Australian society.

<sup>2</sup> Scanlon Foundation [2021 Mapping Social Cohesion Report](#)



## Multicultural inclusion

Bias, discrimination, and racism continue to inhibit the potential of the multicultural workforce.<sup>3</sup>

Migrants are still forced to use strategies that de-emphasise racial or cultural background, such as anglicising their name and omitting overseas work experience or qualifications – even if relevant to the application.

*'If you don't have a western name, you will not get the job. It surprised me. We live in a strong multicultural country, but we are having industries and employers who are quite bias'<sup>4</sup>*

Strategies to improve recruitment, retention, and promotion of multicultural workforce must be enacted more comprehensively across government and industry. Racism at all levels of Australian society, including in the workplace, must also be tackled. FECCA applauds the funding announced for the Australian Human Rights Commission to continue to develop a comprehensive Anti-Racism Framework.

To be effective, the strategy must be grounded in the experience and knowledge of people who experience racism including First Nations people and culturally, ethnically, and linguistically diverse people in Australia. It must be well-resourced to ensure it can be designed and implemented in partnership with communities. FECCA emphasises the importance of addressing interpersonal racism, including online racism, as well as systemic racism which, among many other impacts, creates barriers for people to access meaningful employment.

3. The national anti-racism strategy must be centred on the experiences of people who are affected by racism, and must be properly funded, developed, and implemented across all levels of Australian society.

## Migration settings that support migrants and Australia

Australia's migration system must work for migrants.

Australia's migration system has become overly complicated in recent years. The number of visa categories and the varying and complex rules and restrictions applied to each category does not serve migrants, employers, industry, or the nation.

The current complexity and cost of the system hinders Australia's ability to attract and retain the best talent and compete internationally.

Furthermore, the lack of flexibility, confusion and uncertainty creates a greater risk of exploitation for migrants in Australia. In an assessment of migrant power and agency over time, Wright and Clibborn determined that from residency status, mobility, skill thresholds and institutional protections, those arriving in Australia in the period from 1973 to 1996 had high levels of power and

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<sup>3</sup> Booth, Alison L., Andrew Leigh, and Elena Varganova. "[Does ethnic discrimination vary across minority groups? Evidence from a field experiment.](#)" Oxford Bulletin of Economics and Statistics 74.4 (2012)

<sup>4</sup> FECCA community consultation on Employment White Paper



agency.<sup>5</sup> Since 1996, changes to migration policy, including the nature and use of temporary visas and the increasing delay in achieving permanency, the program increasingly resembles a guest work regime characterised by restricted rights and a suppressed ability to achieve decent working conditions.

For many people seeking to make Australia home, the prolonged uncertainty and ever-changing requirements have clear and significant mental health implications and create risk of exploitation, wage theft and sexual harassment.

Visas that tie migrants to an employer diminish the ability for workers to report illegal practices and harassment due to fear of losing their job, income, safety at work and their right to live in Australia.

Changes to legislation like increasing the wait time for newly arrived residents to qualify for social security and increasing the wait times for eligibility for permanent residency and Australian Citizenship have only aggravated this problem.

To ensure long-term positive outcomes for migrants and Australia, other essential policy settings must not be forgotten. Australia's migration program cannot focus on skilled or other work-related visas at the expense of humanitarian, family, partner, and carer visas. Social aspects of migration such as family reunion, are as equally important as the economic aspects, and are crucial to creating a society where everyone can belong. Migration should not be used solely as a mechanism to fulfil economic needs, even in the short term.

However, while they should often be considered separately, the social and economic benefits of migration must not be seen as unrelated or competing. For example, a strong family visa program is crucial to attracting the skilled migrants we need to strengthen our economy.

The inefficiency, inconsistency, and unfairness of the Australian migration program, as well as the solutions, have been well documented in many public inquiries.<sup>6</sup> FECCA applauds the recently announced review into Australia's migration future. To be effective, the review must be grounded in the experience and knowledge of people who have experienced the migration system.

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<sup>5</sup> Wright, Chris F., and Stephen Clibborn. "[A guest-worker state? The declining power and agency of migrant labour in Australia.](#)" *The Economic and Labour Relations Review* 31.1 (2020)

<sup>6</sup> [Migrant Intake into Australia](#), Productivity Commission (2016); [Select Committee on Temporary Migration 2021; Submission to Temporary Migration Inquiry](#), FECCA (2020); [The efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions](#), Legal and Constitutional Affairs References Committee (2022) [Submission to the Inquiry into the efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions](#), FECCA (2021); [Final Report of the Inquiry into Australia's Skilled Migration Program; Final Report of the Inquiry into Australia's Skilled Migration Program](#), Joint Standing Committee on Migration (2021); [Final Report of the Inquiry into Australia's Skilled Migration Program; Final Report of the Inquiry into Australia's Skilled Migration Program](#), Joint Standing Committee on Migration (2021)



4. The review into Australia's migration future must result in an overhaul of the migration system to build a system that is fair, timely, transparent, accountable, simple, and meaningfully informed by voices and experiences of current and past migrants. Through this process:
  - a. A greater emphasis on permanent migration and alignment between temporary and permanent migration should be established.
  - b. Migrants entering Australia on temporary visas must have clear, consistent, timely and fair pathways to citizenship available.
  - c. Stronger prevention of perpetrators using visa eligibility and conditions as means for exploitation, wage theft and sexual harassment must be established with enhanced pathways to safety:
    - Employer-sponsored visas should be replaced with industry-sponsored visas to allow greater flexibility for migrants to move between employers within an industry, thereby reducing the risk of exploitation.
    - Visa arrangements for all temporary visa holders, and visa-overstayers, should be introduced to enable pursuit of claims under workplace and health and safety legislation.
  - d. Supporting family reunification must be prioritised and associated visas not reduced in overall number or proportion of the migration program.
  - e. The skills shortage lists development and implementation must be reviewed and changed to be forward-looking, efficient and allow more flexibility for migrants with skills.

