

Western Community Legal Centre Employment Law ‘Train the Trainer’ Project Evaluation Report

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Executive summary

In a refugee settlement context, employment has been recognised as one of four vital components necessary for successful settlement, along with housing, education and health.¹ However, newly arrived and refugee communities face significant barriers and disadvantage in the labour market.

In order to obtain and maintain sustainable employment, newly arrived and refugee communities require targeted assistance. Such assistance must ensure that community members are aware of their legal rights and responsibilities. It is also essential that workers are able to access employment law advice and information when they have queries, so that they can pursue sustainable outcomes and resolve disputes at an early stage.

Where people have low levels of literacy (either in English or both in English and their first language), education programs should be delivered face to face, utilise images and multimedia, and ideally be delivered in communities' first language. Face to face education services also have the benefit of building trust and relationships between services and community members, an integral part of increasing the accessibility of services.

Community leaders are trusted sources of information in newly arrived and refugee communities. Bilingual community workers are an effective means of connecting vulnerable communities with community services.

Utilising these principles, the Western CLC Train the Trainer Project (Project) delivered a nine day training program in employment laws and services to six community leaders from newly arrived and refugee communities in Melbourne's Western Suburbs.

The community leaders visited a number of key employment and anti-discrimination law agencies, including the Fair Work Ombudsman, the Fair Work Commission, the Victorian Equal Opportunity and Human Rights Commission and Victoria Legal Aid.

Community leaders were supported to develop a community education presentation, which they delivered to their communities in a culturally appropriate and targeted way.

The Project developed and utilised a suite of education resources that target newly arrived and refugee communities. The resources were six videos, a PowerPoint presentation, handouts and activity sheets.

Community Leaders said the employment law topics in the training program were interesting, and relevant or very relevant to their communities, the training gave them confidence to deliver an employment law information session in their community, and the workshops at the employment law agencies were good, with a highlight being the observation of client interaction with agency services.

The resources were showcased by the Community Leaders at the program launch. The feedback from external agencies who attended was overwhelmingly positive. More than 94% of attendees said the launch was of a high to very high standard, in regards to information, format, delivery, and videos. The Community Leaders launch delivery was rated either very good or excellent, and attendees felt that leaders would deliver a very good to excellent employment law session in their community.

Prior to the community information sessions, 83% of community members understood a little or nothing about employment law. After the information sessions, 98% of community members understood a little or a lot about employment law, and 82% of community members know where to go for help if they have employment problems.

Evidence shows that leaders now act as an important link between their communities and agencies by raising awareness that those affected by employment problems can get advice from agencies including WCLC. Evidence also shows an increase in understanding of laws and services among target communities.

Preliminary feedback on the materials from educators has been extremely positive and there is evidence to show the materials have resulted in positive change in students' employment experiences.

¹ Alistair Ager and Alison Strang, *Understanding Integration: A Conceptual Framework*, *Journal of Refugee Studies* (2008) 21(2) page 170.

Note: All community leader quotes and stories in this report have been taken directly from evaluation forms, or from hand written notes taken during the program. Some changes have been made to ensure stories and quotes are de-identified

Context

Western Community Legal Centre (WCLC)

Western Community Legal Centre (WCLC) is a newly formed entity created from the amalgamation of Wyndham Legal Service Inc., Footscray Community Legal Centre Inc. and Western Suburbs Legal Service Inc.

WCLC provides free legal services to people who live, work or study in the Cities of Wyndham, Maribyrnong and Hobsons Bay. We have offices in Werribee and Footscray as well as a youth legal branch in Sunshine and outreach in Laverton. WCLC provides a range of services including legal information, advice, referrals and casework; duty lawyer services; community legal education; law reform; advocacy; and community projects.

Our services include specialised refugee, tenancy, motor vehicle accident, employment and family law clinics, as well as generalist services, including a night service. We also offer financial counselling.

We have demonstrated expertise delivering legal services and community education to young people, newly arrived and refugee communities. Over the past five years, more than 53% of our clients spoke a language other than English as their first language. Approximately one quarter of our clients are newly arrived (having arrived in Australia in the last five years) and our Footscray refugee service alone has seen approximately 700 clients in the past five years.

Employment Law Project

The Employment Law Project at WCLC seeks to explore and document the employment experiences of refugee and newly arrived communities in the Western suburbs. Building on a period of consultation and research, the Project features two linked programs: a legal advice and referral service; and a community education program. The WCLC Employment Law 'Train the Trainer' project is a pilot project within the community education program.

What is the 'Train the trainer' model?

The 'Train the trainer' model is where an expert/s in a particular field conduct/s a series of information sessions or workshops that aim to educate and up-skill a group of individuals about that particular field. The individuals, once trained, pass on that knowledge to another group of people.

The need for targeted employment law education in the community

Successful settlement of newly arrived and refugee communities in Australia is dependent on successful employment. Employment issues faced by these communities often occur because they do not understand their workplace rights or that they can get help.² Communities are often fearful of losing their job if they speak up. Many newly arrived people have also come from countries where employment laws are not enforced or followed, or workers have very few rights. Through extensive consultation and casework with target communities, WCLC recognized that there was a need to educate newly arrived and refugee communities about employment laws to enable

² As documented in our Preliminary Report, Catherine Dow, Employment is the Heart of Successful Settlement, <http://footscrayCommunityLeaderc.org.au/images/stories/Footscray_COMMUNITY_LEADERC_Employment_Law_Project_-_Preliminary_Report.pdf> 13-18.

communities to understand workplace rights and responsibilities and know where to get help if they had an employment issue.

During the introduction of 'Train the Trainer' program participants who are Community Leaders (**Community Leaders**) were asked about worker's rights and protections in their home country. Many newly arrived and refugee communities have come from countries where there are many employment problems, few or no worker rights, and no agencies where aggrieved workers can get help:

"No union or organization exists to protect you"

"Agricultural workers have no rights, no wages, no safe living conditions, and are typically mistreated".

"Corruption, you get a job through your connections or a relative. There are no rights. No minimum wage"

"Corruption. Military can get a job but others cannot"

"The job might be good but the working conditions are appalling, Eg. 1 toilet per 1000 workers".

"Must have 'connections' to be protected, there are laws but they are not worth the paper they are written on. Very lengthy legal processes".

In Australia there are agencies and services that help and advise people about their employment law problems. However, the system and the processes are often disconnected and piecemeal. There is a need for the system and processes to be clearly outlined so the public knows, depending upon the employment issue, where to get advice and help. Getting help and ultimately the best outcome may not be straight forward if a person does not understand who can best help them, and the time frame in which they should seek the help. For example, a worker who is eligible to make a workplace claim might not get the best financial remedy if they go through the wrong agency or they can miss out altogether on a financial remedy if they do not submit their claim within the required time.

Community Leaders were also asked about employment problems/issues that members of their community have experienced in Australia, and whether members of their community would find it easy to seek assistance with employment problems:

"Not being paid is a common problem. People are scared of losing their jobs so they don't complain".

"Underpayment is a problem. There is often an English language barrier so people look for bosses who speak their language but they are often ripped off by their own community"

"Bullying and harassment – men don't want to admit they are being bullied, don't know who to turn to, if they say anything they will lose their job"

"Factory work is the common type of job, and workplace injuries are common so often they can't keep their job long term"

"Even if they were a professional worker in their own country they are working in menial jobs in Australia, and they don't understand what they are meant to be doing or their rights so this compromises their safety".

“Unfair dismissal – a community member told me his story. In a food processing factory the night shift have to clean the machines. If they clean it within 5 hours they can have rest time. However, the boss asks them to do other jobs at the same time which means they don’t have time to clean the machine properly, and they are then sacked when it is found to be not cleaned properly”.

“Refugees have the language barrier that leads to misunderstanding, and if they don’t have family they are isolated. They don’t know about the assistance that is available so they continue to be isolated”.

“They cannot look at websites as they don’t speak English, and cannot write or read in their own language”.

“Many in my community do not contact agencies. They are afraid, because many have had bad experiences with people in authority back home”.

Based on a literature review and over 80 surveys of community members, community workers and community leaders from newly arrived and refugee communities, our Preliminary Report³ found that the following features make community education effective:

- **Face-to-face & verbal:** provided face to face. Verbal as well as written information.
- **Client’s language and community workers:** Using interpreters, community guides and bilingual community workers from relevant communities.
- **Visual materials and multimedia:** Use of pictures, visual aids (such as DVDs) or other multimedia (including community radio).
- **Information sessions, English classes and pre-arranged community meetings:** Delivering community education via information sessions or as part of English classes is effective, as is visiting existing community groups.
- **Clear language:** Using clear and simple language.
- **Key information only:** Outlining key concepts and where to go for further information/assistance.
- **Cultural awareness:** Ensuring presenter understands the community culture.
- **Convenient location:** Considering location of CLE and contacting existing organisations. As one community worker recommended: ‘I think taking time to identify a number of community groups and associations that are already established and are meeting for a purpose on a regular basis. Request to be invited to talk about this issue which I think would be very popular within these communities.’
- **Practical and timely:** Providing information ‘that is linked to outcomes’, for example by facilitating employment in industries and workplaces where rights can be realised. Ensuring that workers receive the right amount of information at the right time so it is not abstract.
- **Developed in consultation with communities:** Ensuring that education is developed in consultation with community members and community workers, and responds to identified needs.

As one survey noted: ‘Having bilingual workers from the clients’ communities working and imparting knowledge to their own communities has been effective’. Our Centre has used bilingual workers for many years, and found this to be an extremely valuable way of connecting our service with newly arrived communities. The Train the Trainer project was developed in accordance with these best practice principles.

³ Catherine Dow, Employment is the Heart of Successful Settlement, http://footscrayCommunityLeaderc.org.au/images/stories/Footscray_COMMUNITY_LEADERC_Employment_Law_Project_-_Preliminary_Report.pdf, pages 23-26.

The WCLC Employment Law ‘Train the Trainer’ Project

The WCLC Employment Law ‘Train the Trainer’ project (**Project**) provided employment law training to Community Leaders with strong connections to newly arrived and/or of refugee communities. After nine days of training Community Leaders organised information sessions with their communities. In providing community information sessions leaders spread awareness about workplace law and improved access to legal services for newly arrived and refugee communities in Melbourne’s Western Suburbs.

