# Young Workers Centre ANNUAL REPORT 2017/18



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The Young Workers Centre was established by the Victorian Trades Hall Council and affiliated unions in 2015 as a mechanism for creating safer, fairer workplaces for young people aged 30 and under.

The Young Workers Centre, Victorian Trades Hall Council, and affiliated unions are committed to supporting, educating, empowering, and organising young people in workplaces right across Victoria.

We acknowledge the traditional owners of the land on which Trades Hall stands, the Wurundjeri people of the Kulin Nation. We also acknowledge the traditional owners of all the Koori lands across which the Young Workers Centre conducts our business.

We pay our respects to their Elders, past, present and emerging.

This land was stolen and sovereignty was never ceded.

Always was, always will be Aboriginal land.



# A MESSAGE FROM THE PRESIDENT

Over the last 3 years, the Young Workers Centre has taken workers' rights for young people to new heights. We're on the streets, in our schools, in the courts and banging down the doors of parliament to have the voice of young workers in Victoria heard loud and clear and it's working.

We know from our legal work and community organising that wage theft is rife in Victoria and no matter how 'woke' an employer might market themselves to be, young workers' labour is an enormous source of exploitation generating record profits. Wage theft disproportionately effects young workers and for this reason I am particularly proud of the leading role the Centre has taken to push for wage theft criminalisation.

The talented staff and volunteers run a comprehensive specialist legal service but it doesn't just stop there. The Young Workers Centre turns plaintiffs into activists for the betterment of our workplaces and the wider community. This is a radical project and one that young workers can be proud of.

Combining a legal service, educative outreach and activism can be a difficult balance to strike but the Centre continues to speak truth to the old expression of Agitate, Educate, Organise!

I would like to commend all the brilliant staff members and volunteers for their commitment, passion and hard work.

Abbey Kendall - President



#### Keelia Fitzpatrick, Director and Solicitor, Carita Kazakoff, Principal Solicitor

The 2017-18 year has been another enormous 12 months for the Young Workers Centre. As we entered our 3rd year of operation, our legal and campaigning work has been dominated by the issue of wage theft. Across the state, across many industries and at workplaces of all sizes, young people are missing out on minimum rates of pay, penalty rates and superannuation.

Consequently, the training and filework of our law student advocates has focused heavily on preparing underpayment calculations in excel spreadsheets, researching awards and drafting letters of demand to employers. Each time a story of wage theft has been reported in the news, queries to our legal centre about underpayments have spiked. The data we have gathered on how young people are experiencing wage theft has informed our policy work on this issue. Our Make Wage Theft a Crime campaign was launched at our End Wage Theft! conference in April with the support of Australian Super and Maurice Blackburn and many young worker activists. In May 2018 we published a briefing paper entitled Criminalising Wage Theft, which outlined our proposal for law reform. We also hosted a roundtable attended by unions, community legal centres and law firms at which we presented our proposal and sought feedback from other organisations who advocate for young workers. Enormous thanks go to Gordon Legal for their pro bono work in developing draft legislation for this advocacy work. YWC activists have energetically hosted street stalls, blitzes in busy retail and hospitality areas and brainstormed creative actions to activate community support for law reform on this pervasive problem.

Apart from wage theft, the YWC has also felt the effects of the #MeToo movement and the greater visibility of gendered violence in the community. We have noticed an increase in legal centre enquiries about incidents of sexual harassment and sexual discrimination in employment, and a need to give legal as well as practical advice to young people who have or continue to experience these issues in their workplace.

Our workplace rights and safety education sessions, supported by WorkSafe and EML, have continued to grow and reach new parts of the state including Shepparton and Colac. Developing the skills of students and YWC activists has continued to be a priority: for high schools we held a one day summit immersing students in the World of Work (WOW!) and hosted a 3-day intensive activist retreat in Ballan. Building ongoing relationships between young workers at social events has been made possible with the support of Slater + Gordon Lawyers. Our legal work would not be possible without the contribution of the wonderful law students who complete their placements with YWC. We'd like to recognise the involvement of all X students who empowered their fellow young workers in 2017-18. Thanks to our Committee of Management, which has collectively provided good governance and strategic vision to the YWC and supported us in the mammoth task of achieving accreditation with the National Association of Community Legal Centres. Finally, it was an honour for YWC to be named as a finalist in the Law Institute of Victoria's Community Organisation of the Year Award – a nomination which we think reflects the bravery of all those young workers who have come forward to tell their story, to stand up for their rights and to fight for better workplaces for all.