5. Overhaul the Multiculturalism Policy Framework to support multiculturalism and the migration program through establishing an Office for Multiculturalism, reformed access and equity policy, greater support for new arrivals and cultural communities, and increased transparency and accountability.
  - a. The Multicultural Access and Equity Policy must be reformed to increase its efficacy and impact with greater mechanisms for transparency and accountability.
  - b. A best practice model for the training, accreditation and career pathways for bilingual and bicultural workers to ensure appropriate and consistent remuneration. A model should be piloted in the aged-care sector and then adapted for other sectors.
  - c. Develop a community and location responsive program to welcome and orientate new migrants, and to connect them through existing networks of multicultural community organisations to ensure that all people in Australia:
    - can navigate Australian systems and institutions.
    - understand their rights.
    - receive warm referrals to appropriate support services when required.
  - d. Align infrastructure development in regional areas, especially housing and new migrant support, with the existing and predicted number of migrants.



## Better pathways through the migration system

Australia once had a highly inclusive immigration system where virtually all migrants were granted permanent residency with full access to employment and social rights. However, in recent years, the balance between permanent and temporary migrants has changed and the pathway to permanency and citizenship has become inconsistent, unfair, and lengthy, resulting in major consequences for individuals and missed opportunities for the nation.

*‘Citizenship is appreciated by the community. If the wait time was extended, highly skilled migrants might leave, and it would discourage further people from coming. People want something better for themselves and their children, but if they see increasing hurdles this will discourage them.’<sup>7</sup>*

In the current system, many migrants who arrive on temporary visas, including international students, are forced to jump between different visas, including bridging visas, to find a pathway to settle in Australia. Often people spend years trying to navigate this system, all the while contributing to Australia in many ways but never being able to settle permanently. As of July 2022, there were 346,000 people on bridging visas across Australia, up from 180,000 in June 2019.<sup>8</sup> According to the Australian Bureau of Statistics data from 2016, the number of people living in Australia on temporary visas for a period of eight years or more had increased threefold since the previous census. A participant in a FECCA consultation summed up this situation saying, ‘people will not settle if there is no certainty’.<sup>9</sup>

This endless uncertainty has significant consequences for migrants and their families. The combination of the permanent residency cap and uncapped temporary migration, along with complicated policies and processes, has led to the pathway to permanency becoming increasingly convoluted and constrained. Temporary migrants do not have access to the full rights and protections afforded to permanent residents and Australian citizens, including social protections such as Medicare and income support, and therefore, have less flexibility and options to afford costs of living. Of particular concern is that the disproportionate power dynamic experienced between sponsoring employers and temporary migrants which increases vulnerability to exploitation, wage theft and sexual harassment in the workplace. Participants in the Pacific Australia Labour Mobility (PALM) scheme are particularly at risk due to a number of factors including employer sponsorship, regional location, employers often being the workers’ landlords, inexperience with formal contracts and lower levels of English.

For many seeking to make Australia home, the prolonged uncertainty, lack of family reunion opportunities and ever-changing visa requirements have made Australia a less appealing place to migrate to.

4.a Establish a greater emphasis on permanent migration and alignment between temporary and permanent migration.

4.b Migrants entering Australia on temporary visas must have clear, consistent, timely and fair pathways to citizenship available.

<sup>7</sup> [Consultation Report](#), FECCA (2019)

<sup>8</sup> [Number of Temporary visa holders in Australia 2022-07-31](#)

<sup>9</sup> [Consultation Report](#), FECCA (2019)



4.c Stronger prevention of perpetrators using visa eligibility and conditions as means for exploitation, wage theft and sexual harassment must be established with enhanced pathways to safety:

- Employer-sponsored visas should be replaced with industry-sponsored visas to allow greater flexibility for migrants to move between employers within an industry, thereby reducing the risk of exploitation.
- Visa arrangements for all temporary visa holders, and visa-overstayers, should be introduced to enable pursuit of claims under workplace and health and safety legislation.
- Increased monitoring of employers participating in the PALM Scheme.

#### Family unification must not be forgotten

Access to family reunion is integral for successful settlement and promoting wellbeing and a sense of belonging. Being separated from your loved ones due to extreme prolonged processing times, prohibitive cost, inaccessible processes for visa applications and other barriers are a breach of numerous fundamental human rights instruments.<sup>10</sup>

FECCA believes that family migration is integral to successful settlement of migrants in Australia and contributes to the wellbeing of the whole community. Appropriate, fair, and transparent family reunion processes are strongly related to people's experiences of safety, belonging, and a secure future. The benefits of family reunification for refugees and migrants cannot be underestimated.