The broad aims of the Project were to:

- Increase understanding and awareness of employment law in new and emerging communities in the Western suburbs
- Improve access to legal services in new and emerging communities
- Facilitate referrals to WCLC and other organisations that can assist persons from new and emerging communities
- Develop specialised training resources that are culturally appropriate and targeted

Six leaders from six newly arrived and refugee communities in the western suburbs of Melbourne participated in the training program (Program). Community Leaders were from Burma (Chin community), Burma (Karen & Karenni communities), Democratic Republic of Congo, India, Iran and South Sudan.

The Program empowered the leaders to inform their community about employment law issues, and advise their community where to get help. During the nine week Program, the Community Leaders attended a one day long workshop each week where they received in-depth training in employment and anti-discrimination legislation, structures and processes. The Program included training in the laws and visits to key agencies. It also included training on presentation skills and event coordination, and allowed time for Community Leaders to practice and develop their presentations.

The Community Leaders were provided with a range of Project resources developed by WCLC and partnering agencies. During the Program the Community Leaders were encouraged to tailor the presentation resources to suit their community needs. A key resource produced during the development stage of the Project was a series of six short video clips that highlighted common employment problems. Each video was supported by worksheets and discussion questions. Existing resources in relevant languages were also identified and collated for distribution. At the conclusion of the Program the Community Leaders presented employment law topics and supporting video resources at a launch event for agency workers and other community leaders and stakeholders. In the months following the Program each Community Leader conducted an employment law information session in their community. In response to community interest some Community Leaders will deliver additional employment law information sessions.

By empowering the Community Leaders to develop and deliver education to their communities, communities have gained a better understanding of employment and equal opportunity laws and services that can assist workers who experience a problem at work. The Community Leaders also act as an important link between their communities and relevant agencies by raising awareness that those affected by employment problems can get advice from agencies, including WCLC.

Project funding and support

Funding provided by the Helen Macpherson Smith Trust and Fay Marles Sub-Fund of the Victorian Women's Benevolent Trust for the Train the Trainer program was \$16,000⁴ and \$3,000, respectively. The funding enabled four Community Leaders to participate in the Program, the production of the video resources, and WCLC coordination and delivery of the Program.

WCLC funding, of approximately \$6,000, enabled two additional Community Leaders to participate in the Program. WCLC also provided significant in-kind support to coordinate the Project and develop resources for the Program. The in-kind support provided by WCLC staff during the Project development phase and the Program delivery phase translates to at least \$15,000 in-kind support (based on 75 hours work).

WCLC partnered with eight key organizations to develop resources for specific topics, and provide training during the program.

The eight partners were:

- Fair Work Ombudsman (**FWO**)
- Fair Work Commission (**FWC**)
- Job Watch
- Victoria Legal Aid (**VLA**)
- Victorian Equal Opportunity and Human Rights Commission (**VEOHRC**)
- Australian Council of Trade Unions (**ACTU**)
- K&L Gates
- Maurice Blackburn

The Program timetable (summarized in the table below and in detail in Appendix 1) indicates when and how each organization was involved in the Program, and what topics they presented.

In-kind support from 8 organizations was critical to the success of the project, and its monetary value for each organization has been estimated in terms of hours spent developing the presentation material and presenting during the Program. The in-kind support is estimated at \$32,000 based on 20 hours per organization.

VEOHRC, FWO, FWC and VLA also provided a venue for the training day they were involved in. The Community Leaders had the opportunity to see first-hand the legal advice and help provided by these agencies to newly-arrived and migrant communities.

In-kind support was provided by Tandem Media to produce the videos, because the true value of the work to produce the set of 6 videos was well above the funding received for the video production. All the actors in the videos donated their time for free, and agencies (Maribyrnong Youth Services, New Hope Foundation, VLA Education team) and WCLC volunteers participated in a script review workshop.

⁴ This is an approximate figure as a total of \$30,000 was provided by Helen Macpherson Smith Trust. The \$30,000 included funding for three community leaders to complete the train the trainer course, and a part time Outreach and Training Solicitor to deliver outreach services in Sunshine and Werribee (including casework), as well as the train the trainer program.

WCLC volunteers contributed to the development of the Project resources and assisted in the running of the Program. Volunteers helped design and produce a range of PowerPoint presentations (for the Program and for the Community presentations) assisted with video script review, planned and completed Project evaluation, attended the weekly Program sessions, and produced the Community Leaders' end of program video.

Train the Trainer Project Outcomes

In summary, the Train the Trainer Project delivered the following outcomes:

- **Building capacity:** Empowerment of six Community Leaders to deliver community education and information to their communities;
- **Increased awareness:** Equipped the Community Leaders with knowledge of laws and processes, and develop tools for Community Leaders to share this information with their communities;
- **Increased accessibility to services that promote enforcement of rights:** Strengthened the links between newly arrived communities and participating agencies;
- **Extending opportunity:** Increasing job-readiness and sustainable employment outcomes for migrant and refugee communities through targeted education about workplace laws; accessible employment law advice and referral service; and employment opportunities for trainer participants;
- **Gathering evidence:** Increased agency awareness of common problems and systemic issues faced by newly arrived workers to feed into the Employment Project Report; and
- **Collaboration and partnership:** Development of training resources by key employment law agencies and partners that can be used for future programs.

Employment law education resources:

The Project developed and utilized a suite of education resources that target newly arrived and refugee communities. The resources aim to provide useful tools for agencies, educators, community leaders and others working with vulnerable communities to explain employment and anti-discrimination laws and services.

The resources are divided into six topics which relate to common legal issues:

1. Wages and Other Entitlements
2. Employees, Contractors and Sham Contracting
3. Workplace safety
4. Discrimination
5. Sexual harassment & Bullying
6. Unfair dismissal and Other Protections if your employment ends

The resources are:

- A template PowerPoint presentation which provides key information about each of the six topics. The Community Leaders modified the presentation template for their individual information session. They included the employment law topics that would benefit their community.
- Handouts: A summary of employment law concepts, Key employment law terms. Participants also received more in depth materials each week. A copy of resources and program materials are contained at Appendix 6.
- Six video clips (one relating to each topic). View the video clips at www.footscrayclc.org.au
- Activities and question/answer sheets to accompany each video (Refer to Appendix 6). If used in a workshop, classroom or other group setting, the activities provide an opportunity for participants to work together and strengthen their understanding of employment and anti

discrimination law in Australia. The materials are designed for high post-beginner to intermediate English as an additional language students.

Train the Trainer project timeline

(Refer to Appendix 1 'Train the Trainer' project timeline for more detail)

| Project development phase: (Nov 2014 – Jan 2015) | | | | |
|--|--|--|--|--|
| <ul style="list-style-type: none"> • Determine 'Train the Trainer' program topics, sequence and content • Define Community Leaders' role, promotion and recruitment • Resource development: Presentations, Videos, Activities, Other resources • Determine program delivery partners | | | | |

| Program delivery phase: (Feb – April 2015) | | | | |
|---|-------------|---|---------------------------------------|-----------------------------|
| Wk | Date | Workshop topics and activities | Presenter(s) | Location of workshop |
| 1 | 2 Feb | <ul style="list-style-type: none"> • About FCLC • Train the Trainer (TtT) participant backgrounds and experience • TtT Community Leader role • Employment laws in your country • Introduction to employment law • Project evaluation & story gathering. | Western Community Legal Centre (WCLC) | WCLC |
| 2 | 9 Feb | <ul style="list-style-type: none"> • Types of workers • Sham contracting • Independent contractors | K&L Gates | WCLC |
| | | Video - Employees, Contractors and Sham Contracting | WCLC | |
| | | <ul style="list-style-type: none"> • Introduction to resource development <ul style="list-style-type: none"> - Discussion of multimedia resource - Adult learning principles - Launch event and community presentations | WCLC | |
| 3 | 16 Feb | • Fair Work Ombudsman (FWO) | FWO | FWO |
| | | • Observation of FWO Infoline | | |
| | | • Contracts / policies and procedures | K&L Gates | |
| | | <ul style="list-style-type: none"> • Fair work system • Terms and conditions <ul style="list-style-type: none"> - Awards - Enterprise Agreements - National Employment Standards • Discrimination • FWO website (PayCheck Plus etc) | FWO | |
| | | Video - Wages and Other Entitlements | WCLC | |
| 4 | 23 Feb | • Occupational health and safety | Maurice Blackburn | WCLC |
| | | • Unions | ACTU | |

| Program delivery phase: (Feb – April 2015) | | | | |
|---|-------------|---|----------------------------|-----------------------------|
| Wk | Date | Workshop topics and activities | Presenter(s) | Location of workshop |
| | | Video - Workplace safety | WCLC | |
| 5 | 2 Mar | <ul style="list-style-type: none"> • Role of Victorian Legal Aid • Discrimination • Training in online discrimination resources • Locate VLA resources (e.g. in language) | VLA | VLA |
| | | Video - Discrimination | WCLC | |
| 6 | 16 Mar | <ul style="list-style-type: none"> • Role of VEOHRC • Overview of VEOHRC resources • Discrimination (cont): Parenting, Sexual harassment, bullying, racial and religious vilification, victimization, bystanders | VEOHRC | WCLC |
| | | Video - Sexual harassment & Bullying | WCLC | |
| 7 | 23 Mar | <ul style="list-style-type: none"> • JobWatch • Your rights when you lose your job <ul style="list-style-type: none"> - Notice of termination - Redundancy - Unfair dismissal - General protections • Practice calls to JobWatch • Resources on the JobWatch website | JobWatch | WCLC |
| | | Video - Unfair dismissal and Other Protections if your employment ends | WCLC | |
| | | Launch event and community session planning session | WCLC | |
| 8 | 30 Mar | <ul style="list-style-type: none"> • Role of Fair Work Commission • What happens in an UFD/GP/Bullying claim • Find and print relevant resources (eg. in language) | FWC | FWC |
| | | • Presentation skills workshop (launch event) | VEOHRC | |
| 9 | 13 Apr | <ul style="list-style-type: none"> • Launch event practice • Information session planning and promotion. • Finalise and practice community presentations • Discussion on further information sharing. • Brainstorm and development of other resources | WCLC | WCLC |
| 10 | 20 Apr | Launch event to showcase resources (for community workers and interested community members) | WCLC and Community Leaders | Maribyrnong City Council |

Evaluation of the Train the Trainer Project

Feedback for the purpose of project evaluation was invited from the Community Leaders, community members, agency partners, launch participants, and WCLC Project team staff during the program delivery phase and the community presentation phase. The feedback is tabulated and summarized in Appendices 2,3,4,5.

