

Expert Members of the Council for International Education

PACKAGE OF ACTIONS ON STUDENT WORKPLACE EXPLOITATION

To complement the high quality education international students obtain in Australia, it is important to Australian education's global reputation that students have a positive experience while living in Australia.

International students may choose to work while they study in Australia, within their visa conditions. Work rights are an important component of Australia's education offering and align with work rights in our competitor student destination countries including Canada and New Zealand. Working while studying is a good way for students to gain Australian work experience, build their English language skills, engage with the community and supplement their income. From highly publicised cases, we know that international students unfortunately are vulnerable to exploitation in the workplace.

Expert Members of the Council for International Education condemn the exploitation of international students in the workplace. While workplace exploitation issues are first and foremost issues for employers, ensuring international students have a high quality and enriching student experience is a shared responsibility between the policy and regulatory arms of Commonwealth and state and territory governments, education institutions and their education agents, education peak bodies, and student organisations.

Expert Members reiterated their ongoing support for international students' existing work rights and access to a designated post-study temporary work visa. To help address the vulnerability to exploitation, Expert members have developed this package of actions on student workplace exploitation to help prevent students from experiencing workplace exploitation and help students to resolve workplace issues. Expert Members commit to guide the implementation of these actions in the education sector.

Education providers, as trusted partners with international students, have a role in reducing students' vulnerability to exploitation. Identifying existing support staff at education institutions who are able to provide information on workplace rights and responsibilities, including how to resolve workplace matters, reinforces to international students that their provider is available to assist and support them.

Actions for Awareness and Prevention

- 1) Education providers to provide international students with access to the right information at the right time to reduce the likelihood of students' experiencing workplace exploitation. This includes providing information before students come to Australia, as part of orientation programs and at regular intervals during their studies.
- 2) Australian Government and state and territory agencies, including the Fair Work Ombudsman (FWO) will work with education providers and education peak bodies to develop and distribute information and resources for international students. The information will emphasise that international students have the same workplace rights and protections as all Australian workers and outline redress mechanisms students should use if they find they have been exploited.
- 3) Workplace rights and conditions will be included in new pre-departure information materials being developed through the 2017 *Enabling Growth and Innovation Program* project.
- 4) Education providers will, over time, revise contracts with their education agents ensuring agents are providing accurate information to prospective students about workplace conditions and rights in Australia.

- 5) The Australian Government will enhance existing training materials for education agents to include information on Australian workplace and visa laws, and increase education agents' awareness of government initiatives to support students to reduce workplace exploitation.
- 6) The Australian Government, state and territory agencies, and international education peak bodies will work with the Council of International Students Australia to:
 - a. develop and test culturally-appropriate communication materials for all stages of awareness-raising (prevention, intervention, redress)
 - b. gather intelligence about how education providers and agents are representing work opportunities in Australia and provide this information to regulators for compliance action
 - c. better understand and identify ways to disrupt the cycle of intra-cultural exploitation.
- 7) Australian Government and state and territory agencies will enhance the *Study in Australia* website to include specific information about working during and after study, including information on issues such as working on a student visa, employment rights, wages, workplace health and safety and information on the FWO and Home Affairs 'Assurance Protocol'.
- 8) Education providers will commit to eliminating workplace exploitation and underpayment on campus requiring on-campus businesses, including franchisees and contractors, to comply with state and federal workplace laws.

Actions for Early Intervention and Redress

- 9) Education providers and peak bodies will work with Australian Government agencies to develop best-practice guidance materials on supporting international students on employment matters and how to access support if they have experienced workplace exploitation. The best-practice guidance will recommend ways to:
 - a. advise students regularly of their workplace entitlements and how to access existing redress mechanisms to resolve issues
 - b. provide direction and support in reporting cases of exploitation to the FWO or other support mechanisms such as legal aid
 - c. make available or promote access to free legal and workplace support services.
- 10) Education providers will provide opportunities for FWO staff to communicate regularly with education providers' support staff and international students on workplace exploitation and entitlements in Australian workplaces, including avenues for student support.
 - a. Examples could include messages around work rights, on digital sites such as websites and through social media.
- 11) Australian Government agencies, in collaboration with peak bodies and local education providers, will work with state and territory governments to build capacity for student Study Hubs as a central and safe space for students to learn about their workplace rights, receive support in workplace matters and be guided on their options for redress.
 - a. This could include physical Study Hub sites, and workplace exploitation clinics or drop in sessions, providing students with an opportunity for direct interaction with the FWO in a safe environment.

The Commonwealth Department of Education and Training to work with education providers and peak bodies to identify ways to better collate data about international students' experiences of working in Australia.