



Health & Safety Snapshot: Young Workers in Franchises

Here's what young workers told us about health and safety issues at work.

The Australian franchise sector is a huge part of the Australian economy. Too often discussions about the sector include the voices of business groups, franchisors, franchisees and suppliers only. The voices of workers in franchises are not sought out. We asked 373 young people about life at work in a franchise.

1.



2 in 3 (65%) young franchise workers report feeling bullied, unsafe or uncomfortable at work¹.

Young people and teenagers are working alone in franchises early in the morning or late at night without protections in place to keep them safe.

The most common issue young franchise workers raised is working alone early in the morning or late at night without support or supervision. They described finding themselves vulnerable in situations including:

- Experiencing harassment, including sexual harassment from customers;
- Feeling nervous about the risks associated with handling monies;
- Dealing with alcohol or drug affected customers.

[I feel uncomfortable] working alone at 16 years old. I'm alone from 4pm to 10pm on Friday and Saturday nights.

16, female, current Subway worker.

I received sexual comments from coworkers and was harassed by customers, and two male staff members competed over who would get to date me despite me being 14-15 and both of them being over 18. Many other female teenage workers had similar experiences.

22, female, previous McDonalds worker.

[I felt uncomfortable with] a guy loitering around store and using bathroom to wash himself [who] seemed to be on drugs.

22, female, previous Subway worker.

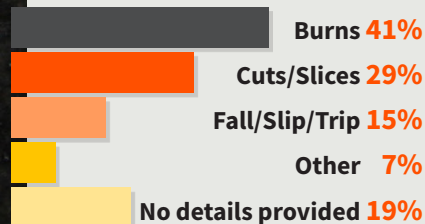
2.



4 in 10 (40%) young franchise workers say they or a co-worker have been injured at work².

Burns, cuts and falls are frequent injuries on the job

The most common injury reported to us was burns (41%), followed by cuts or slices (29%) and lastly falls, slips or trips (15%)³. Other injuries included broken bones, back injuries, chemical spills, fainting from lack of breaks, food poisoning, wrist injuries and injuries relating to manual handling.



[My] colleague burnt their arm on oil and when they complained they had their casual shifts cut. They were young and didn't pursue further. Head office weren't contacted.

21, female, previous KFC worker.

1. Aggregate of Do you feel that you or your coworkers have experienced bullying behaviour or harassment from your managers, owners or head office? Do you feel that you or your coworkers have experienced bullying behaviour or harassment from customers or patrons? and Have you or your coworkers experienced any other practices at work that have made you feel uncomfortable or not safe? n=312.

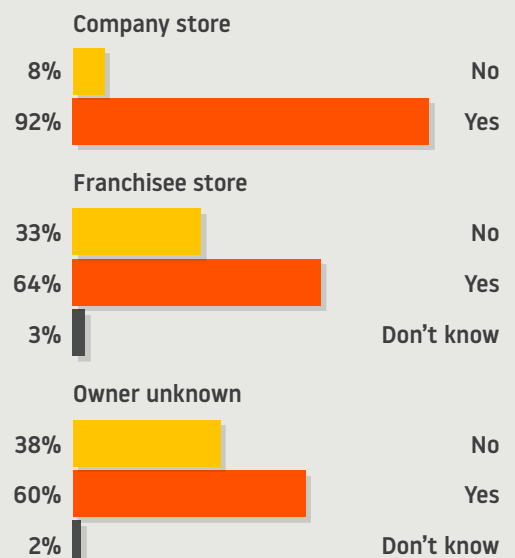
2. Have you or a coworker ever been injured at work? n=371 3. Injuries reported in responses to Could you describe the incident and any response from your workplace manager or head office? n=150

3. Franchisor representatives actively visit and monitor workplaces, yet are more concerned with store presentation and staff uniforms than health and safety compliance or staff training



Does a franchisor representative visit your workplace?

Two-thirds (66%) of workers reported that a franchisor representative visits their workplace.⁴ Workers in franchisor company stores were more likely to receive visits from a franchisor representative (92%) compared with workers in franchisee stores (64%)⁵.



What do franchisor representatives monitor when they visit workplaces?