Evaluation of the training program

On a weekly basis, at the end of the workshop day, the Community Leaders provided their written feedback. They were asked to comment on the employment law topics covered and their personal understanding, the agency/service relating to the topics, the guest presenter/s, the video resource and the activities. In the following week, at the start of the workshop, the Community Leaders were invited to reflect upon the previous week's topic, and share examples of how they engaged with their community about any employment law issue.

The training program content was based around six key employment topics which relate to common legal issues. The discussion and evaluation of the program is therefore based on feedback about the topics and resources. Evaluation feedback was invited from the Community Leaders, during the program and at the end of the program.

Topic: Wages and Other Entitlements

Content:

- The types of workers in Australia (full time, part-time, casual, fixed term or task, trial, trainee, apprentice, volunteers etc), and those who must be paid, might be paid and not paid.
- Awards and enterprise agreements, minimum pay rates, allowances, overtime and penalty rates.
- Applying for a job or starting a job: what to discuss or document, including keeping copies of documents, notes on verbal agreements and keeping a work diary.
- About the Fair Work system, the National Employment Standards (NES), Work contracts, Awards and Enterprise Agreements, and Policies and procedures in the workplace.

The workshop was held at the office of the Fair Work Ombudsmen (**FWO**). The FWO representative presented information about the role of the FWO, the FWO infoline, the fair work system, terms and conditions, discrimination and the FWO website resources. A K&L Gates representative presented information and advice about contracts and policies & procedures.

The *Wages and Other Entitlements* video highlights the employment law issues of underpayment, minimum wage, and entitlements. The scenario is of a young woman, Andrea, who tells a friend about her workplace situation. Andrea works in a cafe where she isn't being paid properly for the work she does. The cafe owner pays her a wage if there are customers, and sometimes gives her food as payment. The friend tells her she must be paid for the work she does, and there is a minimum wage she should be getting. The friend shows a payslip on her phone to highlight the entitlements that Andrea is missing out on, and she suggests Andrea seeks help from the FWO, Legal Aid or WCLC.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- What are the things that Andrea's employer is doing that may be against the law?
- Where can Andrea find out about her legal pay rate?
- How could Andrea try to get the money that her employer owes her?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- The observation activity at the FWO Infoline:

"It gave me practical ideas about how I can help and get information for my community"

- The FWO website:

"It gives me confidence to find information on the Fair Work website".

"Most useful was how to find information from the FWO website".

- Presentation and discussion about an Award and an Enterprise Agreement:

"Many of the newly arrived migrants and international students are not aware of their employment rights. Most of them work "cash-in-hand" where the employers easily bypass the minimum wages and entitlements. They work on trial for weeks and are not paid"

"It can help us understand the rights of our people in the work environment, and pay attention to contracts they are signing"

Evaluation of Community Leader feedback about Wages and Other Entitlements:

- all understood the employment law issue/s better or much better than before
- all said what they had learned was relevant or very relevant to their community
- all thought the video on Underpayments will be useful or very useful tool to show their community
- all thought the video questions were helpful or very helpful in understanding underpayments
- all thought online resources and information will be useful or very useful for their community
- all said the FWO Infoline was very helpful

"It was a very good workshop - the presentation and hearing the call centre was very interesting".

"It was a full on day at the FWO with lots of useful information. Staff were helpful and I felt welcomed"

Stories: Wages and other entitlements

A person from my community worked at a carwash and quit his job because he was nervous about damaging cars. The boss had told him that if the cars were damaged they would get a pay cut.

A group of people from my community are farm workers. They are paid \$10/hr, well below the minimum wage. If they work fast or they pick up others in their car and bring them to work they are paid \$11/hr.

Topic: Employees, Contractors and Sham Contracting

Content:

- Elaboration of the different types of workers in Australia, and the legal definition of an employee versus an independent contractor.
- Introduction to the concept of sham contracting, an employment practice that is against the law.
- Introduction to adult learning principles and how they apply to community members.

The workshop was held at WCLC. Partner organization, K&L Gates, presented information and advice about types of employees, independent contractors and sham contracting. VEOHRC conducted a session on adult learning principles. The purpose of this session was to help the Community Leaders understand how best to educate others about a topic whilst allowing for the audience background, education and level of English.

The *Employees, Contractors and Sham Contracting* video highlights the employment law issue of sham contracting. The scenario tells the story of Tendai who does painting work for Tim, who is the boss. Tim coordinates the roster and owns the equipment and vehicle. Tim says he can't give Tendai future work unless he works for less money and becomes an independent contractor with his own ABN. Tim is breaking the law by requesting that Tendai become an independent contractor with his own ABN, because Tendai is really an employee. It is called sham contracting. Tendai does a google search on his phone and finds the Fair Work Ombudsman website.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- Do you think Tendai is an employee or a contractor? Why?
- If Tendai refuses to be made a contractor and Tim fires him, what can Tendai do?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- Learning about sham contracting:

"Most of the newly arrived populations from the South-East Asian backgrounds advise that they have no idea what sham contracting means and how they can be tricked by their employer to work with an ABN despite being employees"

"Learning about sham contracting was great because few people know about it"

"I can explain that sham contracting is illegal"

"I now understand sham contracting. I think I can help my clients if it happening to them, and refer them to the right agency for help"

Evaluation of Community Leader feedback about Employees, Contractors and Sham Contracting:

- all understood the employment law issue/s better or much better than before
- all said what they had learned was relevant or very relevant to their community
- all thought the video on Employees, Contractors and Sham Contracting will be useful or very useful tool to show their community
- all thought the video questions were helpful or very helpful in understanding Employees, Contractors and Sham Contracting
- all thought online resources and information will be useful or very useful for their community
- most thought the discussion on adult learning principles and how they apply to your community members helpful or very helpful

"I can help people who don't know about their rights as an employee or a contractor, and understand the difference, and help them to avoid sham contracting"

"My community will get more employment law help because I understand it"

Topic: Workplace safety

Content:

- Policy and procedures on workplace health and safety that apply to employers and workers: An employer must provide a safe and healthy workplace for workers (including contractors).
- Workers must work in a manner that is not harmful for themselves or other workers, and follow rules and directions given to them by their employer about safety.
- Workplace injuries and entitlements: If a person is injured at work they should see a doctor and obtain a Certificate of Capacity, so they can submit a WorkCover claim. An injured worker may

be entitled to payments if they cannot work, they could return to work with modified duties, and return to their job when they get better. Injured workers may be eligible for compensation for expenses e.g. medical, and be eligible for lump sum compensation for more serious injuries.

- Role of unions & union memberships.

The workshop was held at WCLC, and a presenter from Maurice Blackburn spoke about workplace health & safety policies and procedures, and a presenter from the ACTU spoke about the role of unions.

The *Workplace Safety* video highlights the employment law issue of workplace injuries and entitlements. The scenario tells the story of Kev who is injured at work and has time off. Kev returns to work with a certificate of capacity and asks for modified duties. Bruce (the boss) tells Kev that he is fired. Kev sees a poster for a union, and contacts them for assistance. Contact details for Job Watch, WCLC and WorkSafe are also provided.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- What reason did Bruce give for firing Kev? Do you think this is legal?
- If Kev made a WorkCover claim, what are some of the things he might be entitled to receive?
- Where can Kev go for advice about workplace injuries?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- WorkCover information and forms
- Occupational Health & Safety laws
- Workplace injuries and entitlements
- Learning about workplace injuries and how to lodge a Work Cover claim
- Unions - pros and cons of joining a union

"Making a WorkCover claim is taboo in my community. This session gives me the confidence to say that it is OK to make a claim. Workers entitlements around injury are a mystery to my community so this information will be helpful"

"Video and activities were very helpful, and easy for me to understand"

Evaluation of Community Leader feedback about Workplace Safety:

- all understood the employment law issue/s better or much better than before
- all said what they had learned was very relevant to their community
- all thought the video on Workplace safety will be useful or very useful tool to show their community
- all thought the video questions were helpful or very helpful in understanding Workplace safety
- most thought the presentation and discussion on policy and procedures of workplace health and safety will be helpful for them in informing their community
- most thought the presentation and discussion on unions will be helpful for them in informing their community

"It was a great day. Lots of information and all topics were interesting. OH&S issues are important for my community. Perhaps Union session could be case study session where different scenarios could show how the union could help"

"The information I have learned will help my community because these issues are very common with newly arrived and migrant communities"

Topic: Discrimination

Content:

- About Victoria Legal Aid, the services available, and the resources on the VLA website.
- Protections in the workplace: a worker should be protected against discrimination (direct and indirect), sexual harassment, bullying and victimization.
- Discrimination laws: an in depth discussion and examples about direct and indirect discrimination, personal attributes and areas of public life covered.

The workshop was held at Victoria Legal Aid. VLA presented information about the protections in the workplace, and in greater detail, direct and indirect discrimination.

The *Discrimination* video highlights the employment law issue of direct discrimination based on a personal attribute in an area of public life. Gary is the office manager. Ida works in Gary's department, and asks him about customer service training. Gary refuses Ida's request for training telling her it is because of her hijab. Gary wants to move Ida to another department "away from the customers". Ida challenges Gary's discrimination. Ida could get help from Victoria Legal Aid, the Victorian Equal Opportunity and Human Rights Commission, a CLC or her union.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- What did Gary do that may be unlawful discrimination?
- What was the protected attribute?
- What area of public life did the discrimination occur?
- Where could Ida get help?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- Video resource on discrimination
- Examples and discussion on direct and indirect discrimination
- Visiting the VLA Legal Help phonenumber centre

"The video resource on discrimination allows us to have good discussion and a better understanding"

"I learned and got more understanding about lawful and unlawful discrimination and where to get help, which will help my community"

"It would be great if we could have had a bit more time to sit and listen with the Infoline solicitors"

"Yet again another great session. Well done, keep up the good work!"