# **MEET THE YOUNG WORKERS CENTRE TEAM**

L-R: Patrick Faulkner (Education Outreach Organiser), Phoebe Kelly (Education Outreach Organiser), Tom Robertson (Education Outreach Organiser), Danielle Croci (Education Outreach Organiser), Dylan Goldsworthy (Campaigns Organiser & Solicitor), Sarah Bright (Research & Campaigns), April Zahra (Advocate Team Leader). Absent: Leon Harper (Advocate Program Coordinator).

Past team members: Laura Blandthorn, Claire Boland, Carlos Castro, Amy Fitzgerald, Ruby Haynes, Nadia Montague, Edie Shepherd, Rose Steele.



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# **EDUCATION AND OUTREACH**

Our education program trains young people in high schools, TAFEs and other community programs about bullying, safety, and their rights at work.

# **Educating young people as they enter the world of work**

Our education team - Tom, Danielle, Patrick and Phoebe - continued to deliver work-ready training modules to high school students across Victoria. Modules include:

- · Occupational Health and Safety
- Bullying and Discrimination
- · Your Rights at Work

The team also delivered specialist modules tailored to the needs of TAFE students, young migrants, international students and other community groups and service providers.

Training is designed to prepare young people for life at work before their first job, and to support them navigating their early working years. Students can share their own experiences at work, and be directly referred to the Young Workers Centre legal team for tailored legal advice if needed.

We have also collaborated with community and youth organisations including Australian Youth Climate Coalition, Youth Affairs Council of Victoria, Youth Links, Monash University, Indigenous Leadership Program, Melbourne City Mission, WEstJustice, RMIT Youth Work program, Tamil Workers Council and numerous Local Learning and Employment Networks (LLENs) to share our expertise on workplace rights and safety at conferences, workshops, careers fairs and expos.

#### **Reaching Young people in Regional Victoria**

The outreach team ran four regional roadshows throughout the year, visiting Geelong, the Colac-Otway region and Shepparton. We trained high school and TAFE students, held street stalls, and met with community groups and service providers to expand the networks of support available to young people in regional areas.



# **WORLD OF WORK SUMMIT**

In September 2017, we ran our first ever two-day World of Work (WoW) Summit. Over 200 students from schools across Victoria attended the Summit, which involved simulation games, panels and skill-building workshops that developed young people's understanding of their rights and safety at work.

The program built students' education and campaigning capacity, allowing them to communicate their knowledge with peers in their schools and communities. For example, one group of students went on to hold a cupcake bake stall at school with different prices for different ages to communicate the effects of junior rates to their school community.

8100 YOUNG PEOPLE TRAINED
324 TRAINING MODULES DELIVERED
130 HIGH SCHOOLS AND INSTITUTIONS
23 REGIONAL HIGH SCHOOLS AND
INSTITUTIONS VISITED

# **LEGAL ADVICE AND ASSISTANCE**

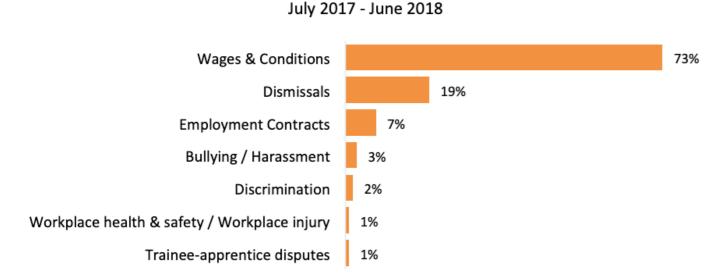
Our legal centre is the first and only specialist community legal centre in Victoria dedicated to young people with employment issues. Our legal team provide legal information, advice and representation for young workers in Victoria aged 30 and under. We're available by phone and in person (by request) Mondays to Thursdays, 9.30am – 4:30pm.

#### **Recognition in the Legal Community**

In 2017 we were proudly nominated as a finalist for the Community Lawyer or Organisation of the Year Award in the Law Institute of Victoria's 14th Victorian Legal Awards.

#### What issues are young workers facing?

The vast majority (73%) of our legal clients came to us with concerns about pay and conditions, most commonly wage theft. 1 in 5 (19%) legal clients contacted us regarding their dismissal.



