

A photograph of three women, likely migrant workers, sitting at a table and looking at a laptop. The woman on the left is smiling and looking at the screen. The woman on the right is looking intently at the screen. A third woman is visible in the background, also looking at the screen. They are all wearing aprons, suggesting they are in a kitchen or food service environment. The lighting is warm and focused on the women and the laptop.

# MIGRANT WORKERS CENTRE

**2020 ANNUAL REPORT**

## THE MIGRANT WORKERS CENTRE

The Migrant Workers Centre (MWC) is a non-profit organisation open to any workers in Victoria who are born overseas. The MWC assists and empowers workers from emerging communities to address problems in the workplace and collaborate with community partners to seek long term solutions to the exploitation of migrant workers. The centre organises workshops, conducts research, develops policy recommendations, and bridges language barriers that limit workers' access to information with the purpose of fixing the system of labour exploitation in this country.

## ACKNOWLEDGEMENT OF COUNTRY

The Migrant Workers Centre respectfully acknowledges the Wurundjeri people of the Kulin Nations, the traditional owners and custodians of the land on which we stand. We pay our respects to their elders past, present and emerging and acknowledge that sovereignty was never ceded.



**THE MIGRANT WORKERS CENTRE  
IS SUPPORTED BY THE VICTORIAN  
GOVERNMENT**

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# MIGRANT WORKERS CENTRE Inc. COMMITTEE MEMBERS\*



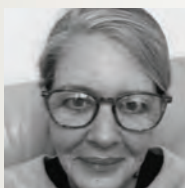
**JULIE WARREN (CHAIR):** Julie Warren has recently retired as President of the National Union of Workers - Victorian Branch. For 22 years Warren worked in various positions at the NUW, including organising, campaigning and training roles. Warren has represented the union on various boards, committees and task-forces. Warren is currently a Member of the Victorian WorkCover Authority (Worksafe Victoria) Board and is a Board Member of the Portable Long Service Leave Authority.



**JOO-CHEONG THAM (DEPUTY CHAIR):** Joo-Cheong Tham is a Professor at Melbourne Law School. His research spans the fields of labour law and public law with a focus on law and democracy; and the regulation of precarious work. His publications include *Money and Politics: The Democracy We Can't Afford* and reports for the New South Wales Electoral Commission and the New South Wales Independent Commission Against Corruption. Tham is also the Director of the Electoral Regulation Research Network; a Board Member for the Centre of Public Integrity, and an Advisory Board Member of the Global Labour Migration Network.



**SHEN NARAYANASAMY (SECRETARY):** Shen Narayanasamy is the Lead Negotiator for Treaty for the State of Victoria, placed within the Department of Premier and Cabinet. In this position, Narayanasamy plays a key role in representing the State of Victoria in collaborative and good faith discussions with the Aboriginal Representative Body to establish the elements necessary for the future negotiation of a treaty or treaties. Prior to this recent appointment Narayanasamy spent five years as the Human Rights Campaign Director for GetUp!



**CYNDY CONNOLES (TREASURER):** Cyndy Connoles worked for 10 years with United Voice union as the Partnerships Director. Connoles has also contributed to a range of networks, committees and boards such as four years with Maribyrnong and Moonee Valley Local Learning and Employment Network in both Honorary Treasurer (3 years) and Honorary President (1 year) positions.



**GEORGE LEKAKIS AO:** George Lekakis has worked for over 30 years championing and advancing the cause of multicultural affairs. Lekakis was the longest serving Chairperson of the Victorian Multicultural Commission where he led major initiatives transforming the Victorian socio-cultural landscape and championed the rights of multicultural communities. Lekakis most recently retired from his position as CEO of Fronditha Care – an aged care residential organisation advocating to change entrenched ideas in aged care and to bring attention to the unique challenges of ageing in a foreign land. Lekakis was the founding chair of the Migrant Workers Centre Inc.



**JOE CAPUTO OAM JP:** Joe Caputo was Chairperson of the Federation of Ethnic Communities Councils of Australia (FECCA) from 2013-2017. Caputo has been involved in advocacy for the rights of minorities throughout his adult life. From 2001 to 2011, Caputo was a member of the Victorian Multicultural Commission. He has served as Councillor and Mayor in the former City of Brunswick and as Councillor and Mayor in the City of Moreland. Caputo is an expert in Industrial Relations and holds a Master of Business from RMIT. He also served as Chair of the Ethnic Communities Council of Victoria (ECCV) from 2011-2013.



**MARCUS CLAYTON:** Marcus Clayton is the Head of Industrial Law at labour law firm, Gordon Legal. Clayton is one of Australia's best-known union industrial lawyers. He has represented a wide range of unions and unionists in industrial litigation, two anti-union Royal Commissions, administrative law challenges, contempt of court cases and criminal prosecutions. In over 38 years as a lawyer, Clayton has won a well-deserved reputation for his strategic, practical and industrially and politically astute advice.



**JENNI BLENOWE:** Jenni Blencowe has over 30 years experience working in the area of migrant and refugee settlement and in asylum seeker programs. Her early experience was in teaching and managing English language and vocational training programs to prepare new arrivals for employment and social participation in Australia. More recently she worked in strategic planning and in policy development, applying knowledge and evidence from service delivery to inform policy and programs in areas impacting on newly arrived refugees and migrants. Prior to retiring she managed the Research and Policy Unit at AMES Australia.

# Snapshot 2019/20

The 2019- 2020 Financial Year included substantial achievements:

<b>Direct Support</b>	<ul style="list-style-type: none"> <li>Assisted 229 workers resolve industrial disputes</li> <li>Recovered \$574,257 on behalf of workers</li> <li>Made 323 referrals to appropriate services</li> </ul>
<b>Knowledge, Information and Empowerment</b>	<ul style="list-style-type: none"> <li>Delivered 26 Know Your Rights sessions to 779 participants</li> <li>Participated in 17 panels and special events with 680 participants</li> <li>Participated in 32 community outreach events and festivals with 1174 participants</li> <li>Held 10 awareness raising actions with 258 participants</li> <li>Trained 22 Multicultural Safety Ambassadors who delivered 13 information sessions</li> <li>Delivered services in 14 community languages face-to-face and online, including 6 languages spoken by staff</li> </ul>
<b>Online presence</b>	<ul style="list-style-type: none"> <li>20,146 website visits in 6 community languages</li> <li>5058 Facebook likes, 953 Twitter followers and 676 Instagram followers</li> <li>8140 Chinese language Facebook page likes</li> <li>153 members of our Latin American Community Facebook group</li> </ul>
<b>Responding to COVID-19</b>	<ul style="list-style-type: none"> <li>Over 2000 workers referred to support and Government services.</li> </ul>
<b>Influencing for a fairer future</b>	<ul style="list-style-type: none"> <li>4 Submissions</li> <li>6,000 petition signatures</li> </ul>

	2019-20		2018-19	
<b>Panels and special events</b>	17	680 participants	25	1141 participants
<b>Know Your Rights sessions</b>	26	779 participants	31	416 participants
<b>Community events and festivals</b>	32	1174 participants	14	298 participants

Since the launch of the  
Migrant Workers Centre we've  
helped 506 workers resolve  
industrial disputes and recovered  
**\$923,946**



# Director's Report

In 2019-20, the Migrant Workers Centre strengthened the foundations laid in its first year of operation. Building on these strengths, the centre has grown - not only the size of the team, but the scale and breadth of our work.

## **Our key areas of work have continued:**

- assisting migrant workers through industrial issues
- delivering Know Your Rights sessions and
- growing a strong migrant worker led network to advocate for workers' rights.

We've taken the fight for workers' rights online and into the streets, and saw events including our International Sisterhood Workshop for International Women's Day build upon the momentum of previous years. The launch of the Multicultural Safety Ambassadors Program has enhanced our capacity to deliver workplace information sessions to wider audiences in community languages, and deepened our engagement with cultural community groups across Victoria. Complementing the industrial and organising activity, the Migrant Workers Centre made four valuable submissions to government inquiries and committees. It has been particularly heartening to see this work come to fruition in the passing of historic wage theft laws in Victoria.

The Centre's work took an unprecedented turn in early 2020 with the outbreak of COVID-19 and the subsequent economic impacts. Migrant workers are amongst those hardest hit, bearing much of the brunt of job losses in industries like hospitality. Compounding this, they were also excluded from the Federal Government's wage subsidy. Much of our work in the final quarter of the financial year turned to supporting migrant workers, connecting those in need with support services, and campaigning for the expansion of JobKeeper and JobSeeker. The following report details these achievements and presents case studies which illustrate the tangible impact of the Centre's work.