Evaluation of Community Leader feedback about Discrimination:

- all understood the employment law issue/s better or much better than before
- all said what they had learned was relevant or very relevant to their community
- all thought the video on Discrimination will be useful or very useful tool to show their community
- all thought the video questions were helpful or very helpful in understanding Discrimination

- all thought online resources and information at VLA will be useful or very useful for their community
- all thought the presentation by VLA on discrimination and how it might help inform their community was helpful or very helpful

Topic: Sexual harassment & Bullying

Content:

- Role of VEOHRC and resources
- Discrimination laws (continued): Carer responsibilities, flexible work requests, sexual harassment, bullying, racial and religious vilification, victimization, bystanders
- Complaint resolution options
- Flexible work arrangements

The workshop was held at WCLC. A guest presenter from VEOHRC outlined the role of VEOHRC and highlighted resources for the public. The issues of workplace bullying, sexual harassment and victimization were discussed in detail, and complaint resolution options and flexible work arrangements were highlighted.

The video *Sexual harassment and bullying* depicts an office workplace scenario. Anna is bullied and sexually harassed by her manager on a number of occasions. Others in the office witness this behaviour. Eventually a co-worker offers Anna advice and encourages her to get help.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- What are some examples of bullying?
- What are some examples of sexual harassment?
- Where does Ricki tell Anna to go to get help?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- Victimisation laws – learning that there are laws that protect us if we make a complaint.
“..... informing people who in our culture do not complain in the workplace. This will make them feel safe and know their rights. I learned that you can raise a problem and not be worried that you have”
- Understanding that complaints can be resolved in a formal and informal way.
“Complaint resolution gives me an idea/suggestion on what I can propose to clients, the pros & cons of each option”
- Understanding that workers can have flexible work arrangements
“Women in my community have common problems where they are not aware of the right that they can ask for flexible work arrangements. This information will help them to ask for flexible work hours if they are a parent or a carer”
- Sexual harassment discussion
“In my community sexual harassment occurs to women”
“Working in my community I find that women don’t want to share their sexual harassment experiences, are not aware of the law and don’t understand what constitutes sexual harassment or bullying”

Evaluation of Community Leader feedback about Discrimination:

- all understood the employment law issue/s better or much better than before
- all said what they had learned was relevant or very relevant to their community
- all thought the video on *Sexual harassment and bullying* will be useful or very useful tool to show their community
- all thought the video questions were very helpful in understanding sexual harassment and bullying
- all thought the VEOHRC information will be very useful for their community
- all thought the discussion on sexual harassment and bullying and how it might help inform the community was very helpful

"People will enjoy work if they are not bullied, and this will bring productivity"

"Most common problem in my community is bullying and their biggest concern is they will lose their jobs if they speak up. I am surprised that there are laws that protect a worker's job if they report bullying"

"Bullying is a big issue. After the training I will have knowledge of issues and when a member comes I'll be able to provide information and if they want to go further I can refer them"

"It has been great to have an opportunity to be part of this week's course. Very well organised and delivered. All sessions have been very informative and I believe it will be useful for myself and the community I work with"

Stories: Sexual harassment

A guy at a factory grabbed a girl on the bottom. The girl started laughing because she didn't know it was abuse or her rights under law here. At the end of the day I spoke to her and she said it was a joke, and I said no joke, no joke.

A manager at a health facility told his team that he wanted to experience what it is like to be a patient. The female staff were asked to give him a bed, give him a shower. One worker volunteered to give the shower, and was affected because she saw him naked. Later the worker complained and a legal case was started.

Stories: Bullying

A worker was treated badly by a co-worker. The co-worker used to tell him to do jobs for him. One day he was asked to empty the rubbish bin and move it somewhere. In order to avoid conflict he just did as he was told by his co-worker. After he brought back the bin and moved it, the co-worker picked up the bin and threw it on the floor. The worker could not speak English very well.

Topic: Unfair dismissal and Other Protections if your employment ends

Content:

- About JobWatch
- Your rights when you lose your job: Notice of termination, Redundancy, Unfair dismissal, General protections
- Resources on the JobWatch website

The workshop was held at WCLC, and the guest presenter was from JobWatch.

The *Unfair dismissal and Other Protections if your employment ends* video scenario is about Julia, a cleaner, who works for Tony. Tony is annoyed at Julia for asking for a change in her work hours. The following day Tony accuses Julia of stealing chemicals and dismisses her.

To explain and reinforce understanding of the employment law issue, and provide correct information on where to get help, a series of questions were developed. Some of the questions were:

- What reason did Tony give for firing Julia?
- Can an employee be dismissed for stealing?
- How long does Julia have to make an Unfair Dismissal or Adverse Action claim?
- Where does Jane recommend Julia go for legal help?

Feedback:

According to the Community Leaders the highlights of the workshop were:

- Topics of unfair dismissal, redundancy, and entitlements when you lose your job
"Very few people in my community know that JobWatch can help with employment issues. Today's info about redundancy payments, wage entitlements will help them to negotiate better deals."

"The information today will definitely benefit my community, particularly those who work. Since most of them have very little English language skills there is a lack of understanding about work place contracts, rules and procedures, often being dismissed or voluntarily resigning due to receiving warnings"
- JobWatch information
"All the information today was extremely helpful - JobWatch information and the video was very relevant and clear"

Evaluation of Community Leader feedback about Unfair dismissal and Other Protections if your employment ends:

- all thought the topics discussed were very interesting
- all understood the employment law issue/s better or much better than before
- all said what they had learned was relevant or very relevant to their community
- all thought the video on *Unfair dismissal and Other Protections if your employment ends* will be useful or very useful tool to show their community
- all thought the video questions were helpful or very helpful in understanding unfair dismissal and other protections if your employment ends
- some thought the JobWatch online resources will be useful or very useful for their community
- all thought the discussion about unfair dismissal and other protections if your employment ends, and how it might help inform the community was helpful or very helpful

Stories: Unfair dismissal and other protections if your employment ends

An old TV had been replaced by a new TV. The employee asks a hospital co-worker about the old TV lying around, and if the TV was for free and could be donated to an overseas community. The co-worker said he didn't think the TV was wanted and helped load the TV into the employees car. Both people were sacked because they were found to be stealing.

Program content overall

At the conclusion of the 10 week Program the Community Leaders provided Program evaluation: (Appendix 2: 'Train the Trainer' Program - Evaluation by Community Leaders)

- Community Leaders indicated that all the topics in the program were relevant and helpful for their communities. However, the employment law issues of discrimination, bullying, victimisation, wages and entitlements, unfair dismissal, redundancy, and workplace health and safety were thought to be of the greatest relevance because most of the leaders had been asked about these issues by community members at some point.
- Community Leaders thought the issue of discrimination was highly relevant but there needed to be more time allocated to it, especially case studies and examples. Termination of employment was also a topic that needed more time allocation and discussion.
- Although relevant, the information about unions was thought to be poorly presented.

Materials & experiences

- **Materials:** PowerPoint presentations, Activities, Videos, Questions, and handouts were rated highly by Community Leaders, in quality and relevance.
- **Website training and resources:** highly valued by Leaders, although comments about not having enough time during the workshops to thoroughly investigate the websites were common. Website materials in languages other than English were excellent, and leaders commented that the introduction to agency websites gave them confidence that they could direct their community to relevant information. The only negative was that many community members cannot/do not access online information, or if they do the information needs to be in their native language. For some communities, community members are not literate in their own language (or English), so websites are largely inaccessible, even if translated.
- **Guest speakers:** Guest speakers were highly valued, both in their presentation style and their expertise and knowledge.
- **Visits to agencies and observation of their help-lines:** There was unanimous praise for the visits to agencies, such as the FWO, FWC and VLA, where leaders witnessed how people with employment problems are helped:

"Visiting agencies were parts of the best training sessions. It gave me insight on how the agencies are operating and how they are dealing with clients. They were welcoming that we contact them in the future or visit with clients"

"It was very useful and helpful. It gives us more understanding and confidence on how to use and who to approach to get help"

"It was the highlight of the program. It was a great opportunity for us to be able to observe in person and it helps us to understand what we have been learning"

- **Discussions with other trainers during group activities:** Community Leaders valued the opportunity to discuss issues, share ideas, perspectives and stories during the program. Practice of their presentations in small groups was also highly valued.

"All trainers possess different learning experiences so sharing experiences from different countries led us to a deeper understanding of our cultures and the challenges different communities have at work"

"Friendly, intellectual, sharing ideas, learned more from each other and sharing the differences in our cultures"

Information sharing with target communities

Community Leaders have shared, and plan to share, employment law information with their community in a number of ways:

- Community information sessions
- Client appointments in my workplace
- At my church
- At community events and functions
- Telephone conversations
- Face to face meetings in my home
- On community radio
- Social media: Facebook
- Local newspaper and Community newsletter

Approximately, 263 people (130 men and 133 women) have been spoken to about employment law issues during community sessions, and face to face contact with Community Leaders.

Approximately, 40 people (31 men and 9 women) have been referred to an employment law service, such as WCLC

“The contact with community has helped some individuals clarify their employment situation, especially for under-award payments and unfair dismissal issues. Both were referred to the Fair Work Ombudsman”

“My community appreciate and find it very useful. They now know where to seek assistance if they have issues/concerns at their workplace”

“It helped my community members because they begin to understand their rights in the workplace, and they know where they could get legal advice”

Value of the program

Community Leader understanding of employment laws and services has changed by their participation in the program:

“Train the Trainer program has helped me to understand the complexity of employment law issues in Australia. It was particularly relevant for me to understand how different organisations work to provide a comprehensive protections to workers in Australia”

“Prior to the training I had some ideas about employment laws and services but now after the training I know more details and am confident that I can deliver the information sessions by myself and refer clients appropriately”

“I didn’t have any knowledge and understanding of employment law before but I now have some knowledge about it and hope I can help the community how and where to get help”

The Community Leaders were asked if they were confident to deliver employment law information to their communities. Their responses were similar - they all feel that they have enough confidence to talk at a community presentation about the employment law topics and issues that they learnt about in the Program. Their only reservation was that they may not know all the answers to questions that may be asked on the day. However one leader said if they need further assistance WCLC is there to assist.