<sup>\*</sup> Note percentages add up to more than 100% as clients often contact us with multiple issues. The figures represent the percentage of clients experiencing that issue.

438 ENQUIRIES FROM YOUNG PEOPLE
324 REQUIRED INFORMATION ONLY
114 BECAME LEGAL CLIENTS
5 ENQUIRIES LED TO WORKPLACE CAMPAIGNS
18 MATTERS WENT TO COMMISSION OR COURT
\$321,816.65 WON FOR YOUNG WORKERS

"I WAS INJURED DURING AN ACCIDENT WHILE I WAS A DELIVERY DRIVER. I WANTED TO FIND OUT HOW I COULD PURSUE A WORKPLACE INJURY CLAIM. YOUNG WORKERS CENTRE HELPED ME UNDERSTAND WHAT I WAS GETTING INTO SO I COULD MAKE AN INFORMED DECISION."



"I HAD A SERIOUS UNDERPAYMENTS MATTER OF \$10,000-15,000. THE COURTS TRY TO MAKE IT SIMPLE TO PURSUE, BUT IT'S NOT THAT STRAIGHT FORWARD IN REALITY. THE YOUNG WORKERS CENTRE HELPED EXPLAIN THE PROCESS... AND NOW WITH THEIR HELP I'M ON TRACK TO GET MY MONEY BACK."



# **VOLUNTEER ADVOCATE PROGRAM**

"THE WORK AT THE YWC HAS REALLY SHOWN ME THE DIFFERENT WAYS IN WHICH WE CAN TACKLE AN EMPLOYMENT LAW ISSUE, SO I AM COMFORTABLE TALKING TO MY FRIENDS ABOUT THEIR RIGHTS AND HOW THEY SHOULD ATTEMPT TO PROTECT [THEM]."

Volunteer Advocates are law students undertaking clinic placements with us for university credit. When young workers speak up about their concerns at work by calling our legal centre, our advocates are the first to hear their stories.

We have now trained another 33 law students from seven different law schools as Young Worker Advocates. We introduced our first ever summer and winter intensive intakes, allowing Advocates to attend over university holiday periods and building the centre's capacity to support clients during those periods.

#### A typical day as an Advocate might include:

- Interviewing a young worker over the phone or face to face to identify their legal issues
- · Finding the relevant Award or workplace agreement
- Researching issues relating to the Fair Work Act, Equal Opportunity Act or Occupational Health & Safety Act
- Drafting correspondence, legal documents and forms, such as letters of demand to employers and applications to a court or tribunal
- · Calculating wage and superannuation underpayments for young workers
- Briefing our legal team on a young worker's issues and the legal merits of their case
- Filing documents with the Fair Work Commission, such as unfair dismissal applications.

#### **Advocates**

Special thanks and congratulations to all our Advocates who have completed training and can now educate young workers about their rights and help them access justice at work.

 Semester 2, 2017: April Zahra, Colleen Chen, Con Georgiou, Daniel White, Jason Rudaizsky, Jane Robinson, Jordyn Malone, Laura Di Dio, Linda Tran, Madeline Macriyiannis, Michael Probert, Myles Brown, Pareen Minhas and Shazia Nishar. "THE MOST VALUABLE PART OF VOLUNTEERING AT THE YWC IS WORKING IN A PRO BONO ENVIRONMENT FOR YOUNG PEOPLE WHO ARE VULNERABLE. I FOUND THIS TO BE MOST REWARDING, WHEN I KNOW THAT THE WORK I HAVE PUT IN, WILL HELP YOUNG PEOPLE WHO ARE DISADVANTAGED."

- · Summer 2018: Ashleigh Bell, Brenda Ang, CJ Hobbs and Nate Pemberton.
- Semester 1, 2018: Ashley Daly, Emily Mineo, Elisa Wong, Georgia Daly, Jack Mighell, Jess Perks, Justine Demetry, Manu Insa, Matt Grogan, Micaela Anderson, Olivia Pusey and Wesley Huynh.
- · Winter 2018: Arianne Daly, Al Chua and Tilly Houghton.

#### **Employment Law Mentoring for Law Students**

In 2017 we held our first ever employment law speed mentoring and networking night. Sixteen mentors offered over 60 law students insight into their lives as employment lawyers, industrial officers, union organisers and other worker advocate roles.

