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FECCA questions on notice at public hearing on the Fair Work Amendment (Right to Request Casual Conversion) Bill 2019 Inquiry

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing Australia's culturally and linguistically diverse (CALD) communities and their organisations.

FECCA provides advocacy, develops policy and promotes issues on behalf of its constituency to Government and the broader community. FECCA strives to ensure that the needs and aspirations of Australians from diverse cultural and linguistic backgrounds are given proper recognition in public policy.

FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism so as to build a productive and culturally rich Australian society. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

FECCA thanks the Standing Committee on Education and Employment for the opportunity to discuss our submission into the Fair Work Amendment (Right to Casual Conversion) Bill 2019 inquiry at the committee's hearing on Tuesday 19 March, 2019. Please find the responses to the questions taken on notice during the hearing below.

Questions on notice:

1. What is the current research available on the number of migrants in casual employment?

As noted in the FECCA submission, the Australian Council of Trade Unions (ACTU) states 'around 40% of workers are engaged in insecure work arrangements such as casual work, fixed term work, contracting or labour hire.'¹ It is unclear how many of these workers are from a CALD background although it is likely that CALD Australians are overrepresented in insecure employment—this includes casual employment.

This gap in research is predominantly due to limited disaggregation of statistics, such as country of birth and linguistic background. These factors are crucial to identifying and understanding intersectional social determinants which contribute to participation in insecure/casual working arrangements. Including these factors in data collection is also integral to revealing not only the extent of CALD workers in this area but also fostering a

¹ See https://www.australianunions.org.au/about_actu

deeper understanding of the unique challenges migrants and refugees face in participating in more sustainable and better quality employment. This is the case at both the federal, state and territory level. The ACTU report show there has been a 'dramatic decline in permanent work, and corresponding growth of insecure forms of employment, such as, casual, contract work and labour hire.'²

FECCA can refer the Committee to areas where there are some data on migrants and employment in Australia in general:

- Australian Labour Market update by the Department of Employment 2017
https://docs.jobs.gov.au/system/files/doc/other/july_2017_almu.pdf
- The Characteristics of Recent Migrants Survey:
<https://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/6250.0Main+Features1November%202016?OpenDocument>
- Characteristics and use of casual employees in Australia
https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/5742396/upload_binary/5742396.pdf
- Casual work and part-time work in Australia in 2018
https://cdn.aigroup.com.au/Economic_Indicators/Research_Notes/2018/Ai_Group_casual_work_June_2018.pdf

While these are some examples of research conducted in Australia on migrants and employment, there is still a general lack of information on country of birth, cultural background, language, gender and whether an individual is living with disability and no details into casual employment. Further, FECCA underlines that while this research is conducted into migrant workers there is a lack of data and research into people from culturally and linguistically diverse (CALD) backgrounds as this covers a much greater part of the population than recently arrived migrants—such as second generation Australians.

FECCA has multiple times called for an updated and standardised definition of CALD, the groups that exist under this category and the associated data standards required to adequately capture this group for all Government departments including disaggregated data. The collection and analysis of this disaggregated data is essential to informing important decision around policy change and resource allocation and ensuring services are accessible, inclusive and respond to the needs of all people in Australia.

2. Does FECCA have any discussions with the Fair Work Ombudsman about distribute information to culturally and linguistically diverse workers about their rights and entitlements and what their remedies are and what more can be done to inform CALD workers about their rights?

FECCA has numerous times endorsed the Fair Work Ombudsman (FWO) on their dedication and continuing efforts to ensure that CALD and migrant Australians are aware of their work rights and receive protection from workplace exploitation. FECCA has promoted work by FWO with links to tools for CALD workers in previous FECCA e-news and continues to do so. FECCA has also promoted the work of the FWO in our flagship magazine, the Australian Mosaic. In 2018, FECCA offered its services to FWO with regards to improving the quality of FWO's translated materials. This is something we will continue to offer. We will also continue to promote the work of FWO and tools in multiple languages to our communities and will, when necessary, use the help of FECCA's extended network in distributing FWO information.

² See <https://www.actu.org.au/our-work/submissions/2017/independent-inquiry-into-insecure-work-in-australia>

3. Are there any particular members of yours who see casual conversion as a particular problem within their communities, or is it fairly widespread?

From consultation with communities FECCA understands that job security is a top priority across all new arrival and established communities.

The intricacies of this Bill have not been specifically consulted on, but FECCA will keep communicating any changes to workplace rights and obligations with our communities.