The Migrant Workers Centre has demonstrated the ability and agility to adapt to the changing landscape and the new challenges it presents for migrant workers. Critically, it simultaneously brought into sharp relief the urgent need for structural change. The divide and power imbalance between employers and temporary visa workers has widened. The rift between those who have permanent 'status' in Australia versus those who are perpetually 'temporary' due to barriers in our visa and migration system has deepened. It has demonstrated how insecure work and exploitation that is entrenched in our labour market becomes exacerbated in times of crises.

While the recent months have required flexibility in the Centre's work, they have importantly demonstrated the value of the deep organising and campaigns for structural changes; often slow but in the end, powerful in building an equal society. The Migrant Workers Centre looks forward to continuing our work - offering urgent support to migrant workers where needed, while concurrently working to effect structural change that will create a fairer society.



**Matt Kunkel**  
Director, Migrant Workers Centre



### 3: INDUSTRIAL SECTORS WITH HIGH GRIEVANCE RATES

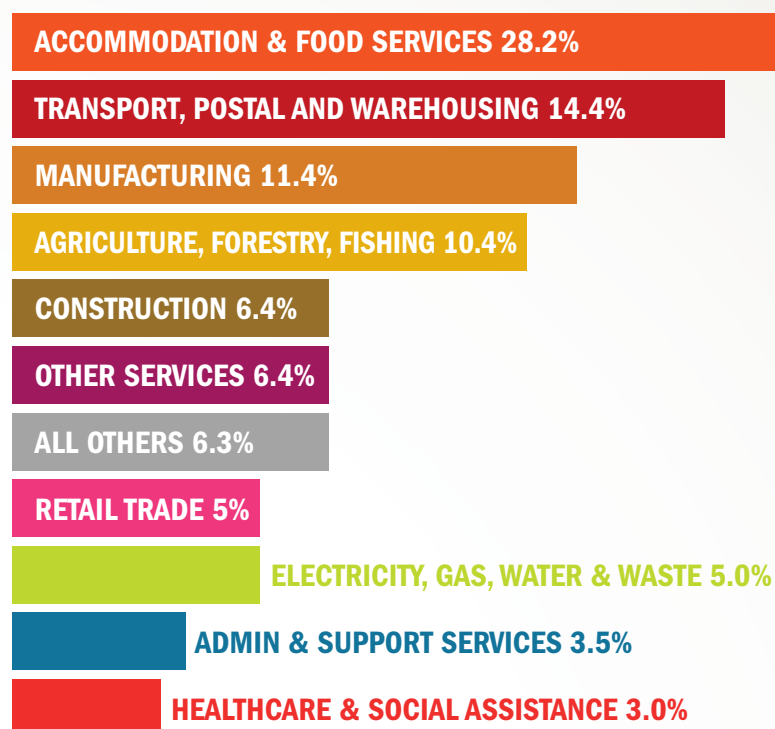


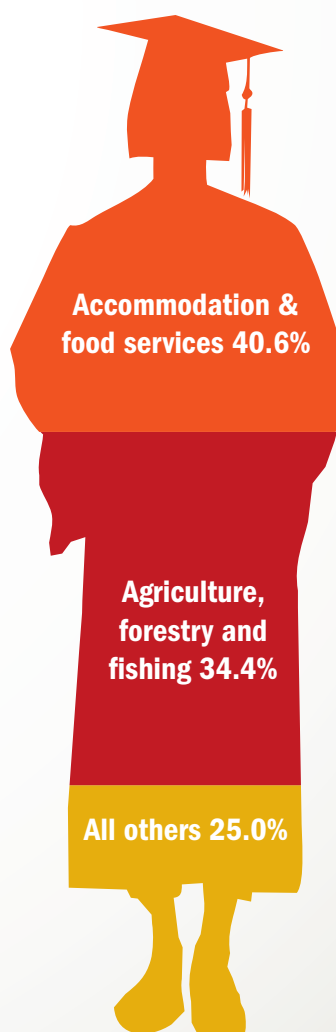
Figure 3 provides details of the most highly represented industrial sectors with respect to grievances. Accommodation and Food Services recorded a higher rate in 2020 compared to 2019 due to the impact of the COVID-19 pandemic. Industrial sectors are categorized according to the Australian and New Zealand Standard Industrial Classification 2006.

### 4: HIGH GRIEVANCE RATES BY VISA TYPE

Figure 4 provides details of industrial sectors in which student visa holders and working holiday makers were most highly represented. Temporary visa holders experience grievances at work at a higher rate than citizens or permanent residents because most temporary visas come with conditions that affect work rights. Most vulnerable are student visa holders and Working Holiday Makers. Whereas student visa holders are not allowed to work more than 40 hours fortnightly, Working Holiday Makers are required to work in regional Australia to be qualified for visa extensions.

Data indicated that workers on Working Holiday Visas experienced grievances at higher rates in Accommodation and Food Services, and Agriculture, Forestry and Fishing - suggesting these sectors could have higher rates of non-compliance. Most common occupations were fruit picking/packing and food delivery.

#### STUDENT VISA HOLDERS



#### WORKING HOLIDAY MAKERS



# Support for exploited workers

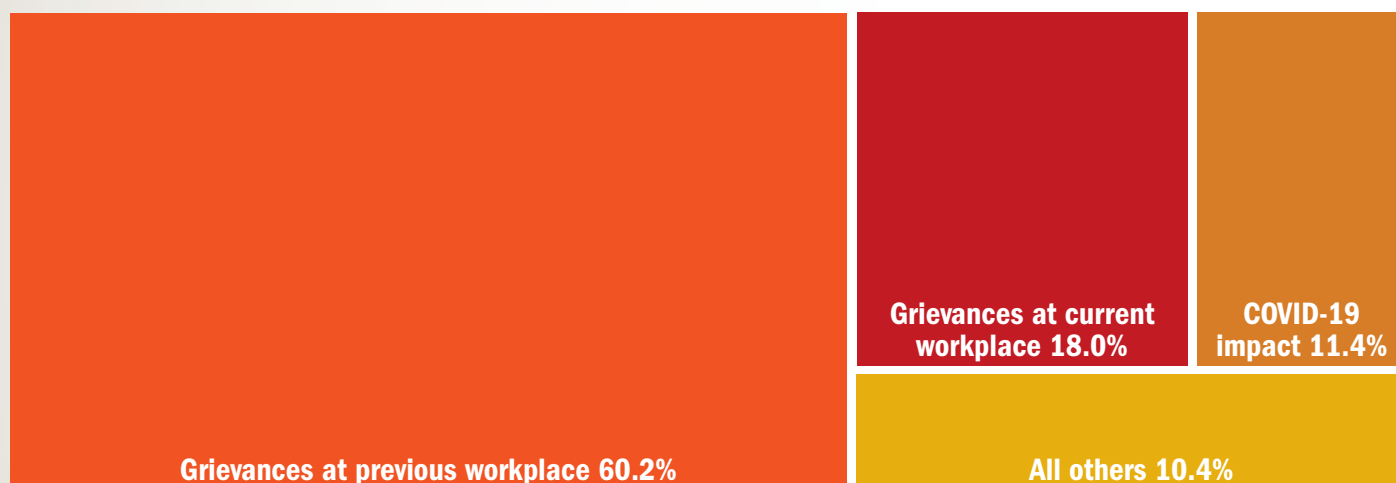
A key stream of the Migrant Workers Centre's work is offering direct industrial support to migrant workers who have experienced exploitation in the workplace. This involves assisting workers seek remedies and compensation for unpaid wages and entitlements, workplace injuries or bullying, unfair dismissals, and to access support services.

The MWC provided direct industrial support to 229 workers in the last financial year. In total, the MWC helped workers recover \$574,257 in wages and superannuation.

Figures below provide a breakdown of grievances, industrial sectors and worker profiles.

Figure 1 provides details of the types of grievances. More than half of the workers consulted the Migrant Workers Centre about enforcing workplace rights against their former employers (60.2%). Among the rest who consulted about issues at their current workplaces, a large number sought advice about workplace rights during a lockdown in response to the COVID-19 pandemic (11.4%).