Many migrants arriving through family migration volunteer at cultural, religious and community events and contribute to maintaining a multicultural Australia encompassing cultural and linguistic diversity. In 2016 the Productivity Commission public inquiry on Migrant Intake into Australia found the Australian community enjoys a number of positive benefits from partner and parent visa holders, including intangible economic benefits, social and cultural benefits and direct economic benefits.<sup>11</sup>

If family migration continues to involve large delays and huge costs, it will be a deterrent for people to choose to migrate to Australia or existing migrants to remain in Australia.

4.d Supporting family reunification must be prioritised and associated visas not reduced in overall number or proportion of the migration program.

#### Fix the skills occupation list

The Skills Occupation List and state-based skills lists are not created or implemented in a way that is working for migrants or for Australia's economy.

The systems in place to create the lists are overly convoluted, slow, and backwards not forwards looking. Slow visa processing compounds this issue, with the result often being a gap of multiple years between a skill being placed on the list and the relevant skilled migrant arriving.

<sup>10</sup> [Human Rights and the Migration Act 1958](#), Human Rights Commission (1985)

<sup>11</sup> [Migrant Intake into Australia](#), Productivity Commission (2016)



FECCA regularly hears the outcome of this inefficiency is migrants arriving to find a lack of vacancies in their industry.

This is particularly problematic when skills and visas are location based. Often despite appropriate vacancies in other Australian locations, migrants find themselves unable to move due to the conditions of their visa. Overly restrictive visa conditions for skilled migrants do not work for migrants or for industry.

The current skills list system also impacts international students who graduate from Australian institutions with much needed skills and qualifications, but despite the availability of suitable jobs, and in some cases job offers, the skills lists often force graduates to move interstate (where they don't have established networks) or to return to their home countries, due to a lack of visa pathways.

Some people travel to Australia to study as international students with the hope of migrating to Australia. To plan towards permanency, students often select degrees which align with the skilled occupation list but the skills list changes leading to students changing their area of study mid process. This is an immense waste of time, money and attention that could contribute to building this nation. A strategic, coordinated, multi-year forward looking list would provide more stability to those hoping to make Australia home, and a more efficient system.

Additionally, the restriction of occupations to the ANZSCO list leads to discrimination of people with much needed skills based on the incompatibility of systems internationally. For example, in the Philippines a radiologist would do medical diagnostic, radiation therapy and sonography as part of their job whereas in the ANZSCO, these are regarded as specialisations. Additionally, to ensure an easier pathway, Australia could look to make agreements with more countries.

4.e The skills shortage lists development and implementation must be reviewed and changed to be forward-looking, efficient, stable, and compatible with international workforce to allow more flexibility for migrants with skills.

#### [Inclusive policy settings](#)

FECCA believes a stronger commitment to inclusive policy and service design is needed across all sectors in Australia. However, the federal Multicultural Access and Equity policy must be reformed as a priority. Equitable access and outcomes from government services is essential to ensure that migrants are not left out and left behind. The current framework in Australia is not fit for purpose and must be significantly strengthened to ensure that multicultural members of our community are not subjected to compounding disadvantage.

Australia's multicultural workforce is not an add-on, but a significant proportion of our essential workers. FECCA constantly sees the role bilingual and bicultural workers play in providing good quality support and services to Australia's ever increasing multicultural consumers and communities.

New policy must be created to ensure multicultural care workers are valued for their significant contributions. Currently these workers are rarely paid for the additional skills they bring and essential contributions they make.



For example, the 2016 National Aged Care Workforce Census and Survey Report (NACWCS) reflects the diversity of the aged care workforce and states that 32 per cent of residential care workers and 23 per cent of community care workers were born overseas.<sup>12</sup> There is a similar high proportion of overseas born workers in the health and community sectors.

In the context of Australia's increasing diversity and the lessons learnt during COVID-19, access to appropriate, quality, and safe care and services is more important than ever to ensure individuals can actively take part in communities as part of a fair and inclusive society. The employment of bilingual and bicultural workers increases trust in services and enables providers to offer tailored approaches and improve outcomes for all. A structured national approach to recognising bilingual/bicultural workers across different sectors is essential.<sup>13</sup>

5.a The Multicultural Access and Equity Policy must be reformed to increase its efficacy and impact with greater mechanisms for transparency and accountability.

5.b Implement a best practice model for the training, accreditation, and career pathways for bilingual and bicultural workers to ensure appropriate and consistent remuneration. A model should be piloted in the aged-care sector and then adapted for other sectors.

### Support for new migrants

People from across the world arrive in Australia, bringing with them a diversity of backgrounds, life experiences, skills, and strengths. People who arrive on non-humanitarian visas are provided very little support to adequately navigate Australian systems and institutions, understand their rights in Australia, and receive support when required. There are challenges particularly present for people living in regional and remote locations.

These new migrants are expected to build lives in Australia with almost no tailored formal assistance. The impacts of this gap are far-reaching, contributing, for example, to worker exploitation, domestic violence, and alienation. It also makes it difficult for many migrants to quickly build a full life in Australia where they can make the most of their potential.

