



Students' Representative Council The University of Sydney

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Committee Secretary
Senate Education, Employment and Workplace Relations Committee
PO Box 6100
Parliament House
Canberra ACT 2600

9th January, 2009

Inquiry into the Fair Work Bill 2008

Dear Committee Secretary,

The Students' Representative Council (SRC) is the representative body for the 35,000 undergraduate students at The University of Sydney. Many of our members work in casual, part-time and even full-time jobs. According to our Welfare Survey the percentage was as high as 82%¹. In these positions we see that students are often vulnerable due to the nature of the work that they do, and the position that they hold within the workplace. With government allowances being inadequate² students have little choice, but to work while they study. We therefore are grateful for the opportunity to make a short submission to this inquiry.

Students as workers have always been a vulnerable group. As they are often in dire need of money, but low in skills, they are left with few choices when seeking casual or part-time work. Additionally, many students seek work to supplement their resume, and the 'privilege' of working at a well-known, multinational corporation can often be seen as payment in itself. This results in students working in an unpaid or low-paid capacity in certain jobs. However, long-term benefits of career advancement do not pay the short-term bills. The SRC fully supports award wages for all workers so that minimum terms and conditions are set across the board.

Statutory Agreements such as Australian Workplace Agreements most disadvantage those least able to negotiate for themselves. The relationship between a worker and an employer involves an inherent power imbalance. Often the only power that a worker has is their own labour and the ability to withdraw it. Industrial action is necessary to enable workers to have some control in their workplaces. The SRC is pleased to support the complete abolition of statutory individual agreements and the introduction fair rules governing industrial action and good faith bargaining.

¹ 1380 out of 1675 respondents said they had casual, part-time, full-time or contract work, while they were studying.

² Current full rate of Youth Allowance is \$185.70 per week while the Henderson Poverty Line (June 2008) is \$380.28. That is, about half the poverty line.



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Flexible working arrangements are necessary for all students. This would allow for them to attend classes, prepare group assignments, attend practical components of the course, study for and complete examinations. This flexibility allows students to prioritise their study first without having to worry about losing their job if they are unable to attend a day at work. This benefits not only the student, but also the community in enabling a future skilled and educated workforce.

Work opportunities of International students are restricted by their visas. Often they are only able to work a maximum of ten hours a week during semester. As these students are not able to receive a government allowance these ten hours rarely allow the student to earn enough money to cover living expenses. This is especially the case as many of these students do not have family living here to help cover food and rent costs, most of these students do not get travel concessions of any sort, and most of these students are required to pay high fees each semester for every subject they attempt. Many international students are preyed upon by unscrupulous businesses who offer students cash-in-hand jobs that pay far less than the award wage. Recently we have seen these students engaged in work such as building contracting, hospitality, taxi driving and sex work. A greater flexibility in visa conditions would allow a better opportunity to international students to avoid illegal work, thus enabling them to enjoy conditions such as occupational health and safety standards, as well as reasonable pay and work conditions.

The SRC actively supports the right of freedom of association and the right to be represented in the workplace. Many students do not join their trade union and find that they do not have the benefit of the union's collective strength. By joining a trade union, students can learn the basic principles of moving away from individualism and towards being community spirited. That is, supporting the rights of those around us. Similarly, the SRC would be delighted to see the abolition of Voluntary Student Unionism, which has decimated so many university communities. Students and other community members alike would benefit greatly from this shift in values.

The provision of grievance and dispute resolution is essential to a fair workplace. All workers must feel able to express their concerns without fear of retribution. Having an established process allows for all staff members to utilise the system without having to battle with inherent power imbalances. Students, who are often vulnerable staff members, will benefit from this.

Unfair dismissal is often an issue for students. They can easily be subjected to bullying from their bosses and currently have no recourse. Students have been threatened with dismissal when they have asked to change a shift, have a day off, have a sick day, and not work on a public holiday. With only seven days to appeal the decision in the Industrial courts, students have barely any time available to them to gain advice on their situation. By enforcing more flexible and accessible protection from unfair dismissal, students as workers will be less likely to be subjected to this kind of bullying behaviour.



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The SRC supports the positive changes proposed in this inquiry. It would also like to encourage the committee to consult more extensively with student workers. Their perspective is often different to those who are primarily involved in the workplace, and they may be able to share a broader scope of ideas with the committee.

Thank you for the opportunity to make this submission.

Yours sincerely,

Noah White