Importantly, the Leaders are directed not to provide advice to their communities, but instead provide general information, identify when clients may have an employment law issue, and refer community members to the appropriate service for assistance.

The Community Leaders were asked how would their community benefit from the 'Train the Trainer' program. This response summed up their feedback:

"Train the Trainer program will help my community because they will know now who can help them with employment law issues, in English, and also in the language which they speak. The leaders have the first-hand knowledge of the employment law problems faced by their community and also have the knowledge of the organisations that can help. They can confidently refer their community to those organisations. Having the knowledge of the employment law will empower the community and people will gain confidence in taking action when their employment rights are breached"

Launch event – reach out and celebrate

Well before the launch event the preparations began with Community Leaders practicing their presentation skills. During weeks 2-7, workshop time was allocated for Community Leaders to practice presenting the key employment law topic/s covered on the day. This resulted in better understanding of the topics, and they gained confidence with presenting to others. Individually, their community presentations were also tailored to suit their audience at that time.

In week 8, Community Leaders participated in a presentation skills workshop facilitated by VEOHRC. During Week 9 the Community Leaders practiced the launch event presentation. At the launch event, each leader was responsible for presenting one of the employment law topics, showcasing the video for that topic.

Invitations were sent to over 300 contacts from FWC, FWO, VEOHRC, VLA, ACTU, JobWatch, settlement agencies, community organisations, local councils, community legal centres, government agencies, university staff and other community leaders and contacts identified by Community Leaders.

Over 65 people RSVP'd to attend the launch event, with representatives from most of the above agencies in attendance on the day. 34 people responded to the launch event survey. Refer to Appendix 3: Launch - Evaluation by Community workers

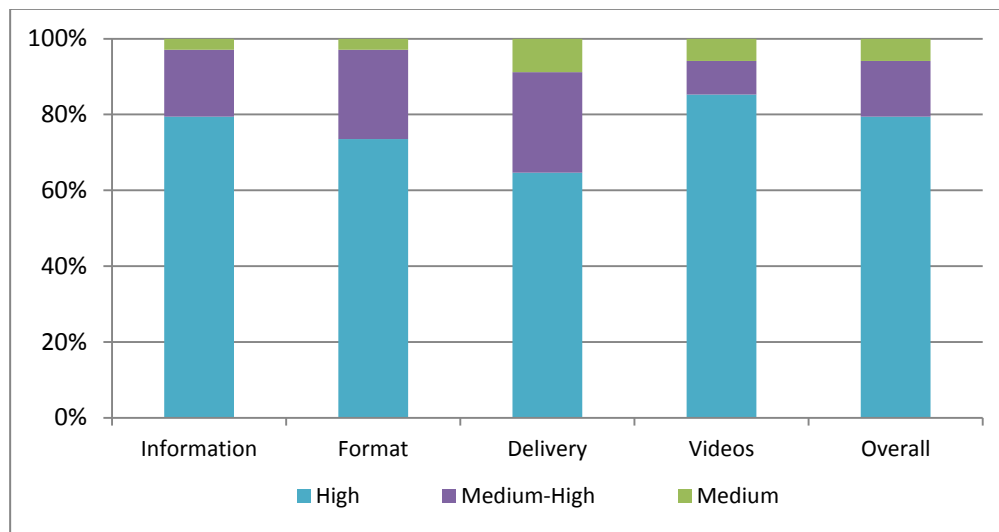
A video clip was produced by WCLC volunteers to highlight the personal experiences of the six Community Leaders. The video clip was shown at the Launch at the conclusion of the Trainer the Trainer Project presentation. View the video clip at www.footscrayclc.org.au/train-the-trainer-project.

The Launch presentation was filmed by Cyde Sharady for the purpose of posting the video clip on the Africa Media Australia Ltd website.

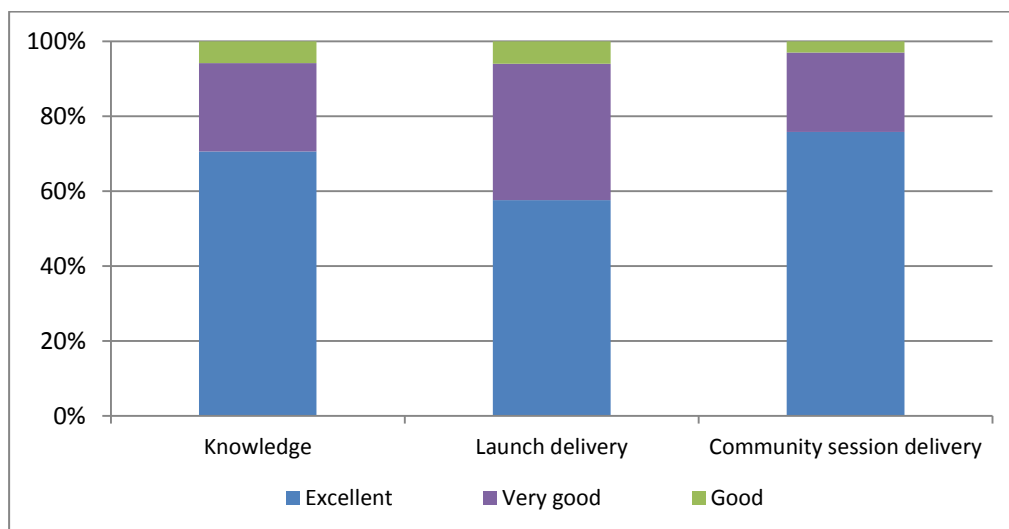
Launch: feedback from agency workers and community members

At the launch event, each of the Community Leaders presented in a resources showcase. 95% of attendees who completed the survey thought the Leaders' knowledge of employment laws was excellent or very good. 94% found their delivery excellent or very good. Importantly, 97% thought that the Leaders would deliver an excellent or very good information session to their communities.

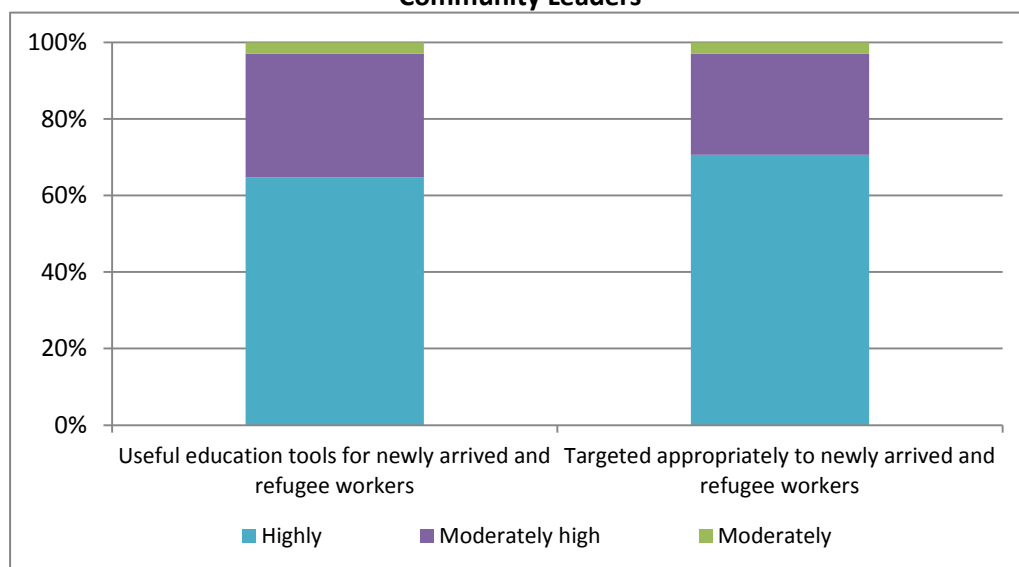
Launch event: Feedback from agency workers and interested community members (n=34)



Launch event feedback (Level of satisfaction low-high)



Community Leaders



Resources (PowerPoint presentation, Videos, Activities)

Agency workers and others who attended the launch were also asked the following:

How could you use these resources in the course of your work with newly arrived and/or vulnerable workers?

- "Videos extremely useful and could be used in on arrival settings"
- "In an AMES classroom, and with face to face pathways"
- "Very informative and direct information for new migrants and refugees" (Fair Work Inspector)
- "As an educator in EO I could use these to educate newly arrived directly and their advocates" (Education consultant)

Comment on the Community Leaders and Project more broadly:

- "The presentations were fabulous, the program is beneficial because it links services and clients"
- "Excellent initiative to have presenters from the community"
- "Great presentation, this has been needed for sometime so its great to see this at grass roots level"
- "Presentations were terrific, great to see everyone confidently providing advice"
- "The Program is exactly what the community needs. It should be ongoing with additional support provided to the Community Leaders, as well as additional Community Leaders trained"

Feedback on materials: educators and others

Although not funded under the Train the Trainer Project, since the launch event WCLC staff have tried to raise awareness of the freely available resources that were developed through the Project. We have presented at a network meeting of AMEP English as Additional Language teachers, and presented at other network meetings for agencies working with newly arrived communities. An email with links to the resources was also distributed to over 400 contacts.

The videos on our website have been viewed between 60 and 144 times. The videos most viewed are wages and entitlements, and discrimination.

Without funding, WCLC does not have further capacity to distribute or market the resources, however whenever possible WCLC has shared links to our website and promoted the materials in our networks. We have received anecdotal feedback from community educators that the resources are very useful.

The **below** case study also demonstrates the impact of these targeted materials:

CASE STUDY: IMPACT OF TARGETED MATERIALS & FACE TO FACE SUPPORT

A teacher from an English as Additional Language program provided the following feedback about the impact of the WCLC education resources. WCLC has also directly assisted clients that this teacher, and others from her community centre, have referred to our employment law service:

I used the material from the Employment Law project - and in 6 weeks, we only got through two of the videos! They were fabulous, and the class did lots of related readings and role plays.