## 1: TYPES OF GRIEVANCE



## 2: CAUSES OF GRIEVANCE

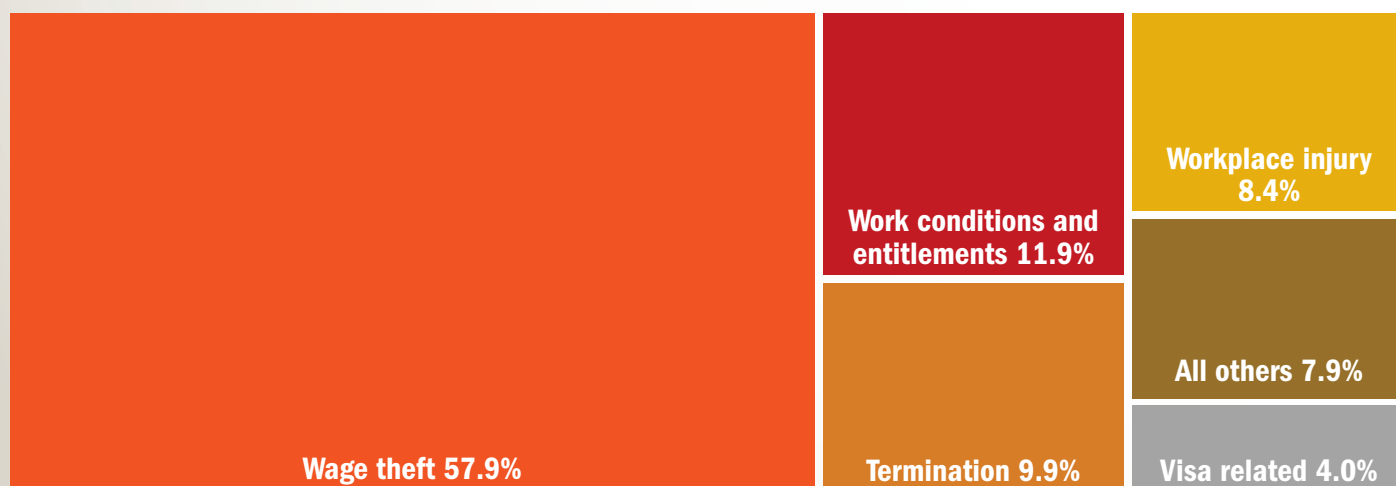


Figure 2 provides details of the causes of grievances. Wage theft was very highly represented (57.9%). Many workers sought assistance in relation to the COVID-19 lockdown - however the grievance type has been categorised by the type of industrial issue.

## 7: WORKERS BY LANGUAGE GROUP

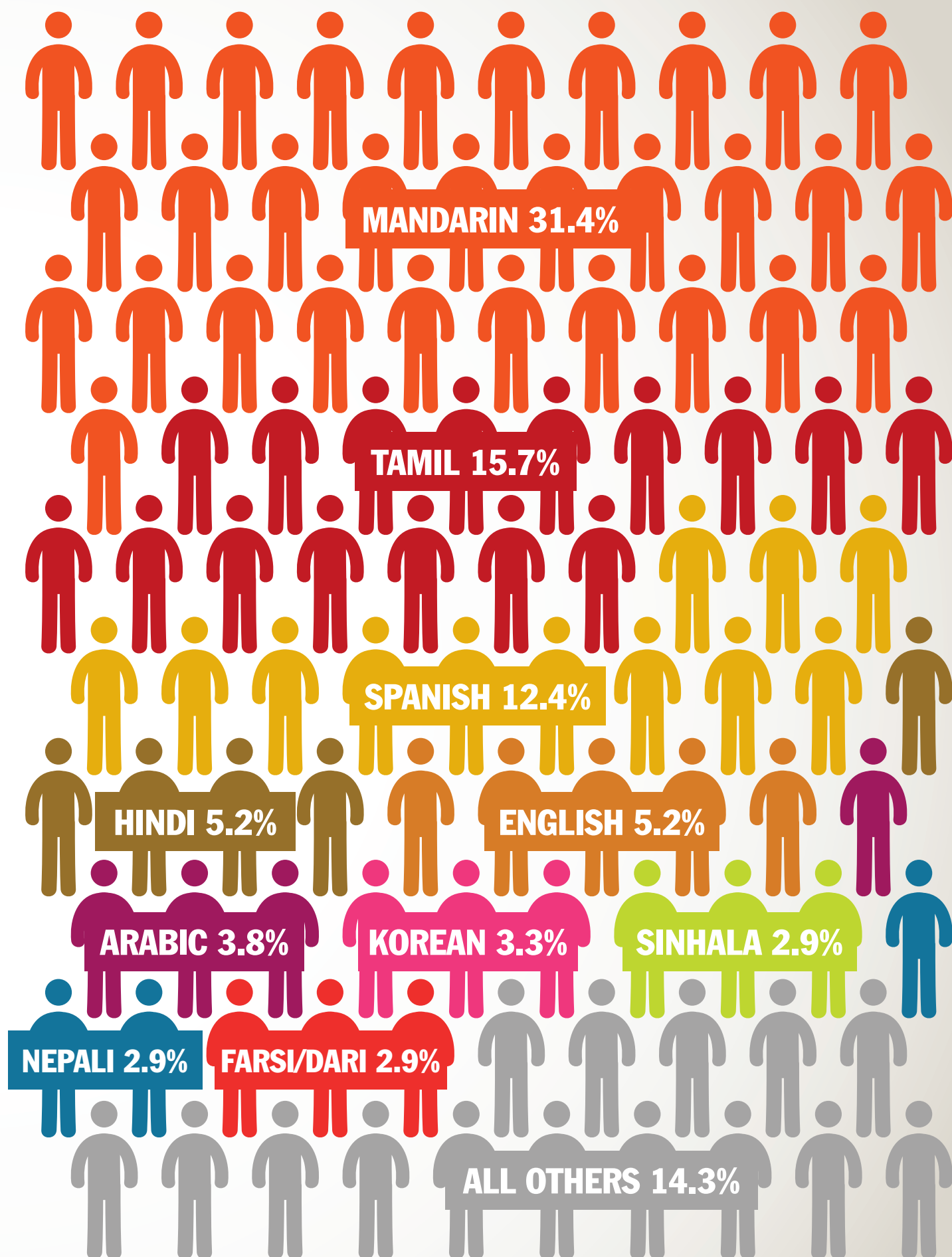


Figure 7 provides details of languages spoken. Workers spoke 30 different languages as their first language. Migrant Workers Centre staff speak 6 of these languages. Figure 7 shows the ten largest groups.