FECCA believes that this role must be played by existing multicultural community organisations who already have strong relationships with migrant communities across Australia. These organisations play a role that cannot be replicated by government. They have built trust, respect, and a cultural understanding of migrant communities over many years of engagement and support throughout metro, regional and rural Australia. These organisations already provide a crucial service to many new migrants in assisting them to navigate Australian systems and connect with existing community support structures and networks. Too often organisations are not resourced adequately or at all for this essential work.<sup>14</sup>

<sup>12</sup> [The Aged Care Workforce, 2016](#)

<sup>13</sup> [Australia's Bilingual and Bicultural Workforce Report](#), FECCA (2017)

<sup>14</sup> [Submission into Issues Facing Diaspora Communities in Australia](#), FECCA (2020)



With more resources, the current ad hoc support could be expanded to include:

- Facilitation connection between migrants and existing community groups as well as wider society
- More culturally appropriate support to help newly arrived migrants understand:
  - their workplace rights
  - how labour rights are enforced and the processes to be followed in case of violations
  - different government systems and processes
  - the role of unions in Australia
- Assistance in navigating government services and warm referrals on to services across Australia
- An ongoing, in-depth feedback loop to government and other bodies about how services programmes could better meet the needs of migrant communities

5.c Develop a community and locations responsive program to welcome and orientate new migrants, and to connect them through existing networks of multicultural community organisations to ensure that all people in Australia:

- establish a life and feel they belong in Australia as quickly as possible
- can navigate Australian systems and institutions
- understand their rights
- receive warm referrals to appropriate support services when required

### Regional migration settings

In 2022-23, the planning level for regional visas is 34,000 out of a total 142,400 skilled visa places reflecting the skill shortages in our regions.<sup>15</sup> Family connections, job opportunities and lifestyle are three major reasons given by migrants for settling in regional and rural areas. Successful retention of migrants requires close collaboration between all levels of government and stakeholders and the sharing of best practice models between regional areas to cater to the needs of migrants and their families.

Migrants are attracted and retained in regional and rural areas by factors such as: presence of family or friends and a welcoming community (for example, places of worship, and access to familiar consumer goods); local community and culturally appropriate support mechanisms and settlement services; appropriate employment opportunities free from exploitation; service providers with culturally competent information regarding worker rights; information and access to services such as health care; cost of living, housing availability, childcare and access to transport and an environment free of discrimination or racism.

5.d Align infrastructure development in regional areas, especially housing and new migrant support, with the existing and predicted number of migrants.

<sup>15</sup> [Migration Program planning levels](#), Department of Home Affairs



## Employment settings that support migrants and Australia

Meaningful, legal, and sustainable employment is one of the most effective ways to ensure that migrants and refugees in Australia are empowered and are included in the community. Beyond the obvious financial and economic benefits, employment helps to improve and develop a person's dignity, self-confidence and social stability, and benefits the physical and mental health and well-being of individuals and families. These positive outcomes from meaningful employment support and encourage the participation and inclusion of multicultural communities throughout the course of their lives in Australia.

### Addressing barriers to employment and career progression

Many people from culturally and linguistically diverse backgrounds, particularly recently arrived migrants from new and emerging communities, and refugees, face a number of barriers to obtaining employment. The 'Characteristics of Recent Migrants'<sup>16</sup> (2019) survey found that one third (33%) of recent migrants who have had a job in Australia reported experiencing some difficulty finding their first job. The most common difficulties were:

- A lack of Australian work experience or references (65%)
- A lack of local contacts or networks (29%)
- Language difficulties (25%)

FECCA's own research and consultations have revealed some other key challenges including:

- Difficulties obtaining recognition of skills, qualifications and experience gained overseas
- Experiences of discrimination, prejudice, or racism
- Limited familiarity with the Australian workforce, employment systems and culture, such as understanding employers' expectations around content and formatting of a CV
- Pre-migration experience, including experiences of torture and trauma
- Lack of opportunities to upskill and reskill
- Parenting and other caring responsibilities including prohibitive costs associated with paid care, lack of support mechanisms, and the lack of flexibility at workplaces and educational institutions
- Costs associated with obtaining driver's licences including lessons and tests

Broader research supports FECCA's findings of barriers, including racism and discrimination, in recruitment and promotion. For example, candidates with names linked to specific ethnicities need to apply for considerably more job vacancies before being shortlisted for an interview.<sup>17</sup> FECCA's consultations indicate that while culturally and linguistically diverse populations are increasing, employers are not sufficiently equipped with the skills needed to manage diverse workplaces.

A case study of Iraqi, Afghan, Congolese and Sudanese communities in Shepparton, Victoria revealed a tendency for employment services and employers to make assumptions based on a person's cultural background rather than their individual circumstances.<sup>18</sup> FECCA also heard that employers expected very high levels written English proficiency displayed in their cover letter despite the job

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<sup>16</sup> [Characteristics of recent migrants, ABS, 2019](#)

<sup>17</sup> [Does ethnic discrimination vary across minority groups? Evidence from a field experiment](#)

<sup>18</sup> [Community Perspectives on Settlement Issues Affecting New and Emerging Communities in Rural and Regional Australia, FECCA 2015](#)



not requiring written skills. The belief here was that employers often equate low English proficiency to being unskilled.

Some people from culturally and/or linguistically diverse backgrounds experiencing these barriers, often in combination, are compelled to settle for low-skilled, low-paid jobs, rather than jobs that meet their skills, experience and interests.

See recommendations 3 (anti-racism strategy) and 5 (multicultural framework) which will both contribute towards reducing barriers to employment and career progression.