One of the students told me as a result of doing that project, she was able to ask her employer for her payslips. They had not given her any, and now she has all of them.

Another student had a boyfriend who sounded like he was in sham contracting. He had been told to get an ABN, and was working 6 am - 9 am on a casual basis and in a supervisory role, for \$15 an hour. She was able to give him the information about contacting the CLC, and that it was all confidential... I'm not sure if he followed up, but at least he has the information.

Another student is a bilingual worker in childcare. Even though we didn't get up to the discrimination videos, after studying the underpayment and sham contracting videos, she thought maybe she should talk to her boss about being treated unfairly at different centres. So she rang her boss and stated what had happened. The lady was most concerned and said she would talk to the workers involved, and then said, 'How long did you say you have been working with us?... ' As a result, the student has been given a \$5 per hour pay rise as her employer realised they had not given her increments for experience. I don't know if they've backpaid her, but it's still a good outcome and she's very happy. She's especially happy that she was brave enough to talk to her boss.

And this same student has a neighbour who was working at a restaurant. The young girl is an international student and has to work to make ends meet. Her agreement had been to work at a casual basis at only \$15 p.h. When our student talked to her, they had told her she must work for \$8 ph. So she was able to pass on information about the CLC and the Fairwork Ombudsman's office. Again, I don't know whether she has done anything about this, but at least she knows what to do.

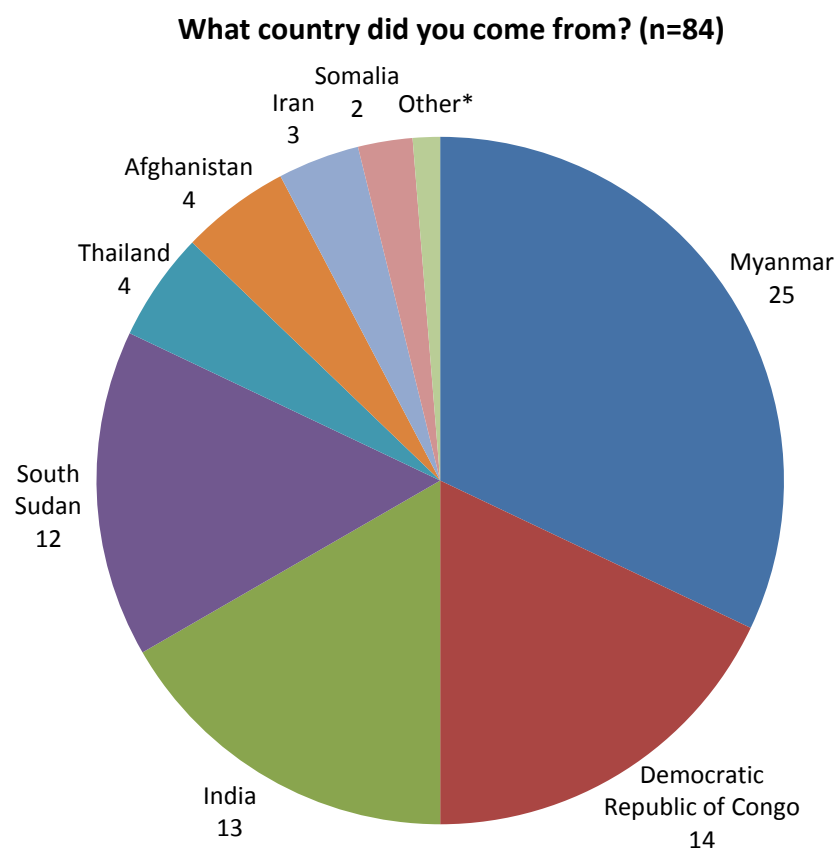
Some students which have a slightly lower level of English still seem a bit apprehensive to act on what they've been taught because they're still frightened of losing any jobs they do have. One of them has two sons working at factories. Although the work is casual, and he often works long hours, they're only paying him the minimum wage of \$17.29 an hour. It sounds like her other son is on the correct minimum wage for casuals. The workers have been told they're going to be moved to part-time, with no change in pay, so that's good. The son hasn't done anything about going to a CLC even though his mother has told him what to do - maybe because he's always exhausted - working 12 hours a day on a lot of days. They also probably find it hard to believe they can get people to pay them more money.

Evaluation of the employment law community information sessions

During the two months following the launch event each of the Community Leaders held one employment law information session for their community (Table below). The Community Leaders started the organization for their community session during the Program, where they planned the date/time, venue and methods of promotion in their community.

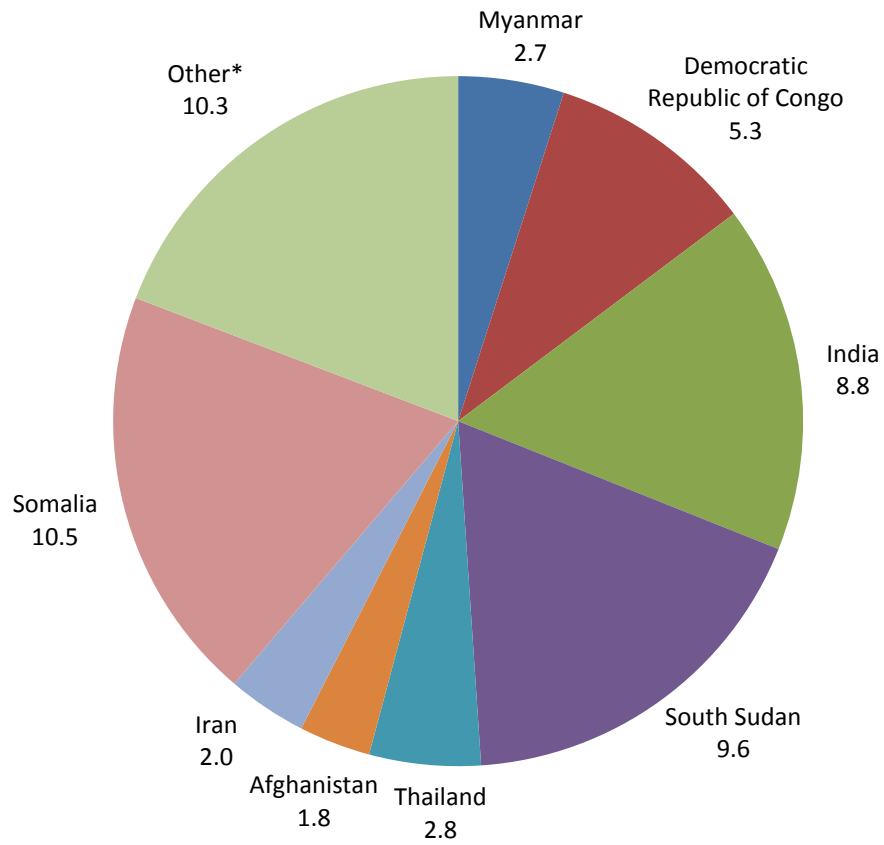
| Community presentation phase: (May -July 2015) | | |
|--|-------------------|---------------------|
| Community Leader | Community | Location of session |
| Neng Boi | Burmese | Altona North |
| Regine Mbuyi | Congolese | St Albans |
| Reeta Verma | Indian | Sydenham |
| Banafsheh Abedali | Iranian | Spectrum – Sunshine |
| Mae Sie Win | Karenni and Karen | Werribee |
| John Garang | South Sudanese | Footscray |

At the conclusion of the information session the Community Leaders invited attendees to give their feedback. Refer to Appendix 4: Community Presentation – Evaluation by members. People were asked about their country of origin; how they came to Australia; the years they have been in Australia; prior employment law understanding; what they now understand; was the information easy to understand; and if they now know where to get help with workplace problems. A total of 125 people attended a community employment law information session, and 84 people (67%) handed in their feedback. The feedback has been totaled and averaged across the 6 sessions and is represented in the following graphs:



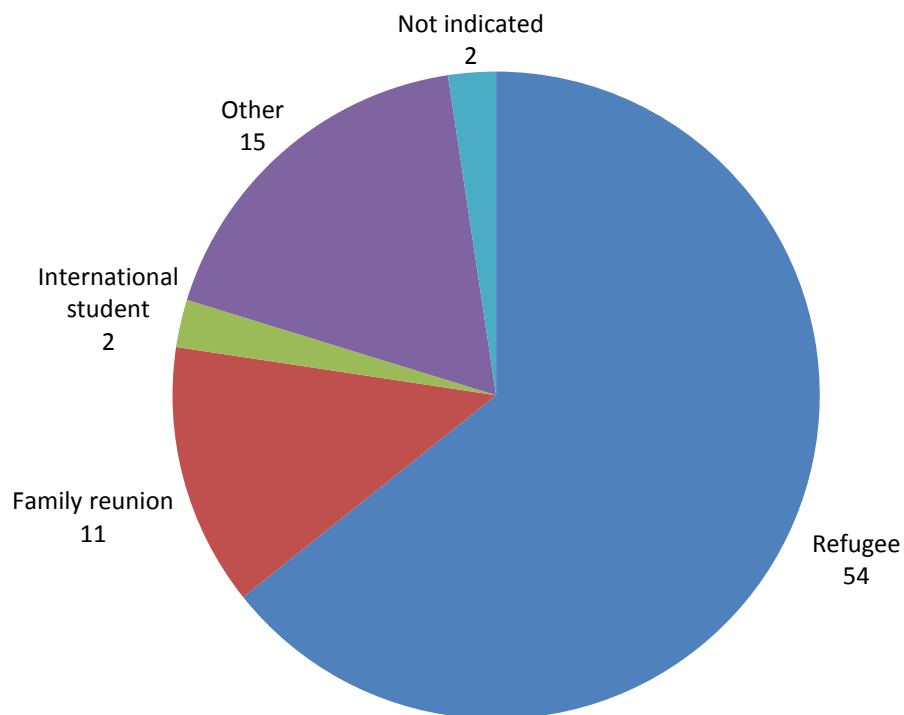
*1 person from South Africa, Italy, Iraq, Greece, Fiji, El Salvador, Did not identify

How many years have you been in Australia? (n=84)

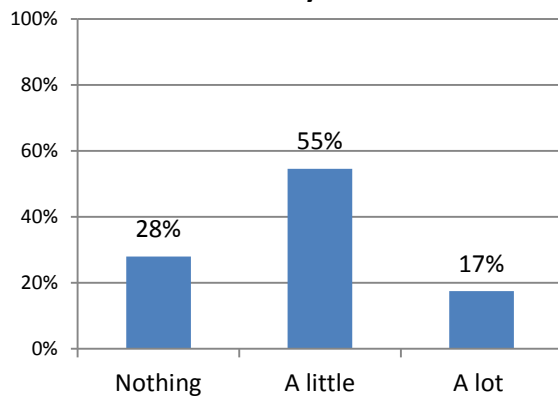


*average of 1 person from South Africa, Italy, Iraq, Greece, Fiji, El Salvador, Did not identify

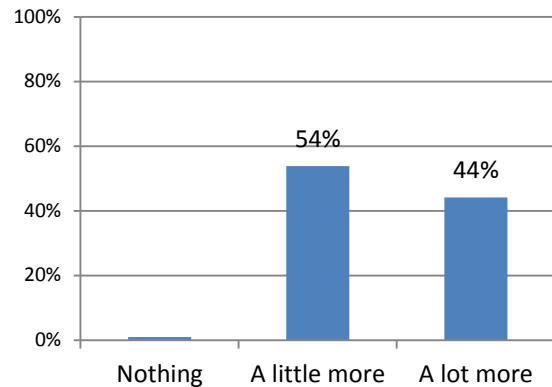
How did you come to Australia?