## 5: WORKERS BY MIGRATION STATUS

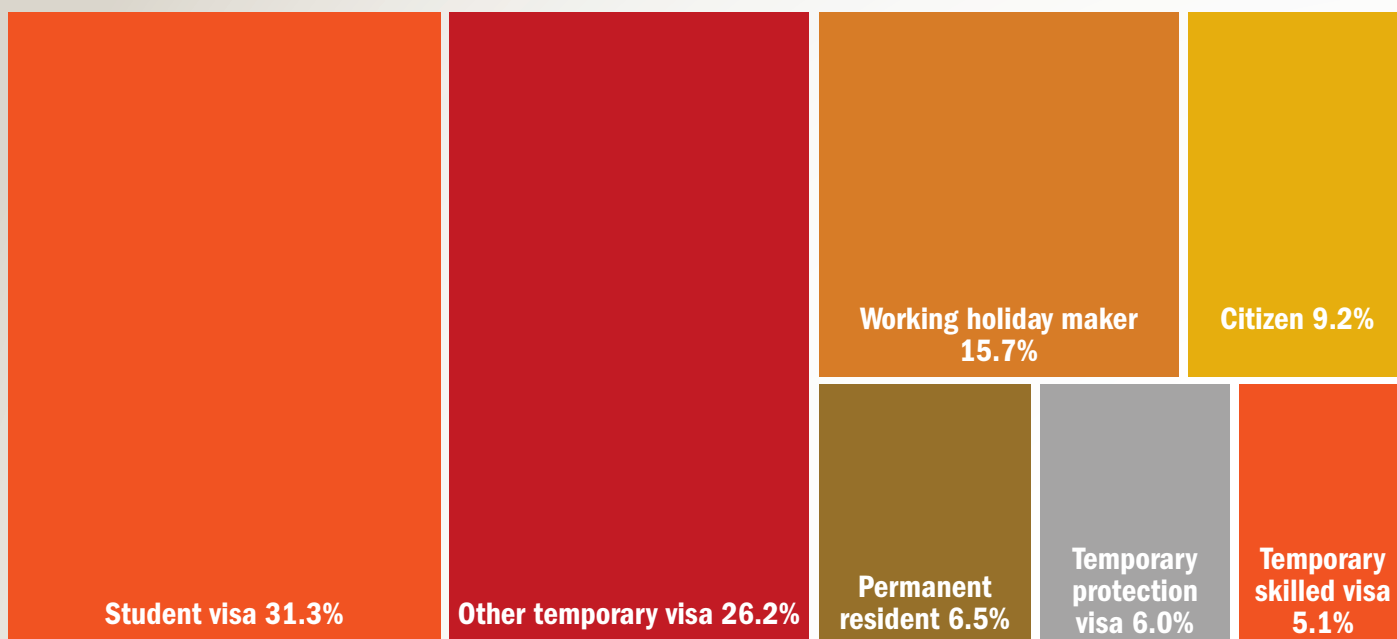
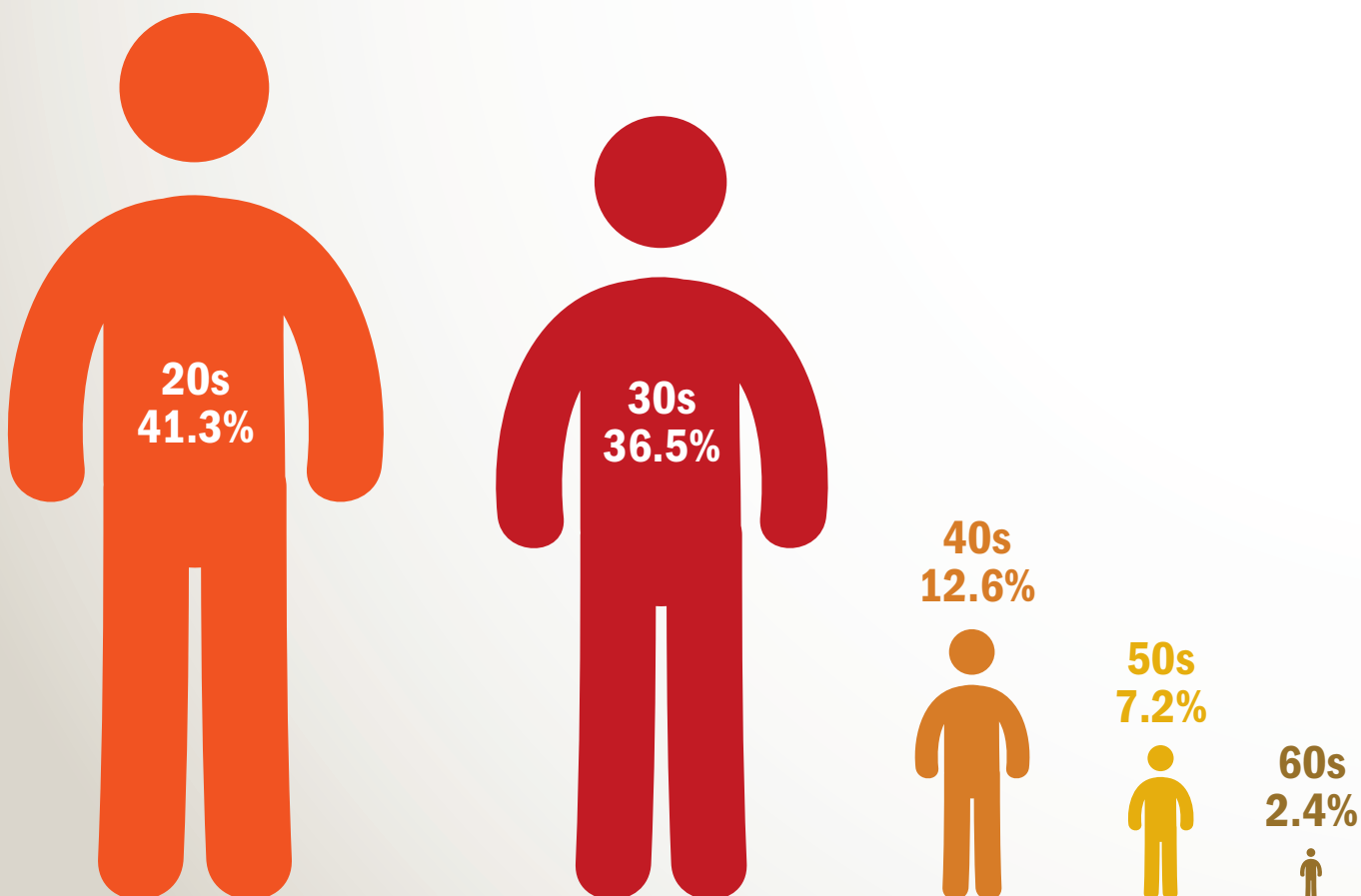
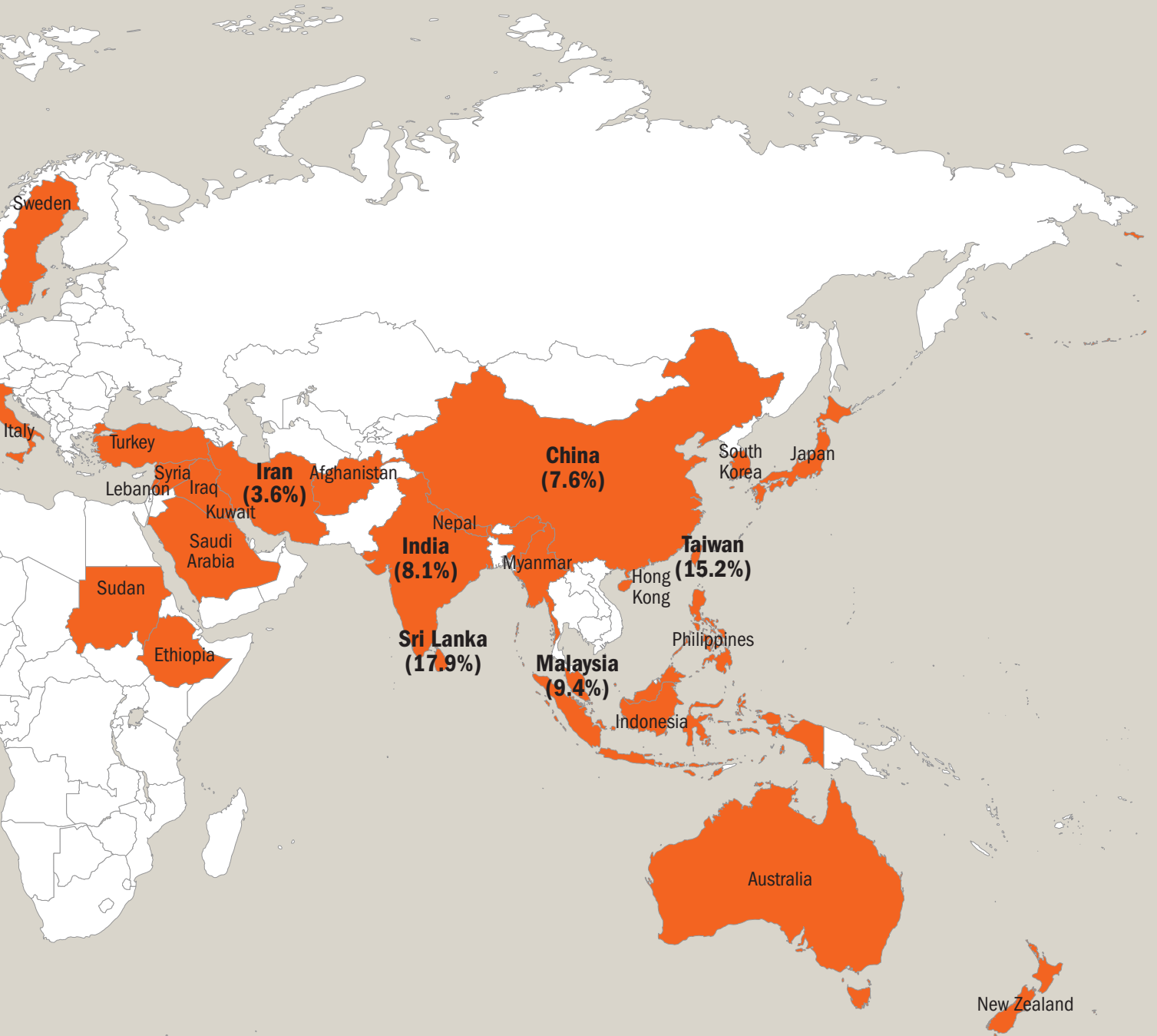


Figure 5 provides details by migration status. Most workers seeking assistance were on temporary visas (84.3%). Student visa holders comprised the largest group (31.3%).