6. Establish programs across the country to match multicultural people with jobs by:
  - a. Creating relationships and supporting employers in understanding the value of international experience, creating inclusive workplaces and recruitment processes, increasing cultural competence, and developing diversity and inclusion plans.
  - b. Implementing activities led by multicultural people to assist multicultural people to navigate the Australian labour market including developing 'soft skills' necessary to secure employment, CV guidance and interview preparation.

7. Review the costs and processes associated with government services such as obtaining driver's licences to allow job seekers, particularly women in rural and regional areas, to enter the workforce.

### Countering migrant worker exploitation, underpayment, and sexual harassment

Australia's employment legislation contains many protections for workers. However, Australia's Fair Work Act and associated regulations, rules, awards, and processes are complex. As highlighted under "Support for new migrants", those who arrive on non-humanitarian visas receive limited settlement support, including receiving information on the rights at the workplace and complaints mechanisms and support in these processes. For workers who may have limited proficiency in English or limited knowledge of government infrastructure and services, it may be difficult to navigate complex and unfamiliar systems to understand their rights and redress mechanisms. Furthermore, migrant workers who are aware that they are being exploited may be unable to challenge their situation due to a number of reasons including:

- Difficulties obtaining alternative employment and challenges in meeting basic living expenses (particularly when they're not entitled to unemployment benefits)
- Their employment being linked to migration status
- Being engaged in an employment arrangement in violation of visa conditions
- Lack of trust in government services including the fear of negative impacts on immigration status and future visa applications

As long as workers experiencing exploitation are unable to access complaints mechanisms and redress options, employers will not be held accountable for various forms of exploitation. FECCA heard that even workers who understood their rights and initiated complaints with the Fair Work Ombudsman faced many challenges throughout the process, including their claim not being



resolved. While measures to educate and raise awareness among workers on their labour rights are essential, it is equally important to have efficient complaint resolution processes and stronger enforcement mechanisms in place.

The balance between permanent and temporary migration has changed over time with the number of temporary entrants in Australia increasing substantially in recent years. The combination of the permanent residency cap and uncapped temporary migration, along with complicated policies and processes, has led to the pathway to permanency becoming increasingly convoluted and constrained. Temporary migrants do not have access to the full rights and protections afforded to permanent residents and Australian citizens, including social protections such as Medicare and income support. Changes to legislation such as increasing the wait time for newly arrived residents to qualify for social security has only aggravated this problem. These policy settings contribute to an enabling environment for poor and exploitative working conditions particularly for temporary residents.

The disproportionate power dynamic experienced between employers and temporary migrants as employees also increases vulnerability to exploitation, wage theft and sexual harassment in the workplace. Often a person's visa type and conditions exacerbate their vulnerability to exploitation, particularly when visa conditions restrict movement between employers and locations.

The Migrant Worker Justice Initiative found that 30% of survey respondents on temporary visa were being paid half the minimum wage.<sup>19</sup> During consultations, FECCA heard many stories about migrant workers being required to work as contractors under an ABN, depriving them of entitlements such as paid leave, minimum pay, and superannuation. FECCA also heard about the impacts of insecure work, such as casual employees being required to work full-time hours and excessive overtime without access to rest or meal breaks. Some people experience overcrowded housing where the employer is the landlord, are blocked from leaving the premises and are even denied leave. This imbalance of power diminishes the ability of workers to report illegal practices including exploitation, wage theft and harassment due to fear of losing their job, income, safety at work and ultimately their right to live and work in Australia.

8. Increase the responsibility and accountability of sponsoring employers to their employees by:
  - a. Enforcing mandatory provision of information such as the award, legal name of hiring entity and ABN of the employer, including information in an employee's preferred language.
  - b. Enhancing mechanisms to hold employers to account for the violation of rights of workers employed through third-party labour hire agencies, including assessing genuineness of labour hire use.

9. Implement measures to educate multicultural people and employment services staff on worker rights and complaints mechanisms. Through the migrant support program (recommendation 5c) local multicultural community organisations could provide information to recently arrived migrants and the community.

<sup>19</sup> [Wage Theft in Australia](#), Migrant Worker Justice Initiative, University of New South Wales and University of Technology Sydney



10. Implement measures to enable people to make complaints and access options for redress including:
  - a. Increased resourcing for the Fair Work Ombudsman, and improved efficiency and effectiveness of the current claim resolution processes.
  - b. A specialist support unit within the Fair Work Ombudsman with culturally competent staff to assist workers from culturally and linguistically diverse backgrounds.
  - c. Wage recovery facilitated through easy, cost effective and simple mechanisms.
  - d. Whistle-blower protection for migrants wanting to file a complaint against their employer.
  - e. Establishing a firewall between the Fair Work Ombudsman and the Department of Home Affairs that extends to all non-citizens including those whose visas prohibit work or who have overstayed their visa in Australia.

### Improving multicultural women's participation in the workforce

Migrant, refugee, and multicultural women in Australia have immense potential but are currently underrepresented in the workforce, and overrepresented in jobs below their skill level and in sectors with low pay and conditions. These women are also underrepresented in leadership roles despite being ambitious, capable and resilient<sup>20</sup>. Migrant, refugee, and multicultural women in Australia are not being recorded accurately in data, making evidence-based program design difficult.