#### **University Partners**

Thanks to our program partners at La Trobe University, the University of Melbourne, Royal Melbourne Institute of Technology, Deakin University, Australian Catholic University, Swinburne University and Victoria University.



Right: (L-R): Leon Harper (Advocate Program Coordinator), Caitlin O'Callaghan (Advocate), April Zahra (Advocate Team Leader), Harley Rose (Advocate), Carita Kazakoff (Principal Solicitor).

# **RESEARCH AND ADVOCACY**

We believe young people's experiences at work must be at the centre of youth and employment policymaking. We advocate to ensure young workers voices are heard by policymakers, academics, politicians and the broader community.

#### **Policy Briefing: Criminalising Wage Theft**

In May 2018 we released a policy briefing on our proposal to amend the Crimes Act 1958 (Vic) to include the crime of Wage Theft, meaning their deliberate and dishonest wage theft would be an offence punishable by imprisonment. We launched this policy briefing during Law Week 2018 at our Wage Theft Community Roundtable, which brought together academics, employment lawyers, community legal centres, trade unions and other policymakers to discuss the proposed law reform. The Andrews Government has since announced it will introduce legislation to criminalise wage theft if re-elected.

#### **On-Demand Food Delivery Riders**

The Young Workers Centre, in partnership with the Transport Workers Union (TWU), surveyed 160 ondemand food delivery riders about the ups and downs of working in the gig economy. We found:

- 3 in 4 riders earn less than the minimum wage for casual bike couriers. Effectively hourly pay rates were as low as \$6.67 per hour.
- This work is not just a gig. 3 in 4 riders work 20 or more hours per week. 1 in 4 riders work 40 or more hours per week, indicating that this is a full time job.

These findings were released at the Melbourne On-Demand Workers campaign launch in January 2018 and drew national media attention to pay and safety issues in the on-demand sector.

#### **Young Franchise Workers Survey**

Media reports have shown systemic wage theft and safety issues in franchises including 7-Eleven, Subway and Dominos. We know that many young people get their first taste of work in a retail or fast food franchise. With this in mind, we rolled out the first ever young franchise workers survey between August to November 2017. The findings will be released in late 2018.

#### **Submissions**

- August 2017: Victorian Parliamentary Inquiry into School to Work Transitions
- December 2017: Victorian Parliamentary Inquiry into Career Advice Activity in Schools
- · February 2018: Federal Senate Select Committee on the Future of Work and Workers
- June 2018: Federal Senate Inquiry into the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia
- June 2018: VicHealth deliberative forum for young adults "Staying on Track: Supporting a healthy jump from study to purposeful work"

#### **Our Partners and Supporters**

Thanks to our research and policy partners and supporters over the past 12 months including Worksafe, EML, Victoria Law Foundation, Transport Workers Union, VicHealth, Hospo Voice and Melbourne Law School.

## **BARRY: A CASE STUDY IN WAGE THEFT**

One of the biggest new stories of 2018 that drew national attention to the issue of wage theft occurred in the heart of Melbourne at trendy Northcote cafe Barry. Attempts by Anna Langford and her co-workers to negotiate with their employer to rectify underpayments were met with hostility: workers were sacked by text, and told the business would sue them 'individually and collectively'. With legal and campaign support from Young Workers Centre and hospitality union Hospo Voice, Anna and her co-workers have fought for wage justice in the hospitality industry.

In April 2018, Barry worker Anna Langford reached out to the Young Workers Centre after she and seven co-workers discovered they were being underpaid. Most staff were paid at flat rate of around \$18 per hour with no penalty rates for weekend or public holiday work in contradiction to the rates set out in the relevant Award.

Anna and her co-workers had tried to raise the issue of underpayments with the café owners as a collective. The owners refused to engage with the group, telling workers that they would only speak to workers individually. With assistance from Young Workers Campaign Organiser Dylan, Anna and her co-workers then wrote a letter formally requesting back-pay.

On the Friday night, Anna sent the letter to Barry owners Anne & Steve on behalf of the group. Anna was met with hostility from the owners, receiving reply that "you and other staff agreed each and every one of you the rate you would be paid." Minutes later, Anna received a text message telling her that her next shift on the Saturday morning was cancelled, and that "We'll let you know if we need you again."