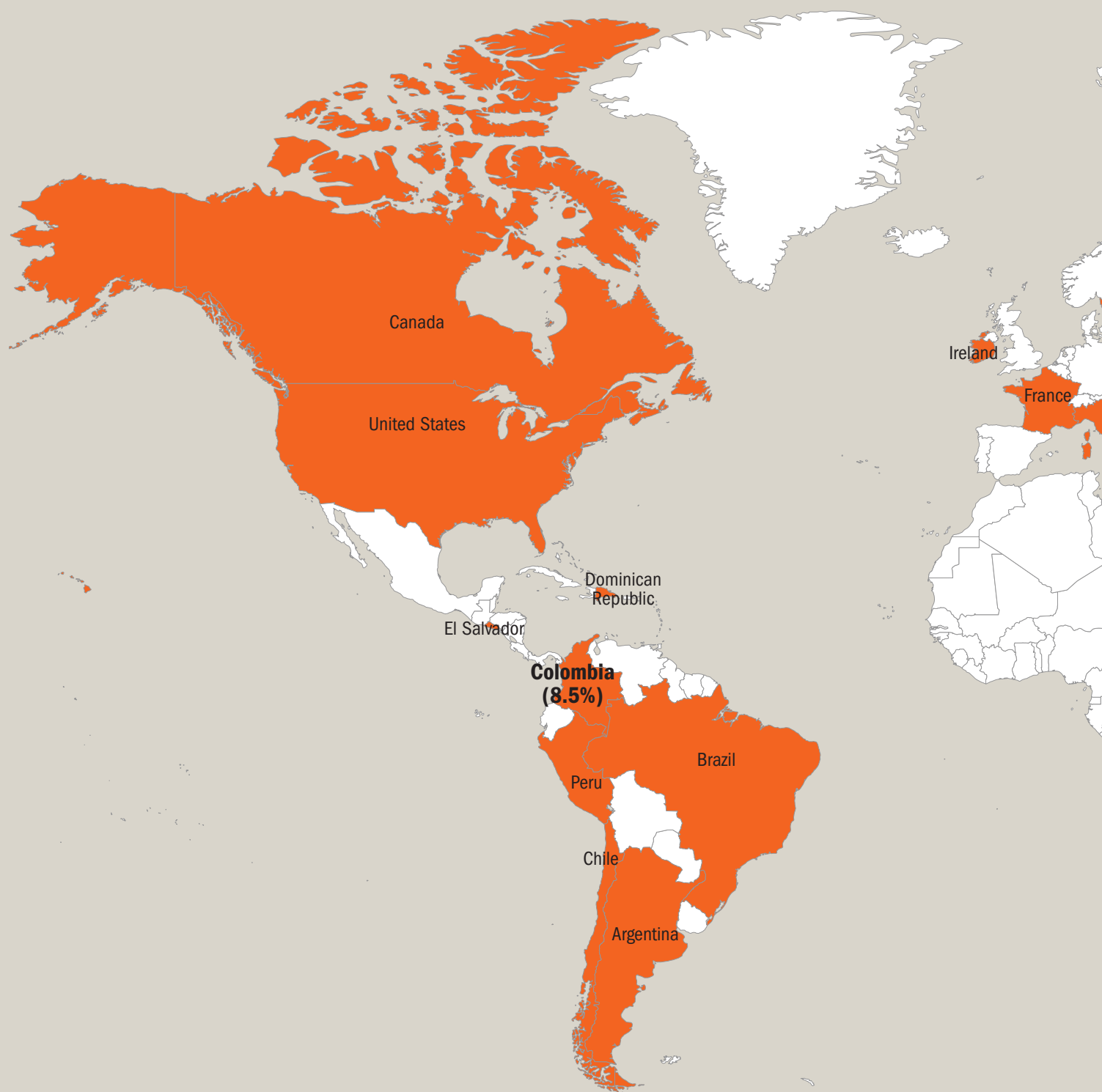
## 6: WORKERS BY AGE GROUP





## 8: WORKERS BY COUNTRY OF ORIGIN

Workers came from 37 different countries from six continents.







## DARREN'S STORY

Darren is from Taiwan and came to Australia on a Working Holiday Visa. He was excited to find a job at a busy cafe in Melbourne's CBD. The job was advertised as full time and at the award wage.

However, he quickly realised something wasn't right. Darren wasn't paid for his first 5 hour trial shift. He was required to work around 60 hours per week but only received \$13-14 per hour - well below the award rate for his industry; he had no penalty rates or sick leave.

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*The prospect of a protest led to their boss agreeing to a \$12,000 settlement.*

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Darren had a general understanding of minimum wage laws in Australia and knew from day one that his boss was stealing his wages. Despite that, he needed a job. Once he started, it also became increasingly difficult to confront his boss or leave because wages were paid after two weeks. He was afraid of losing over 100 hours of pay.

## THE BIGGER PICTURE

Darren's experience of wage theft is sadly shared by many migrant workers. Of those that contacted the Migrant Workers Centre for assistance this year, working holiday makers are the second largest visa category (15.2% of intakes) while accommodation and food services was the top industry of employment (28.2% of intakes). This percentage is even higher amongst working holiday makers where 40.6% worked in the accommodation and food industry.

The scale of the problem, and the long journey for workers like Darren to recover stolen wages, demonstrates how important wage theft laws are. Reporting an unscrupulous boss is already daunting, but it's an even steeper uphill battle for migrant workers who have to navigate an unfamiliar system. Many return home before their case can be settled or before they even have the chance to take action.

Darren felt angry and resolved to report his boss, but it was a difficult step to take without support. He heard from other staff - who were also working holiday makers - that the cafe had previously been investigated by the Fair Work Ombudsman but without any outcomes for the workers. Darren felt hopeless and didn't know what other options were left.

Darren then discovered the Migrant Workers Centre and sought advice about making an underpayment claim. He had proof of his hours, having logged his shifts on the Record My Hours app. He also joined the United Workers Union. While Darren knew about unions, he hadn't realised unions covered industries like hospitality in Australia. Darren started speaking to other workers at the cafe about working together to confront their boss. While they felt powerless as individuals, he says they felt stronger as a group.

With support from the Migrant Workers Centre, Darren and his co-workers collectively demanded payment from their boss, and planned a protest action outside the café. The prospect of a protest led to their boss agreeing to a \$12,000 settlement.

The absence of serious legal repercussions for these employers allows for endemic wage theft. In Darren's case, it was only the threat of a protest outside the business that compelled his boss to act.

The fight for better workplace conditions made huge gains this year with the passing of wage theft laws in the Victorian Parliament. From July next year, employers found guilty of wage theft will face hefty fines and up to ten years' jail time. These hard fought laws will further empower migrant workers to fight against exploitation at work. Employers like Darren's boss will think twice before exploiting their workers.

# **Darren came to us when his boss was stealing his wages**







The Migrant Workers Centre assisted Shachithanantham and four others, who had also come to Australia as Tamil refugees, make underpayment calculations and claims. The workers had been working overnight from 6pm to 6am and were paid a flat rate of \$22 an hour. The Australian Workers Union then took the

matter to the Fair Work Ombudsman for investigation. The group of workers recovered approximately \$200,000 altogether with individual payments ranging from \$25,000 to \$66,000.

## THE BIGGER PICTURE

In addition to underpayment, dangerous workplace conditions and poor OH&S practices are a significant area of concern for migrant workers.

Speaking up about dangerous work conditions is already difficult, but there are additional barriers for migrant workers. It can often be difficult to find a secure job due to having a temporary visa status and the restrictive conditions attached to many work visas. Unscrupulous employers take advantage of this and as a result, migrant workers are more likely to be exposed to dangerous work conditions.

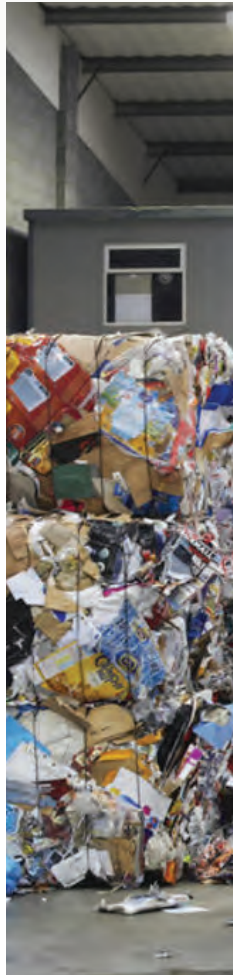
Huge progress has also been made in this area this year with Industrial Manslaughter laws coming into effect in Victoria. From

July 2020, employers found guilty of industrial manslaughter will face large fines and up to 20 years' jail time.

These laws will not only mean employers will be forced to take workplace safety seriously, but it means workers like Shachithanantham will be better placed to ensure their workplace rights are met.



# Shachithanantham got help taking action at a dangerous workplace



## SHACHITHANANTHAM'S STORY

Last year, the Migrant Workers Centre assisted and crowdfunded \$24,000 for Vignesh, a worker who suffered chemical burns to his face due to an explosion at a recycling plant in North Melbourne. Vignesh, like many of the workers at the plant had come to Australia as an asylum seeker. Their employer did not provide them with training before they were put to work handling dangerous chemical waste.

Unfortunately, the exploitative and hazardous work conditions experienced by the workers there was not an outlier. This year, the Migrant Workers Centre assisted a group of Tamil workers at another major recycling factory in Dandenong stand up against hazardous work conditions and recover nearly \$200,000 in underpayments.