Multicultural women should be considered specifically in reforms on diversity and inclusion action, training, education, settlement support, skills recognition, regional migration, and specialist employment support and not separately as 'multicultural' or 'women'. Multicultural women often have increased family caring responsibilities requiring increased workplace flexibility and childcare accessibility to increase workforce participation. Multicultural women are highly represented in the Australian care workforce and action must be taken to ensure they are adequately supported and remunerated.

It is important to note that migrant, refugee, and multicultural women may choose to contribute to their families, communities and broader society in ways that do not include paid employment. These should be recognised as valued contributions to society.

More must be done to support multicultural women to achieve their goals.

In addition to the recommendations in this submission –

11. Reforms to migration and employment settings must consider the specific challenges and strengths of multicultural women in the workplace. Reforms should include:
  - a. The Workplace Gender Equality Agency collecting data on cultural, ethnic, and linguistic diversity.
  - b. Expanding childcare subsidy to migrant workers from families that have already been invited to apply for permanent residency and for families with extreme circumstances.
  - c. Implementing measures for greater flexibility in workplaces and educational institutions for people with caring responsibilities.
  - d. Ensure paid care services are affordable and accessible for all.

<sup>20</sup> [Cracking the Glass-Cultural Ceiling](#), Diversity Council Australia



## Enabling workforce entry for multicultural youth

Transition into paid, meaningful employment is a crucial milestone into adulthood, and helps improve the independence, self-confidence and sense of belonging of young individuals building a life. Multicultural young people are highly motivated to gain employment but can face challenges in gaining employment after leaving school. Young people from refugee and migrant backgrounds face additional barriers that can exclude them from engaging meaningfully in the labour market. The key barriers identified during consultations include:<sup>21</sup>

- limited career counselling at school
- language barriers
- challenges with local employment services
- reluctance from employers to hire people without local experience
- limited social capital including lack of social and professional networks
- experiences of racism and discrimination
- limited digital literacy
- caring responsibilities

Exclusion from the labour market impacts the physical and mental well-being of young people from multicultural communities and hinders their ability to engage and contribute to the broader Australian society. As such, it is essential to prioritise addressing the barriers to employment faced by young people from multicultural backgrounds, to ensure that they are given an equal opportunity to participate in Australian society. Targeted assistance for young migrants in formal education is likely to have positive flow on effects in the labour market as they begin to look for employment.<sup>22</sup>

In addition to the recommendations in this submission –

12. Reforms to migration and employment settings must consider the specific challenges and strengths of multicultural youth in the workplace. Reforms should include:
  - a. Increasing investments in language inclusive career counselling at schools to allow young people to discuss pathways out of school, irrespective of their proficiency in English.
  - b. Implement programs for industry representatives and employers to engage with young people in schools, and have events to showcase different career pathways.
  - c. Extend English language training programs to young people with limited proficiencies in English, to ensure a smooth transition to higher education, training and employment.
  - d. Explore opportunities for work integrated learning to enable young people to gain employment experience.

<sup>21</sup> Findings from Multicultural Youth Advocacy Network's (MYAN) national consultations

<sup>22</sup> [COVID-19 and young migrants - impact and solutions](#), MYAN and Deloitte Access Economics, 2021



### Shortcomings in the skills and qualification recognition system

Currently there is little consistency, transparency, or accountability across the various industry bodies who implement skills and qualification recognition. This results in large costs and wait-times for migrants, often with limited information on how the different processes work or what criteria is used to assess qualifications.

A CEDA (Committee for Economic Development of Australia) study in 2021 found that approximately 23% of permanent skilled migrants in Australia were working in a job beneath their skill level, costing \$1.25 billion in foregone wages between 2013 and 2018.<sup>23</sup>

The restriction of occupations to the ANZSCO list leads to discrimination of people with much needed skills based on the incompatibility of systems internationally. For example, in the Philippines a radiologist would do medical diagnostic, radiation therapy and sonography as part of their job whereas in the ANZSCO, these are regarded as specialisations. To begin to overcome this incompatibility of the skills, country specific information should be provided to people seeking to have their skills assessed.

The inability to have one's overseas qualifications recognised in the Australian job market results in migrants being compelled to accept jobs below their skill level, often with no pathways to more suitable roles. This is a loss to the individual as well as to the economy, but there is little accountability mechanisms for accrediting bodies. In many industries the criteria under which candidates are assessed to either 'pass' or 'fail' are not always clear leading to a lack of confidence that performance is assessed consistently. Review of decisions is similarly opaque including costs as high as \$5000 for review.

The skills recognition process is very expensive and prohibitive. For dentists from initial assessment to written and practical examinations the cost exceeds \$10,000.<sup>24</sup> Particularly affected are migrants who enter Australia through humanitarian, family, and partner pathways or as secondary applicants do not have their skills and qualifications assessed as part of their application. These migrants are often women.

There is also a large cohort of people who have expertise, experience, and skills but no formal qualifications. More must be done in partnership between government, education institutions and industry, to offer pathways to people who have significant expertise and skills, to acquire formal certification to find relevant employment. This is particularly relevant for humanitarian entrants, 70% of whom have no formal qualifications.