Anna was not the only worker fired for speaking out: several others were soon told they too were not welcome to return. The owner's hostility towards those workers who challenged wage theft only further galvanised Anna and her co-workers to fight back. Over that same weekend, Anna and her co-workers, the Young Workers Centre and hospitality union Hospo Voice worked together to organise a 'snap' rally to show the community support behind the workers from Barry café.

By Monday lunchtime, over 100 people rallied outside Barry demanding that the owners pay workers what they were owed. Young, underpaid workers took to megaphones for the first time to share their story with cafegoers. Hospitality workers from across Melbourne joined the protest, many hitting the streets for the first time. Unions joined the rally in solidarity. The Northcote community turned out in huge numbers, sending an urgent message that wage theft would not be tolerated in their community any longer without consequences.

The rally and the stories from Anna and other workers resulted in a number of media articles, radio interviews and TV segments, highlighting the endemic nature of wage theft and the power of the workers who stood up to exploitation.

Following the rally and media coverage, the Young Workers Centre was contacted by at least 15 current and ex-employees of Barry seeking back-pay and remedies for dismissal. We have supported workers to navigate the legal system to recover their unpaid wages.



# YOUNG WORKER COMMUNITY CAMPAIGNS & TRAINING

We believe that training activists and sharing resources with our community is crucial to empower young workers to make change in their own workplaces, campuses and local communities.

#### **The Campaign to Criminalise Wage Theft**

Young workers have gained community support for the campaign to criminalise wage theft through their leadership of and participation in volunteer actions. Activists have held street stalls, performed stunts, shared their own stories of wage theft and had hundreds of conversations with young people and the broader community about the plight of wage theft, and what people can do to join the campaign to criminalise wage theft. Key activities include the Wage Theft Situation Room and the End Wage Theft Activist Conference.

#### **Wage Theft Situation Room**

Early in 2018, 40 young people attended the Wage Theft 'Situation Room' where they participated in developing a campaign strategy around ending wage theft. Stories of wage theft had been gaining considerable media and political attention, and the event was crucial in our efforts to explore the problem and the solutions with activists. Attendees brainstormed ideas for the campaign to ensure it was made a political and election issue.

#### **End Wage Theft Conference**

Following the Wage Theft Situation Room, we held an 'End Wage Theft Conference' as part of Victorian Youth Week. The conference brought together over 60 young workers, activists and other community supporters to further develop the campaign to make wage theft a crime in Victoria. Conference goers developed their organising conversation skills, received training on their rights as activists, and heard from a panel of young workers and migrant workers who had their own stories of wage theft and exploitation. Young worker leaders stepped up to coordinate groups of volunteers and plan their own on-the-ground campaign actions. The Conference ended with activists taking action and spreading the message to 'make wage theft a crime' by putting up posters around the CBD.





#### **Activist Training and Workshops**

Over the past year, we have continued growing and training our community of young activists. Activities included:

- Activist Retreat: 15 activists spent three days in regional Victoria learning about the theory and skills needed to organise and campaign, including how to share stories, and how to build their leadership at work, at university or in their communities;
- · Campaign training and education sessions for university campus activists;
- Delivery of a campaign training workshop to migrant community leaders in the western suburbs of Melbourne as part of WEstJustice's Train the Trainer Program; and
- · Workplace organising workshops for young activists who want to build power at work.

#### Young, Black and Deadly: NAIDOC week panel

As part of NAIDOC week we hosted a panel of young Aboriginal activists called 'Young, Black, and Deadly: The Young Indigenous Activists Changing Australia'. Aretha Brown, Tareen Onus-Williams and Yarramun Conole joined Organiser Edie Shepherd to highlight the key issues affecting young indigenous people at work, at school and in their communities.

# YOUNG WORKERS IN THE MEDIA

'Does this guy owe you money?': Union

launches campaign offering free legal advice to workers owed money by George Calombaris - as MasterChef judge faces assault charge in court The Young Workers Centre have hung offers of free legal advice up in Melbou
 Flyers state George Calombaris owes about \$16,000 each to up to 200 staff It comes after workers were told they'd have to wait until June 2018 to be paid

### Former UniLodge caretakers claim \$700,000 in unpaid wages

By Anna Patty 10 July 2017 - 10:20pm f y 💌 🛕 A A

A married couple who were on call overnight as residential caretakers at a UniLodge stude accommodation block of units allegedly received just \$108 in net pay for a year's work after rent was deducted from their combined salary.