Shachithanantham Sithiravelayutham first came to the Migrant Workers Centre because of a workplace injury - he had broken his leg after falling four metres at work due to unsafe OH&S practices.

His employer instructed him to lie about how he sustained the injury and to tell his doctor he fell over in the bathroom. This meant he wasn't able to receive any WorkCover compensation or financial assistance for his medical bills.

Shachithanantham came to the Migrant Workers Centre on the recommendation from a friend. We helped him file a WorkCover claim and join the Australian Workers Union. Through speaking to Shachithanantham, we discovered that conditions at the recycling plant were extremely hazardous for all workers, many of whom were on temporary work visas like Shachithanantham. They described the air being thick with dust and smoke and having inadequate PPE.

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*His employer instructed him to lie about how he sustained the injury and to tell his doctor that he fell over in the bathroom.*

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Organisers from the Migrant Workers Centre worked with the Australian Workers Union to leaflet the site about workplace safety. It then became clear that on top of the work conditions, the workers were being grossly underpaid.



## THE BIGGER PICTURE

Jarvis' experience shows how employers often take advantage of the desire of Working Holiday Makers (WHM) to extend their stay to force them into exploitative work. The power imbalance between employer and employee is further exacerbated in these situations as employers take advantage of the lack familiarity with Australian workplace law, and the temporary nature of this visa which discourages many workers from seeking lengthy redress processes. Removing prohibitive work conditions from Working Holiday Visas would mean WHMs would feel less pressure to stay with abusive employers for fear of breaching their visa and more empowered to seek work that met appropriate employment standards.

The regional work requirements for the second and third year extension of the Working Holiday Visa is an additional significant

contributing factor to the exploitation of this category of migrant workers. The Migrant Workers Centre has made numerous submissions calling for an end to the prohibitive work requirements for Working Holiday Visas including abolishing the cap on WHMs staying with an employer for longer than six months, and the regional work requirements for the second and third year of the Working Holiday Visa. These requirements are the main reasons exploitative bosses get away with treating workers badly - the work limits often mean workers have moved on before they are given the chance to address underpayment or discrimination issues.





# Jarvis joins farm workers to demand the right wages

## JARVIS' STORY

This year, the Migrant Workers Centre assisted migrant workers at a large farm that supplies fresh produce to major supermarkets like Woolworths and Coles. The workers in the tomato fields, the majority of whom were backpackers as well as some undocumented workers, had been working unpaid for nearly three months under abusive and exploitative conditions. Their boss openly threatened to not pay them and regularly racially abused them. In contrast, the workers in the packing sheds who were organised members of the United Workers Union had union support and were paid standard award wages.

One of the workers, Jarvis, said the situation was so desperate many of them resorted to eating produce that had fallen off the delivery trucks. It was obvious their employer was taking advantage of the power imbalance and wasn't afraid of repercussions because the workers were all on temporary visas.

Jarvis contacted the Migrant Workers Centre after being referred by a friend, and together with a dozen other workers

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*... many of them resorted to eating produce that had fallen off the delivery trucks.*

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they successfully demanded their wages. Jarvis was able to prove the hours he'd worked by documenting his shifts. He took photos at the start and end of shifts, wrote his hours in a log book, and recorded videos of himself at work. The Migrant Workers Centre helped calculate and make an underpayment claim which successfully recovered three months of wages for Jarvis and a dozen other workers.





Organiser Wallace delivering a Know Rights Session in Chinese at Glen Waverley Library



Organiser Husain Al Qatari with students at Comm-UnityPlus in St Albans.

# Information, knowledge and empowerment

Running parallel to direct support for workers, is education and empowerment. MWC programs aim to equip migrant workers and international students with knowledge about workplace rights and safety that enables them to secure safe and appropriate work, and effectively manage unfair or unsafe work conditions.

Providing the skills and training to community leaders to take on these roles themselves is a key strategy in strengthening capacity and building effective communication strategies with the diverse cultural communities with whom the MWC works.

## KNOW YOUR RIGHTS SESSIONS

The lack of accessible information about workplace laws in Australia, and lack of information about avenues for reporting exploitation, are amongst the predominant reasons migrant workers are more vulnerable to exploitation by unscrupulous employers. By providing foundational information on workplace laws in Australia, the Know Your Rights (KYR) sessions empower migrant workers to enforce their rights.

In 2019-20, organisers at the Migrant Workers Centre delivered 53 KYR sessions to 1,309 workers. Sessions were delivered in English, Chinese, Arabic, Tamil, Spanish, Kurdish and Hazaragi.

The KYR sessions cover foundational information on workplace rights and occupational health and safety. The main components of the sessions are:

- wages and entitlements
- types of employment
- employer obligations
- union membership, and
- the National Employment Standards (NES).

The sessions also cover key legislation regarding workplace rights including the Workplace Injury, Rehabilitation and Compensation Act, Equal Opportunity Act, and the Occupational Health and Safety Act. The KYR sessions are a space for workers to ask questions and seek advice, and to learn about avenues for addressing workplace issues.

These sessions have allowed the Migrant Workers Centre to reach out to a wider demographic. The breadth of community partnerships are highlighted in three examples below:

- An ongoing partnership with Comm-UnityPlus - an Adult Education and community services centre - that delivers English language classes to new migrants. The majority of the students at the information session were getting ready to look for work in Australia.
- Delivering two sessions with the Women's Association South East Melbourne Australia (WASEMA) in Springvale and Narre Warren. WASEMA is a network that brings together migrant women, addresses current issues facing migrant women, and facilitates pathways for women's access to education and employment.
- Sessions in language with the Arabic Workers Network and the Chinese Community Social Services Centre, as well as in regional areas such as Geelong and Warrnambool.

To complement the KYR program and increase accessibility of information, the MWC has produced pamphlets on Wages and Entitlements, Looking for a Job in Australia, Types of Employment and Reporting Discrimination. These pamphlets have been translated into Tamil, Korean, Chinese, Arabic and Spanish.





### VIVIAN LU

"I have been involved in the MWSN since May 2020.

My reasons for getting involved included a mixture of family history and university. I completed my honours thesis on the history of migrant garment factory workers in 1990s Melbourne. This prompted me to consider the ways in which I could contribute tangibly to the migrant worker movement in the present climate.

My family is of Asian migrant background. Both my mum and dad migrated here in the 1980s, from Vietnam and Cambodia respectively. They both took up factory work when they arrived to make ends meet. The fact that my parents were once migrant workers who lacked proper workers' rights and resources only augmented my desire to get involved."



### ANDREW BRETHERTON

Andrew got involved with the Migrant Worker Solidarity Network after seeing the exploitative and unfair work conditions many of his friends who were working holiday makers were subjected to.

"Seeing my friends go through this, I wanted to help stop it happening to others. I believe it's modern slavery and shouldn't be allowed in a country like Australia. It feels good to be involved in a group that is actively working towards better outcomes for migrants in Australia."

He saw the solidarity network as an avenue to fight for migrant workers' rights - he noticed "most migrants want to fight this but due to visa restrictions, negative press and limited resources they feel they are unable to do so."

"[Through the network] I've gained more support for solidarity, ideas, campaigns from the MWC and other migrant groups that are part of the network. I also have a disability (Myalgic Encephalomyelitis) that leaves me mostly housebound so being part of the MWSN has given me a sense of purpose and pride and a sense of community as well."



# MIGRANT WORKER SOLIDARITY NETWORK

The objectives of the Migrant Worker Solidarity Network (MWSN) are to:

- build a strong worker led network of migrant workers who are trained and ready to take action in the fight for migrant rights
- build relationships and solidarity between different groups of migrant workers, and
- to empower workers to support each other.

The MWSN has continued to grow in 2019-20. 120 community representatives have attended face to face activities and over 6,000 people have signed petitions. The network meets monthly and takes actions including contacting MPs, filming online campaign videos, and doing phonebanks.

Throughout COVID-19, the network has been a major force which has allowed the MWC to scale up our community outreach and engagement. Over the past months, the solidarity network has been involved in weekly phone banks reaching out to workers who have contacted the Centre for assistance during COVID-19 and keeping workers updated with the latest support services.



## JOSEP CAMA

Josep Cama is a 38 year old international student from Barcelona who recently joined the network. He found out about the Migrant Workers Centre and the Migrant Worker Solidarity Network through word of mouth after a chance encounter with a volunteer from the network - highlighting the power of community connections for building migrant worker solidarity.

Josep is currently studying a Diploma in Leadership and Management, and says for him, the MWSN solidarity network is a way to connect with the wider community as well as other migrants facing similar experiences and challenges.