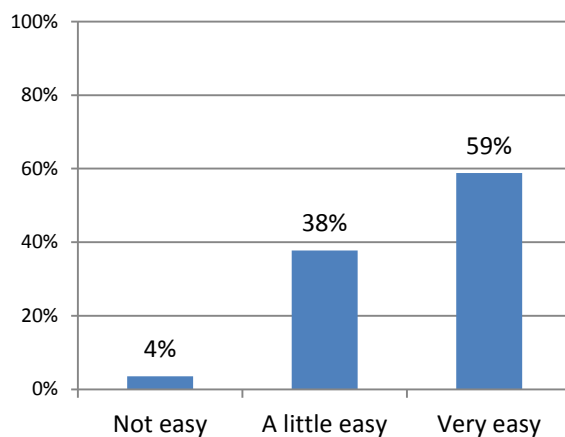
How much did you understand about employment law before today?



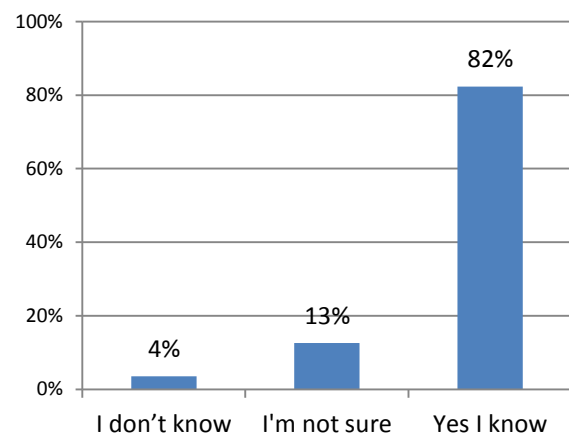
How much do you now understand about employment law?



How easy was the information to understand?



Do you now know where to go for help with workplace problems?



What was the best thing about the employment law session?

- "Knowing that employees have rights and entitlements"*
- "Free service, interpreter"*
- "If you get bullied you can contact people who can help you"*
- "They made it easy for me to understand it better in my language"*
- "It has helped me to understand the employment law better than before"*
- "The information, phone numbers and pamphlets"*
- "Discrimination"*

What would make the employment law session better?

- "Conduct information sessions in Karenni language for parents who cannot speak English and Burmese"*
- "Explain with the real case study"*
- "Asking people about their work conditions, this would have connected the audience more"*
- "More training, as well as meeting with different communities of different backgrounds"*
- "Informing the community about the best ways to enter into the workplace"*

How will the information from today help you?

- "Will help the family"*
- "Will guide me to the best legal service centre"*
- "I can get help without worry and anxiety"*

"Giving information to friends and colleagues"

"Will give information to young friends entering employment"

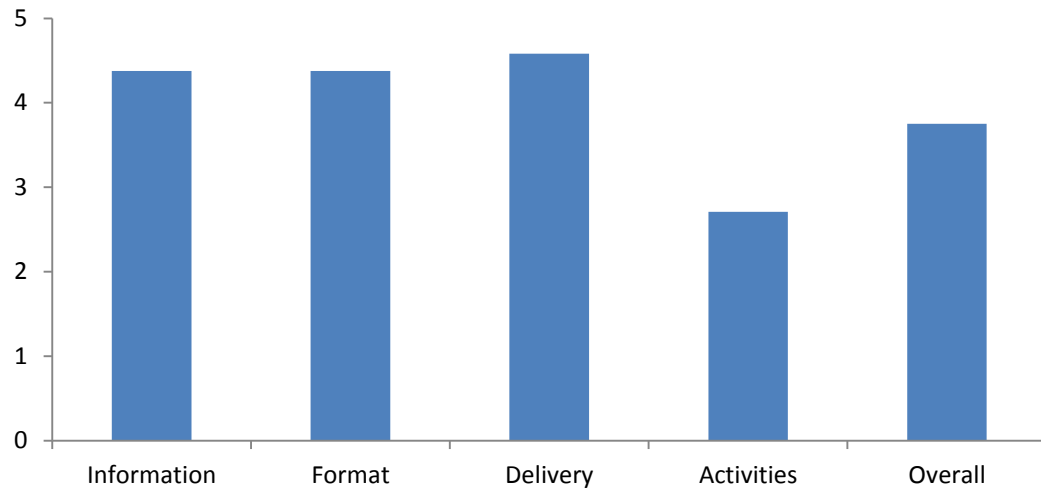
"I have new awareness of the law and it will stop discrimination and bullying"

"I know whom to approach now"

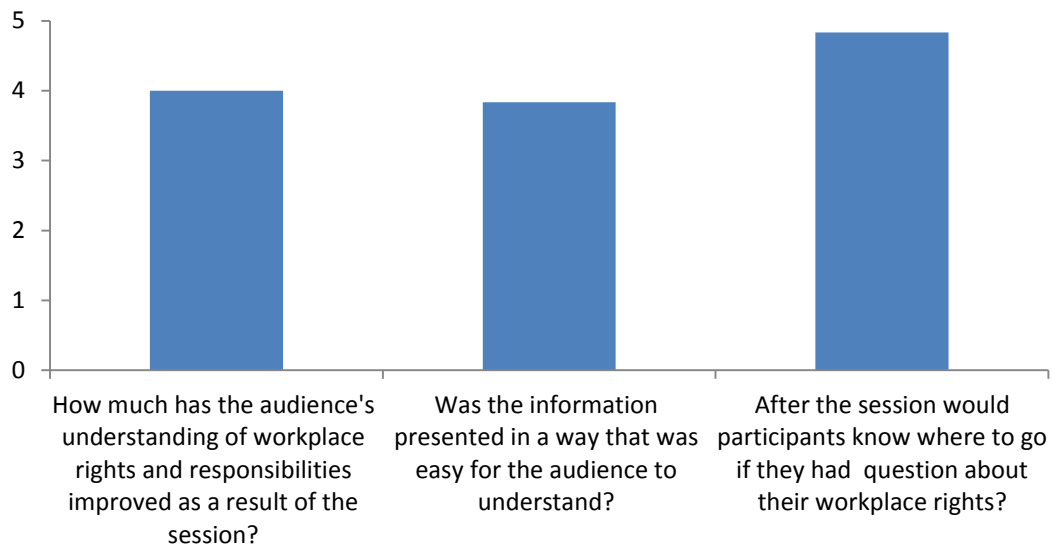
Community Leader information session self-evaluation

The Community Leaders were asked to evaluate how they thought their session was received by their community, what worked for them, and what they could improve upon. Refer to Appendix 5: Community Presentation – Evaluation by Community Leaders.

Community leader self evaluation (Average, n=6)



(Rating 1-5, 5 indicates high satisfaction with community presentation)



(Rating 1-5, 5 indicates significantly improved, very easy to understand, definitely know where to go for help)

Feedback Community Leaders received from participants about their community presentation

All leaders received positive feedback from their community members, and participants indicated they were happy and appreciative to be offered information on employment law. One audience said they wanted a person who could help them to find a job. Most of them were jobless and they wanted to learn how to find a job in the session. At another presentation one attendee advised that the session was not relevant for them but they were taking information to their families. Newly arrived said they didn't know much about employment in Australia, therefore didn't know what or how to ask questions. They said they will attend another session if it is offered in the future.

Project Solicitor, Catherine Hemingway attended three community sessions. During the sessions Catherine provided legal advice when questions were asked that the Community Leader could not answer. After the sessions Catherine was also approached by community members seeking legal advice. At least one community member came to WCLC for further assistance.

Community Leaders thought the most effective part of their presentation was:

- Allowing people to ask questions and share stories
- The videos which show scenarios that illustrate employment issues are very effective
- The video follow up questions reinforce understanding of the employment issues

"My interaction with people - people were engaged and asked many questions. It was good that Catherine from WCLC was there to answer the legal issues"

"Scenarios (video) is the most effective part of any presentation, and asking questions to the participants"

"I think follow up questions and clarification of understanding from me was the most effective part of the session"

Community Leaders thought the least effective part of their presentation was:

- The community presentation has too many topics to get through in the time required, especially for CALD communities:

"The time - rushing because two hours is not long enough to give the information"

"This presentation should be shorter because people who don't know English and don't have a job can't understand the materials"

- Other comments:

"People not coming on time"

Community Leaders suggested ways to improve their presentation were:

- Divide the employment law session into shorter presentations, concentrating on one or two topics at a time:

"More interactions with attendees in group discussion after a short presentation"

- Offer more than one community session:

"We need to train more community leaders in my community who will share the information I gave them with their communities at community events"

"If there is more training given to the community there will be more understanding. That would give me more confidence to deliver the information and be well presented"

"I suggest that it would be good if there is another employment law program there be information on other issues such as superannuation, mortgage"

Other comments:

- The language and concepts in employment law presentations can be complex, especially for people with low levels of English. Presentations and materials in other languages is desirable, and the use of videos and case studies helps people understand employment issues.