### English testing

Internationally, countries have been reviewing English requirements for particular professions in all four sections (listening, reading, writing and speaking) of the International English Language Testing System (IELTS) to better reflect actual requirements. For example, nurses in Australia are required to score 7 (good user) in all four sections. Nurses in the United Kingdom and New Zealand must score 6.5 (competent user) in written, 7 in the other sections and an average of 7 overall.<sup>25,26</sup> In the United

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<sup>23</sup> [A good match: Optimising Australia's permanent skilled migration](#) , Committee for Economic Development of Australia, 2021.

<sup>24</sup> [Australian Dental Council](#)

<sup>25</sup> [Accepted English language tests](#), Nursing & Midwifery Council, UK

<sup>26</sup> [Nursing Council Standards/Requirements](#), Nursing Council of New Zealand



States, nurses must score a 6.5 overall and a 7 in speaking.<sup>27</sup> These updated IELTS requirements reflect the English required of nurses to complete their day-to-day work.

13. Establish fit for purpose programs to fast-track entry into jobs that meet people’s skill level including:
  - a. AMEP should be further strengthened to provide “industry-specific” language skills to further increase the employability of migrants.
  - b. Bridging study courses and micro-credentialing should be facilitated for those whose skills or qualifications are not recognised despite having experience in an industry. Such avenues would allow for migrants to continue working in industries of their preference without having to pursue another formal qualification or having to change careers.
  - c. Supervised and paid work experience programs should be created to increase the job-readiness of recently arrived migrants. Such programs could also be considered positively during skills assessments.
  - d. Appropriate visas, training and support pathways should be made available for refugees and asylum seekers residing in Australia already.

14. Establish institutional government oversight of skills assessment bodies within Australia, such as the Office of the Fairness Commissioner in Canada, to: expand transparency and opportunities for internal review; improve the fairness, consistency, and equity of service; and retain centralised accountability within a broad market system.

15. Increase the role of accreditation bodies to include:
  - a. Providing in depth, country specific information to applicants to overcome the ‘incompatibility’ between international systems.
  - b. Requiring regularly to review English requirements based on contemporary industry knowledge and international standards.

#### Specialist employment support for multicultural jobseekers

Settlement and multicultural services are best placed to deliver specialist employment support to multicultural and refugee jobseekers especially in areas with high multicultural and migrant populations.<sup>28</sup> The current funding model’s focus on quick outcomes without skill match dissuades employment providers from investing in expensive, long term but the highly important process of skills and qualification recognition.

In the last tender round for Workforce Australia licenses, few settlement/multicultural services were appointed to the Workforce Australia national panel of providers, and subsequently areas of Western Sydney, with high refugee and multicultural jobseekers, were not given ‘CALD’ or ‘refugee’ licenses for specialist providers.

<sup>27</sup> [IELTS, OET, and PTE for Registered Nurses](#), Connetics USA

<sup>28</sup> [Working for Victoria and the Multicultural Sector](#), Ethnic Communities’ Council of Victoria (2021)



Specialist providers have a strong history and link to these communities which enable them to provide more culturally appropriate services and achieve better outcomes for jobseekers and for Australia.<sup>29</sup> The government needs to issue licenses to more specialist providers to deliver employment services in areas with high levels of multicultural and refugee jobseekers. The mechanism is there to deliver these specialist services, but it should be better utilised.

16. Review the effectiveness of Workforce Australia to include:
  - a. A higher number of specialist settlement and multicultural providers on the Workforce Australia panel.
  - b. A funding model that encourages providers to proceed with skills and qualification recognition where appropriate.

## The multicultural care workforce

### The increasing dependence and reliance of the care workforce on migrant workers

Analysis drawn from the 2016 Census indicates a significant increase in the proportion of overseas-born workers employed as aged and disability carers (ABS Occupational Definition 4231) from 33 percent in 2011 to 37 percent in 2016, and as personal care assistants (ABS Occupational Definition 423313) from 44 percent to 50 percent for the same period. In the same period, the share of overseas-born workers in Australia's total workforce increased only slightly, from 28 percent to 31 percent.

Analysis of the 2021 Census is not complete. It is likely more recent data will show the extent to which the aged care sector is dependent on a migrant workforce. It has even been suggested that, without the temporary migrant workforce, the current aged care system would collapse.

Australia's migrant care workers are on average younger, less likely to be male and have a higher level of formal qualifications (though not necessarily relevant to their employment in frontline care) than their Australian born peers.

However, the three main frontline care occupations (child carers, aged and disability carers, and personal care assistants) are ranked as 'low-skilled', at Level 4 in the five-level Australian & New Zealand Standard Classification of Occupations (ANZSCO).

The increasing number of migrant aged care workers has been largely due to the decline of permanent residents or Australian citizens participating in the care workforce (including aged care and disability). There have always been significant numbers of overseas born workers in the sector, but in the past, these tended to be permanent migrants with full rights and protections of people with citizenship or permanent residency.

Significant numbers of migrants in the care workforce are on temporary visas which, as discussed above, puts workers at greater risk of exploitation, underpayment, and sexual harassment.

17. Address the increasing dependence of the care sector on migrant and multicultural workforce (often on temporary visas).

<sup>29</sup> [Eight opportunities to increase the potential of humanitarian migration to Australia](#), Refugee Council of Australia (2022)



18. The remuneration in the care sector must be increased to acknowledge the important contribution made by the migrant, multicultural workforce.

19. Ensure reforms to the care workforce do not impose additional barriers that would be discriminatory towards migrant and multicultural workers.