“I got involved because of the community, but also because I decided it was a way to help people. When you’re a migrant it can be really hard - because I’m also a migrant I really like doing the phonebanks and helping others in similar situations.”



## ZOE TRANTER

“I work as a teacher of international students and when the pandemic hit I could see that some of the students were doing it tough so I wanted to volunteer in an area that would benefit them or people like them. I am already an elected union rep at my workplace so I’m very passionate about worker’s rights too.

My family are migrants and so is my partner so these issues are really close to my heart. The stories they have of struggling with English, not being aware of their rights or how the Australian system works in regards to superannuation and taxes makes me feel passionate about migrant worker rights.

Wage theft, discrimination and access to information in their first language are huge problems that have become more evident during the pandemic where I’ve struggled to find translated materials for my students about many of the quickly occurring changes. The MWSN does a lot to get that important information out in different languages.”



- Workers compensation
- Employment issues
- Introductory Health and Safety Representative and Train the Trainer Courses
- Media training.

These information sessions expand upon the key information in the standard Migrant Workers Centre Know Your Rights session. Importantly, they have facilitated engagement with broader audiences in different languages by training and skilling-up existing community leaders to empower their communities from within.

Participants were surveyed for feedback at the end of the sessions:

- 98% said they learned something new about their workplace rights
- 85% were confident they could get help if they had a problem at work.

As part of the Multicultural Safety Ambassadors Program, the MWC also developed three educational resources on issues of occupational health and safety. Each resource focused on a different category of workplace hazards: extreme temperatures, amenities, and airborne contaminants. The resources were translated and printed in 5 languages in addition to English: Arabic, Traditional Chinese, Nepali, Swahili, and Tamil. The resources were designed to be used by Ambassadors in community sessions to assist community members to identify potential uncontrolled hazards in their workplace and refer them to the Migrant Workers Centre.





# MULTICULTURAL SAFETY AMBASSADORS PROGRAM



The Multicultural Safety Ambassadors Program was funded by the Victorian Government in 2019 to further strengthen the existing work of the MWC in building capacity in cultural communities to secure safe and appropriate work, and effectively manage unfair or unsafe work conditions.

The launch of the Multicultural Safety Ambassadors Program has allowed the MWC to scale up the breadth and depth of our community engagement. Since the launch in June 2020:

- 22 community leaders have graduated as ambassadors of the Multicultural Safety Ambassadors program
- Ambassadors held 5 face-to-face community sessions between January and March, with a total of 134 attendees:
  - South Sudanese Community Association Victoria (English, Dinka, Sudanese Arabic)
  - NOMIT + CO.AS.IT. (Italian)
  - St Albans Community Centre (Arabic, Assyrian)

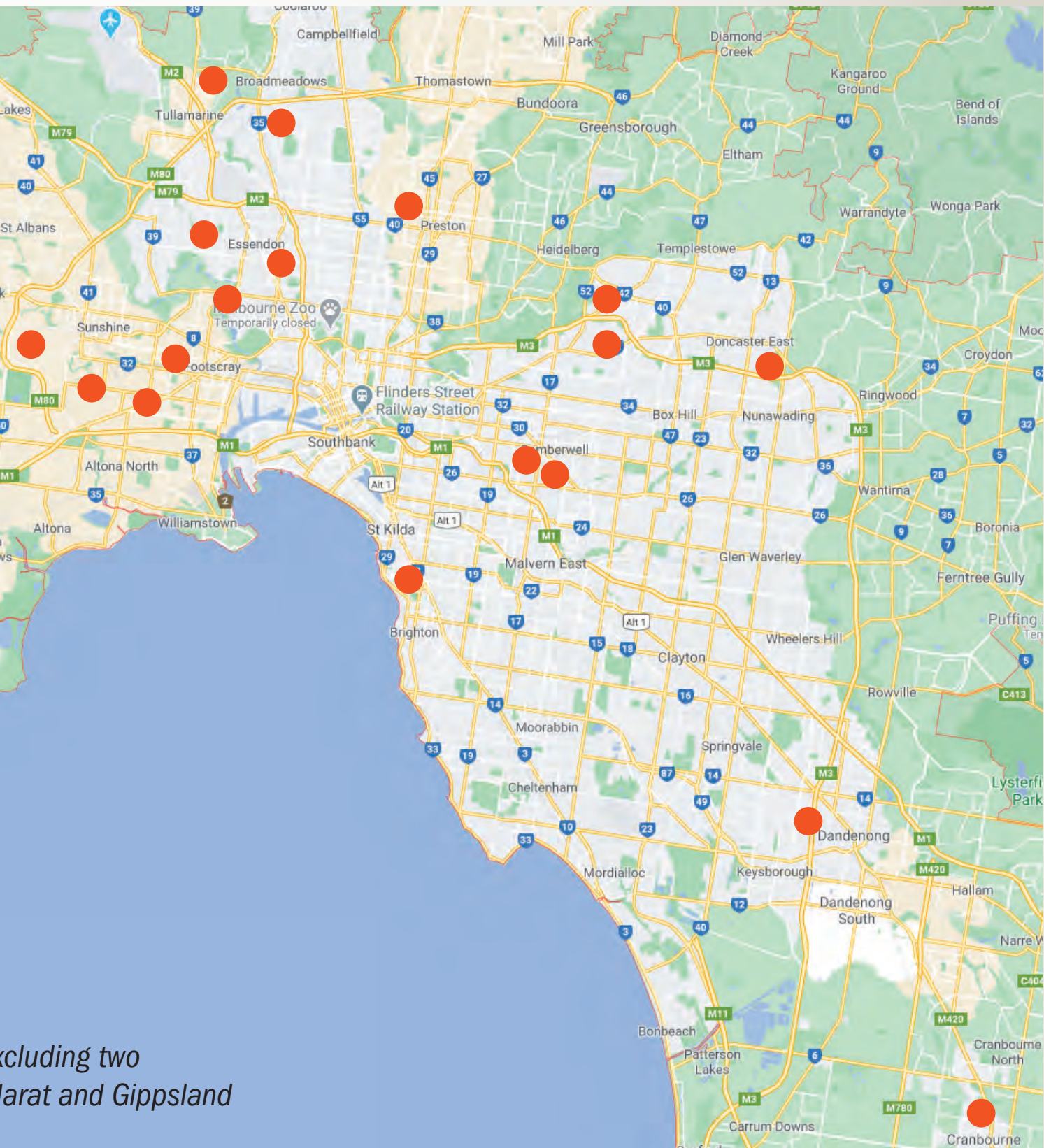
- Foundation House + Stevenson House (Arabic, Assyrian)
- St Ambrose Church (Arabic)
- Additional 7 online sessions (during COVID-19) were held in Arabic, English, Filipino, Hindi, Spanish, Swahili and Vietnamese.

The 22 community leaders were fluent across 20 languages including English; Arabic, Assyrian, Cantonese, Dinka, Filipino, French, Hindi, Italian, Kamba, Kashmiri, Lingala, Mandarin, Nepali, Punjabi, Spanish, Swahili, Teochew, Tibetan, Urdu, and Vietnamese. The ambassadors were selected from a pool of 84 applicants in two recruitment rounds in September 2019 and November 2019.

Ambassadors underwent training that covered:

- Delivering community education
- OH&S Core competencies

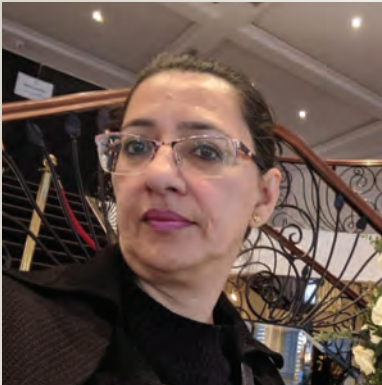




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# TESTIMONIALS



## SHARMILA KAUL

The Multicultural Safety Ambassadors Program gave me good training in workers' rights. The program has strengthened my confidence to give a workshop. The knowledge and training has enabled me to participate effectively in Migrant Workers Centre initiatives.