Push to jail employers for up to 10 years for 'wage theft'

Labor promises to jail bosses over wage theft



Unemployed, underemployed or underpaid: The reality for young workers



A Coffee Chain Has Been Suspended From The Government's Internship Program After Exploiting Young People



## Young and underpaid: Your definitive guide to getting the money your boss owes you

By Danny Tran Updated 21 May 2018, 11:54an







The Owner Of Melbourne's "Best Cocktail Bar" Told A Future Employee That Penalty Rates Don't Exist In Victoria

"There are no penalty rates in Victoria anymore mate," the bar owner wrote in an email

This Guy Says He Is Owed Money After Working For The Government's \$4 Per Hour Internship Program

A Hipster Melbourne Coffee Chain Has Forked Out \$50K In Unpaid Wages And Super For Young Workers

Young Workers At This Melbourne Burger Joint Are Protesting Against Underpayment





Working dead - the contracts that refuse to

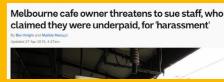








Workers At A Popular Melbourne Cafe Say They Were Fired After Asking For Legal Pay







Workers burnt by Melbourne first aid company underpayments

The Owner Of Melbourne's 'Burger Buzz' Was Just Fined \$300,000 For **Exploiting Young Workers** 

by SAM LANGFORD 10 MAY 2018











(L-R): Abbey Kendall (President), Tom Weston, Samuel Dariol, Josh Liley, Sherry Huang, Simon Schmidt (Treasurer), Jessica Dawson-Field. Absent: Jake Wishart (Vice President), Carina Garland, The Hon. Peter Gray, Pareen Minhas.

We are privileged to be guided by the many talented and dedicated members of our Committee of Management. The committee's collective legal, trade union, and community advocacy experience, along with their enthusiasm, is invaluable to the centre's governance, strategy and planning.

In 2018 we farewelled President Colleen Chen and Secretary Wil Stracke who have stepped down to take on new roles in their respective careers. We welcomed three new committee members: Samuel Dariol, Josh Liley and Carina Garland. We also established two new (non-voting) roles for former volunteer advocates to offer them governance experience and allow them the opportunity to contribute to the centre's strategic planning. Pareen Minhas and Tom Weston stepped up into these new roles. We acknowledge and thank all our committee members, particularly Colleen and Wil for steering us through our inception and early years.

# **CURRENT COMMITTEE OF MANAGEMENT MEMBERS**

**Abbey Kendall - President** 

Jake Wishart - Vice President

**Simon Schmidt - Treasurer** 

**Carina Garland - Secretary.** 

**Samuel Dariol** 

Jessica Dawson-Field

The Hon. Peter Gray

**Sherry Huang** 

**Josh Liley** 

Yasser Bakri (Non-voting member)

**Pareen Minhas (Non-voting member)** 

**Tom Weston (Non-voting member)** 

See website for biographies.

# YOUNG WORKERS CENTRE INCORPORATED FINANCIAL REPORT

54 Victoria Street, Carlton 3053 VIC

#### # No. A0094577V

The financial statement below sets out the financial position of Young Workers Centre Incorporated ("YWC Inc"), the legal centre arm of the Young Workers Centre, as at 30 June 2018.

For the period 1 July 2017 to 30 June 2018 and in accordance with funding arrangements entered into with VTHC in September 2017, staff have been provided to the Young Workers Centre (including YWC Inc) by VTHC through grant monies received by VTHC for that purpose. Going forward, other non-staffing expenses will be met by YWC Inc from funds transmitted to it in accordance with funding arrangements between YWC Inc and VTHC.

#### Profit & Loss

#### Young Workers Centre Incorporated 1 July 2017 to 30 June 2018

Net Profit	48,501
Gross Profit	48,501
Total Income	48,501
VTHC funding arrangement grant monies	48,500
Interest Income	1
Income	30 Jun 18

### **Balance Sheet**

# Young Workers Centre Incorporated As at 30 June 2018

	30 Jun 2018
Assets	
Bank	
Young Workers Centre Incorpora	48,601
Total Bank	48,601
Total Assets	48,601
Liabilities	
Non-Current Liabilities	
Loan- VTHC	100
Total Non-Current Liabilities	100
Total Liabilities	100
Net Assets	48,501
Equity	
Current Year Earnings	48,501
Total Equity	48,501