"Presentation contains some words and materials which if you don't have a job you don't know about them and it takes more time to explain for people. Eg. What is a definition of victimisation?"

"I think it would be more effective next time to hold session separately for those who speak different languages. So they fully understand the session and if they have question to ask, they are more convenience to do so"

In conclusion, the Community Leaders rated their own delivery and presentation outcomes quite highly. Their community members gave positive and appreciative feedback, and valued the opportunity to find out about employment issues. All Community Leaders indicated that in their information session the activity sheets (that help to explain employment issues) were either not used, due to time constraints, or were not used because of language translation barriers. However, questions from the activity sheets were included in the PowerPoint presentations and often used to stimulate discussion.

Summary of evaluation and findings

The WCLC Employment Law 'Train the Trainer' Project comprised four stages:

- Program development (Nov 2014-Jan, 2015)
- Program delivery, over a 10 week period including a launch event (Feb-Apr, 2015)
- Community sessions (May-Jul, 2015)
- Evaluation (Jul-Aug, 2015)

A summary of the Project achievements and outcomes:

- Project funding was provided by three not-for-profit organizations – The Helen Macpherson Smith Trust, The Fay Marles Sub-Fund of the Victorian Women's Benevolent Trust, and Western Community Legal Centre, to the value of \$25,000.
- Resources developed for the Program were a PowerPoint presentation, six employment law videos, Question and Activity sets for each topic, a summary handout and key terms sheet and comprehensive week by week employment law materials for the Community Leaders. The resources can be used in future employment law education programs.
- In-kind support was received from 8 key organizations for the Program. Support was in the form of guest presenters, presentation material about specific employment law topics, and some organizations provided a venue and observation of their client service. Total organization 'in-kind' support of 160 hours is valued at \$32,000 (Based on \$4,000/organisation, 20 hours @\$200/hour each).
- In-kind support was also provided by WCLC staff to the value of at least \$15,000 (based on 75 hours work).
- Further, three WCLC volunteers contributed to the development of the resources (PowerPoint presentation, Videos scripts, Activities), delivery of the Program, and Project evaluation. WCLC volunteer support of 122 hours is valued of \$24,400 (Based on 50 development and 72 delivery hours @\$200/hr).
- Community Leaders from newly arrived and refugee communities participated in the Program, and were educated about 6 key employment law topics.
- Community Leaders said:
 - the employment law topics in the Program were interesting, and relevant or very relevant to their communities.
 - the Program training gave them confidence to deliver an employment law information session in their community.
 - the workshops at employment law agencies were good, and the observation of client interaction with agency services was a highlight.
- Approximately 50 people from agencies and interested community members attended the Project launch
- Feedback from agencies and interested community members at the launch:
 - 94% of respondents said the launch was of a high to very high standard, in regards to information, format, delivery, and videos.
 - 95% of respondents said the Community Leaders launch delivery was very good or excellent.
 - 97% of respondents felt that Community Leaders would deliver a very good to excellent employment law session in their community
- ~ 263 people (130 men and 133 women) have been spoken to about employment law issues during community sessions, and face to face contact with Community Leaders

- ~ 40 people (31 men and 9 women) people have been referred to an employment law service, such as WCLC
- 125 newly arrived and refugee community members attended an employment law information session
- 84 community members gave feedback about their information session
- 83% of community members understood a little or nothing about employment law before their information session
- 98% of community members now understand a little or a lot about employment law after their information session
- 82% of community members know where to go for help if they have employment problems
- Sharing workplace stories and discussing case studies about employment law problems were highly valued by Community Leaders, and by community members at the information sessions.
- English is the second (and often third or fourth) language of newly arrived and refugee communities. Therefore, employment law presentations targeting these audiences should contain simple language and be limited to one or two key topics per presentation.
- Resources such as videos depicting employment law scenarios, case studies, and personal stories help to explain complex employment law issues.

Successes and Challenges

Key successes of the Train the Trainer project:

- The involvement of employment law agencies in the training sessions, including the provision of training venues was a great success. Agency involvement meant that accurate information and advice about an employment law topic was delivered by experienced presenters. Community Leaders were also able to witness first-hand how each organization operated and what legal advice or help their newly arrived and refugee communities might expect to receive.
- The length of the training program, and the timing of the sessions was about right. The 10 week program, held on one full day a week, was well received by participants because it allowed them to fulfill the requirement of their own jobs, and gave them an opportunity to digest specific topics each week and interact with their community about what they had learned during the week. Each week the Community Leaders would return with stories and questions from community members about topics already covered.
- The training program materials were written in simple legal language and presented in a format that was easy to follow. This was essential because the employment law issues that are relevant to newly arrived and refugee communities can be very complex. Although the audiences needed to have a reasonable level of English to understand the information, the Community Leader was encouraged to translate information into the community's language.
- The Community Leaders had close contact with their communities and used their networks to promote the information sessions.
- The format of the training program provided many opportunities for participants to talk about personal experiences and their community issues. The sessions were divided into guest speaker sessions, group activities, video and activities, and presentation practice. The discussions that occurred during the sessions facilitated a better understanding of the employment law topics.
- Community Leaders improved their knowledge of employment law issues, and gained confidence in their presentation skills.

- Community members appreciated the employment law information sessions, and in many cases thought the information was relevant to them or family members.
- WCLC has received a number of client referrals to its Employment Law Service because of the Train the Trainer project. There is a ripple effect of information sharing by audiences where families and friends hear about the information and agencies.

Key challenges of the Train the Trainer project:

- The employment law information included in the training program was detailed and could be quite complex. Although the Community Leaders learned about many topics in detail it was important that their community presentations provided key information in a simple format, that was easy to follow. Presenting the employment law information to an audience with a low level of English language is a challenge.
- The community presentations needed to be kept to 1-1 1/2 hours in length. This was a challenge with the amount of material within the employment law topics in the training program. It was up to Community Leaders to include the most relevant topics in their presentation, and offer multiple sessions.
- As outlined in this report there was a challenge for the Project managers at WCLC because of the discrepancy between the huge number of tasks to be completed for the Project to run compared with the limited Project funding that was obtained. In addition to the time dedicated to the Project by WCLC Employment Lawyer, Catherine Hemingway, there were significant in-kind contributions by supporting organizations and WCLC volunteers to develop the training program and resources, deliver the training program and complete the evaluation.

Next steps

Community Leader follow-up:

Community Leaders have indicated their interest in a follow-up training program and/or be part of a Community of Practice. The purpose of both is to enable sharing of ideas and provide support. Also to update Community Leaders on any legal developments or introduce new topics to share with their community. Most Community Leaders plan to offer their community further information sessions however this was dependent on their community interest, their time and the funding. In the Program, the Community Leaders were paid to deliver their first community information session, however there was no funding for further sessions.

Improvements to the employment law education resources:

- More employment topics could be added to the training program such as information about how to get a job, how to negotiate a workplace agreement, superannuation.
- Presentation materials could be translated into languages other than English to cater for CALD communities
- Subtitles on the video resources in a range of languages, with Question and Activity sheets to match.
- Distribution channels for the resources could be broadened to include hotlinks from other agency websites, libraries etc.
- Agency websites that offer employment information for the public to provide their material in new and emerging languages

- It is important to acknowledge that a reasonable level of English (written and spoken) is required by participants in the training program, as well as experience with using computers to access the internet, and applications such as Word and PowerPoint . Testing of the current Program would be beneficial to determine the level of spoken and written English required for people to participate in future training programs. Eg Testing material with students at Certificate III in Spoken and Written English level and higher students at Certificate II in Spoken and Written English level.
- The employment law topics within the current Program could be developed into an AMEP/SLPET Employment Law module, or enhance an existing Employment module, for newly arrived and refugee communities. The module could be written in appropriate levels of English that cater for Post-Beginner and Intermediate students.
- The resources developed for the pilot program are ready to use and freely available on the WCLC website for future training programs and/or community sessions. Therefore, the funding that was required in the pilot program to develop resources is not required in future programs, except to the extent that additional resources are introduced or existing resources need improvements, as suggested. In addition, material will need to be reviewed for changes in law overtime Eg. changes to the minimum wage.

Ideas for the future:

The 'Train the Trainer' model in this pilot project has been a successful method of up-skilling community leaders in employment law issues, so in turn they provided grass roots education in their communities. Community leaders have access to their wider community through a number of channels, such as employment groups, community activities, church groups, and social and print media. Using these avenues to promote employment law issues is an important factor in the ability to up scale the reach and awareness in the community.

The Program could be run again to enable other leaders from different geographic regions / community groups to participate.

A network of trained community leaders could be fostered and future training programs could involve those leaders sharing their stories and experiences. The first session of the training program could include an introduction and overview of the previous training program with trained leaders.

Other ideas include:

- Documented on the WCLC website, the promotion of success stories about workers who have had positive outcomes after obtaining advice and help from employment law agencies.
- Youth focus groups to find out what young workers face in the workplace.
- Further training of community workers who are dealing with newly arrived and refugee communities in employment law topics so they can advise their clients on their rights and where to get help.

Resources

- Train the Trainer program resources are located on the WCLC website at www.footscraycllc.org.au
- 'Train the Trainer' Employment Law Program Presentation
- Six videos:
 - Wages and Other Entitlements
 - Employees, Contractors and Sham Contracting

- Workplace safety
- Discrimination
- Sexual harassment & Bullying
- Unfair dismissal and Other Protections if your employment ends
- Activities and Questions
- Handouts
- Employment Law Community presentation
- Video: Community Leaders interviews

Appendices

Appendix 1: Train the Trainer project timeline

Appendix 2: Train the Trainer Program - Evaluation by Community Leaders

Appendix 3: Launch - Evaluation by Community workers

Appendix 4: Community Presentation – Evaluation by members

Appendix 5: Community Presentation – Evaluation by Community Leaders

Appendix 6: Folder of weekly materials for trainers, including the video scripts and activities (hard copy only – please contact us for a copy)