## RING MAYAR

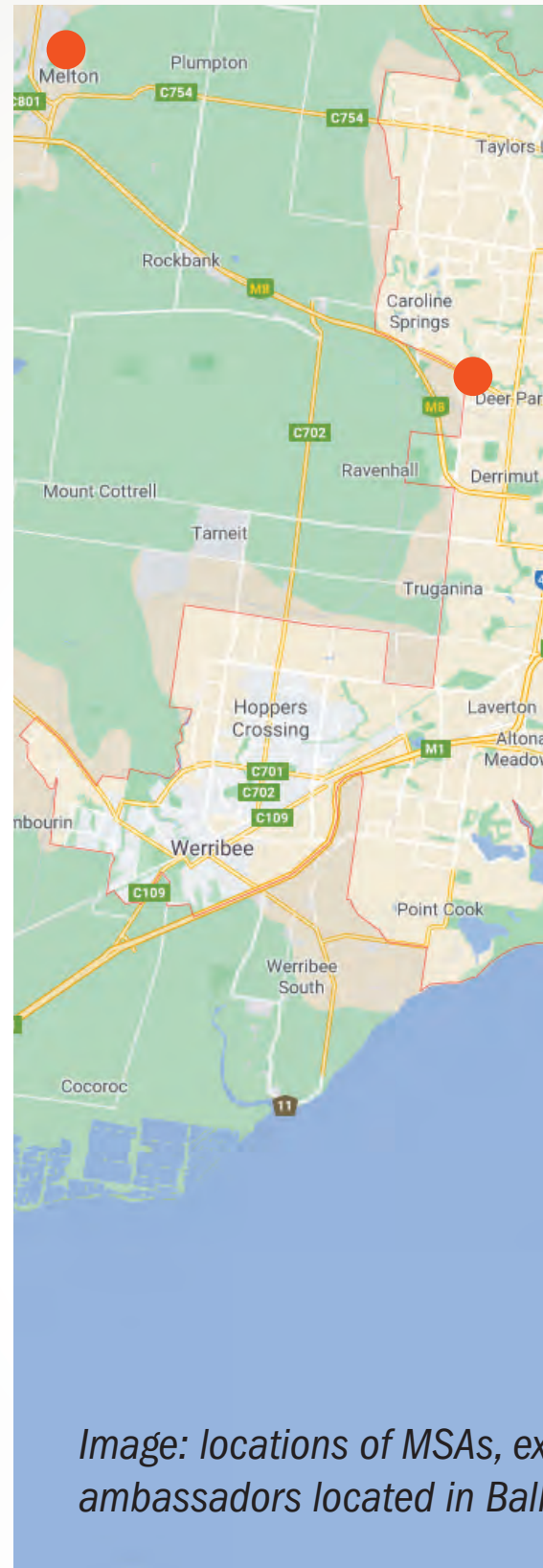
The Multicultural Safety Ambassadors Program has helped me educate my community members about their rights in the workplace. The program has bolstered my leadership skills and prepared me for dealing with complex workplace issues concerning my community members.



## FLORENCE DATO

As a leader in my community, the Multicultural Safety Ambassadors Program has honed my advocacy and collaboration skills. The MSAP training helped me develop my confidence to empower people.

[The Filipino broadcast] helped me assist my community by providing timely and valuable information and connecting them to services they needed during this unprecedented time. This pandemic has made migrant workers more susceptible to unsafe working conditions so it is now more important than ever that they should be knowledgeable about their workplace safety and what to do or where to get help if they have issues or are injured at work.





## TRAVEL BAN (SUPPORTING STUDENTS AFFECTED BY THE TRAVEL BAN)

In early 2020 the Australian Government implemented a travel ban on China in response to the COVID-19 outbreak. This decision was implemented without warning and left thousands of workers and international students who had been living and working in Australia on temporary visas stranded overseas away from families and communities, with no way to return to work or maintain their livelihoods.

The Migrant Workers Centre launched a petition calling for an end to the travel ban which accumulated over a thousand signatures and held an organising meeting with students and workers stranded overseas. As more countries were added to the 'travel ban', the Migrant Workers Centre continued to reach out to workers to offer industrial support to those whose work had been affected.

## PUBLIC HOUSING

Following the lockdown of numerous public housing towers, the Migrant Workers Centre moved to support workers who were unable to attend their jobs and at risk of losing income

or employment. We worked with community groups on the ground to deliver food and produced translated resources and information about pandemic leave.





# Responding to COVID-19 challenges

The outbreak of COVID-19 and subsequent social distancing and lockdown was an unprecedented change for the regular work of the Migrant Workers Centre. However, with migrant workers being amongst the hardest hit by the social and economic impacts of COVID-19, there was an urgent imperative to reorient our activities during the final quarter of the financial year to support these workers. The work can be summarised into three key areas.

## JOBKEEPER CAMPAIGN

Migrant workers were amongst the worst hit by the economic impacts of COVID-19. There are an estimated 1.1 million migrant workers in Australia who hold temporary visas, but they were excluded from the Federal Government's JobKeeper wage subsidy.

Over the past months, the Migrant Workers Centre has campaigned for the expansion of the wage subsidy. We launched an online #NoWorkerLeftBehind form for migrant workers who had lost work to share their stories, and to collect data on the scale of impact of job losses. We referred over 2000 workers to support services through this form.

We also supported many of the workers who had contacted us to share their stories in the media. By sharing their stories, workers like Alejandro - a chef on a sponsored visa, who had lived in Australia for nearly ten years and had a family here but was left with no support when he lost his job - carved out

a space in the media narrative and brought the challenges migrant workers were facing to the forefront.

Collaboration with grassroots groups was also a key component of the JobKeeper campaign. We held an online organising meeting with five groups representing backpackers from England, Hong Kong, Taiwan, the Netherlands and Korea to look at the unique challenges Working Holiday Makers faced.

The Migrant Worker Solidarity Network also played a pivotal role in this campaign, participating in regular phone banks to check in with workers, collect ongoing data to support the campaign, and to inform workers of new government funds and support.

The Migrant Workers Centre has lobbied for increased support for migrant workers throughout the pandemic. We welcome the support that has been implemented by the Victorian Government such as the International Student Emergency Relief Fund and the COVID Emergency Relief Support for temporary visa holders.



# Event highlights of year 2



## INTERNATIONAL WOMEN'S DAY WORKSHOP

In 2020, the Migrant Workers Centre held our second International Sisterhood Workshop on International Women's day. Sixty attendees heard from a panel of migrant women speakers including United Workers Union Organiser Putri Nazeri, CFMEU Organiser Stephanie Rabusa, Dr Niro Kandasamy, and Azmeena Hussain from Maurice Blackburn lawyers. Attendees took part in a workshop on gendered discrimination at work and in the community, and discussed the role of unions in empowering migrant women at work.

## COMMUNITY OUTREACH

The Migrant Workers Centre held stalls at the Lalor Sports Hub Family Fun Day and the Wyndham Holi Festival. Organisers at the stalls distributed information about workplace rights and the Migrant Workers Centre.

## LABOUR HIRE REFORM CONFERENCE

The Migrant Workers Centre's National Conference on Labour Hire Reform on 8 November 2019 provided an opportunity for experts, government authorities, and the union movement to come together and discuss the problems of labour exploitation in the labour hire industry.

The Migrant Workers Centre regularly receives complaints from migrant workers employed by labour hire providers, particularly in cleaning, horticulture, and manufacturing. A labour hire provider recruits workers and sends them to host businesses in return for a fee. This indirect form of employment allows host businesses to avoid meeting employer obligations while exacerbating job insecurity for workers.

The purpose of the conference was to:

1. Assess the extent and patterns of exploitation in labour hire
2. Evaluate the effectiveness of existing state-based regulations
3. Develop policy recommendations for addressing exploitation in labour hire and call for profound industrial relations reforms to advance workplace rights.

The conference concluded with a list of demands to the Federal Government, including the establishment of a comprehensive national labour hire licensing scheme.

# Influencing for a fairer future

The previous sections document our work with individual workers and client communities in addressing workplace issues and building knowledge and capacity. Given this on the ground experience, the MWC is well positioned to contribute to positive influence of government and sector policy and programming to support migrant workers' rights and protections. We consider this concurrent work to influence policy and effect structural change as an essential stream of our work in contributing to a fairer go for all.

To this end, in the last year, the Migrant Workers Centre made 4 submissions to government committees and inquiries.

1. Submission to the Joint Standing Committee on Migration regarding the Inquiry into the Working Holiday Maker Program
2. Submission to the Attorney General for Australia and Minister for Industrial Relations on Wage Theft Criminalisation
3. Submission to the Senate Select Committee on Temporary Migration
4. Submission to the Senate Economic Reference Committee Inquiry on Unlawful Underpayment of Employees' Remuneration

We are pleased that the submissions on wage theft contributed to the passing of new wage theft legislation in Victoria.

As part of these submissions, the Migrant Workers Centre also made numerous policy recommendations. The key recommendations were:

- expanding the Fair Entitlements Guarantee
- lifting the forty hours per fortnight work cap on International Students
- abolishing the six month employment cap and the farm work requirements for the extension of the Working Holiday Maker Program.
- implementing a firewall between the Fair Work Ombudsman and the Department of Home Affairs
- providing more pathways to permanent migration.

These policy recommendations address the major structural causes that enable the exploitation of migrant workers.





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