Training and professional development of multicultural care workers.

FECCA believes that, if the increasing dependence on a migrant aged care workforce is acknowledged, serious consideration must be given to ensure that those workers are properly supported and trained.

FECCA welcomed the recommendations of the Aged Care Royal Commission with regards to training of all aged care workers in a range of specific areas, including dementia and end of life issues.

Aspects of any generic training may, however, need to be tailored to the needs of the CALD workforce who may bring with them their own cultural understandings and practice towards these sensitive issues.

20. A Multicultural Workforce Sub-Plan within the proposed 2022-25 Aged Care Workforce Planning Strategy and Framework should be developed to recognise comparable qualifications and experience of migrant workers; and establish appropriate training mechanisms. Similar initiatives should be developed for other care sectors, such as disability and childcare.

Delivering culturally appropriate and safe services to people from diverse backgrounds

Development and training of all care staff around cultural competency, cultural safety, anti-discrimination and anti-racism, and trauma-informed service delivery must be mandated to be delivered on a regular basis by all service providers.

This is particularly important considering the typical staff turnover within the care workforce. This training should provide specific attention to areas such as:

- end of life care for culturally and linguistically diverse people.
- cultural attitudes and perspectives of dementia, death and dying, palliative care and disability.
- delivery of culturally appropriate personal care.
- connection with communities who may assist with providing volunteer services to benefit and enhance multicultural client social connectedness.



## Full list of recommendations

### An inclusive Australia

1. Political leaders must be proactive and intentional in publicly celebrating the value and benefits of migration and multiculturalism. Our leaders must set the tone of the national conversation.
2. Decision makers must genuinely consult with the migrant and multicultural sector to ensure that the right messages are being conveyed and the necessary impact is had across Australian society.
3. The national anti-racism strategy must be centred on the experiences of people who are affected by racism, and must be properly funded, developed, and implemented across all levels of Australian society.

### Migration settings that support migrants and Australia

4. The review into Australia's migration future must result in an overhaul of the migration system to build a system that is fair, timely, transparent, accountable, simple and meaningfully informed by voices and experiences of current and past migrants. Through this process:
  - a. A greater emphasis on permanent migration and alignment between temporary and permanent migration should be established.
  - b. Migrants entering Australia on temporary visas must have clear, consistent, timely and fair pathways to citizenship available.
  - c. Stronger prevention of perpetrators using visa eligibility and conditions as means for exploitation, wage theft and sexual harassment must be established with enhanced pathways to safety:
    - employer-sponsored visas should be replaced with industry-sponsored visas to allow greater flexibility for migrants to move between employers within an industry, thereby reducing the risk of exploitation.
    - Visa arrangements for all temporary visa holders, and visa-overstayers, should be introduced to enable pursuit of claims under workplace and health and safety legislation.
    - Increased monitoring of employers participating in the PALM Scheme.
  - d. Supporting family reunification must be prioritised and associated visas not reduced in overall number or proportion of the migration program.
  - e. The skills shortage lists development and implementation must be reviewed and changed to be forward-looking, efficient and allow more flexibility for migrants with skills.
5. Overhaul the Multiculturalism Policy Framework to support multiculturalism and the migration program through establishing an Office for Multiculturalism, reformed access and equity policy, greater support for new arrivals and cultural communities, and increased transparency and accountability.
  - a. The Multicultural Access and Equity Policy must be reformed to increase its efficacy and impact with greater mechanisms for transparency and accountability.
  - b. A best practice model for the training, accreditation and career pathways for bilingual and bicultural workers to ensure appropriate and consistent remuneration. A model should be piloted in the aged-care sector and then adapted for other sectors.
  - c. Develop a community and location responsive program for to welcome and orientate new migrants, and to connect them through existing networks of multicultural community organisations to ensure that all people in Australia:
    - can navigate Australian systems and institutions.
    - understand their rights.



- receive warm referrals to appropriate support services when required.
- d. Align infrastructure development in regional areas, especially housing and new migrant support, with the existing and predicted number of migrants.

### Employment settings that support migrants and Australia

6. Establish programs across the country to match multicultural people with jobs by:
  - a. Creating relationships and supporting employers in understanding the value of international experience, creating inclusive workplaces and recruitment processes, increasing cultural competence, and developing diversity and inclusion plans.
  - b. Implementing activities led by multicultural people to assist multicultural people to navigate the Australian labour market including developing 'soft skills' necessary to secure employment, CV guidance and interview preparation.
7. Review the costs and processes associated with government services such as obtaining driver's licences to allow job seekers, particularly women in rural and regional areas, to enter the workforce.
8. Increase the responsibility and accountability of sponsoring employers to their employees by:
  - a. Enforcing mandatory provision of information such as the award, legal name of hiring entity and ABN of the employer, including information in an employee's preferred language.
  - b. Enhancing mechanisms to hold employers to account for the violation of rights of workers employed through third-party labour hire agencies, including assessing genuineness of labour hire use.
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  - b. A funding model that encourages providers to proceed with skills and qualification recognition where appropriate.

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19. Ensure reforms to the care workforce do not impose additional barriers that would be discriminatory towards migrant and multicultural workers.
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experience of migrant workers; and establish appropriate training mechanisms. Similar initiatives should be developed for other care sectors, such as disability and childcare.