We asked workers what franchisor representatives monitor when visiting stores⁶. Workers' responses revealed store presentation and store hygiene and cleanliness trumped health and safety compliance. Three-quarters (75%) of workers reported franchisor representatives monitored staff uniforms, yet less than half (40%) said they monitored staff training.



4. Does a representative from head office visit your workplace? n=368

5. Worker store type: company stores n=39, Franchisee stores n=257, Owner unknown: 72.

6. When a representative from head office visits your workplace, do they monitor any of the following? n=242

Key Findings & Recommendations

1. Young people and teenagers working in franchises report feeling unsafe or uncomfortable when working alone, particularly early in the morning or late in the evening due to elevated risks of harassment, risks associated with handling monies and serving alcohol or drug affected customers.

WE RECOMMEND:

(a) WorkSafe's 2011 Working Alone information guide is reviewed to maintain currency and updated to include specific guidelines addressing the potential risks and hazards to young workers. The Working Alone guide must be updated based on consultation with young workers and must include the following:

- A requirement that employers identify, assess and address hazards or risks specific to young workers if they are working alone;
- A requirement that employers do not schedule young workers to work alone during periods of elevated risk, for example late at night, and situations of elevated risk, for example where handling moneys or serving customers who are likely to have consumed alcohol;
- Setting a minimum age for workers working alone during late nights or early mornings;
- A definition of 'late night' or 'early morning' hours specific to young people and teenagers;
- A requirement for employers to develop and implement procedures for checking wellbeing of young people working alone throughout, and at the conclusion of relevant shifts; and
- A requirement for employers to provide training for workers to deal with potentially aggressive or violent (including gendered violence) customers.

Any additional guidelines must also be included in WorkSafe's Handbook for the Franchise Industry, specifically in sections 2.11 – Personal security at work and 2.13 – Young workers.

(b) Franchisors recognise the role they must play in keeping young workers safe across their franchise system by supporting and monitoring franchisee compliance with WorkSafe's existing (and any amended) Working Alone information guides. Actions franchisors can take include:

- Overseeing implementation of high quality, consistent communication or location systems (for example duress alarms) and violence prevention training;
- Requiring franchisees to report on communication or location systems, violence prevention training, and the rostering of young people including teenagers working alone in early morning or late night hours; and
- Providing centralised security company support linked to communication or location systems.

2. The unique nature of franchising arrangements, the overlapping health and safety duties between franchisors and franchisees and the low number of health and safety representatives (HSRs) in franchise industries have resulted in workplaces where levels of knowledge about health and safety at work are far too low.

WE RECOMMEND:

WorkSafe carry out a targeted education campaign for franchisors and franchisees to build their understanding of:

- The obligations of franchisees as employers arising under Section 21 of the Occupational Health and Safety Act 2004 (Vic)(the Act);
- The obligations of franchisors to persons other than direct employees, ie franchisee employees, arising under Section 23 of the Act;
- Overlapping duties; and
- The duties of franchisees to consult workers on health and safety matters under Section 35 of the Act.

A targeted franchise health and safety education campaign must reach franchisors and franchisees through appropriate media and social media, face-to-face inspections, and outreach through franchise peak bodies. This campaign must also educate franchise workers on their rights, expectations and obligations regarding health and safety at work.



3. Franchise workers receive conflicting messages about who is responsible for managing health and safety at work and how to speak up about hazards or incidents. Our survey found inconsistencies in health and safety management across the sector: Two-thirds of workers say franchisor representatives visit their workplace and many, but not all, monitor health and safety compliance or staff training.

WorkSafe's 2010 *Handbook for the Franchise Industry* recommends franchise agreements include requirements that franchisees comply with franchisors' health and safety management systems. WorkSafe also recommends franchisees report on their health and safety performance internally to franchisors. Just who is ultimately responsible for managing health and safety issues in franchises is opaque from a worker's perspective as they cannot access franchise agreements or internal health and safety performance reports.

WE RECOMMEND:

(a) WorkSafe update the Handbook for the Franchise Industry to reflect changes in the Occupational Health and Safety Regulations 2017(Vic);

(b) WorkSafe update the Handbook for the Franchise Industry to include a requirement that the following information is available to workers:

- Information about franchisors' health and safety management systems;
- Franchisees' health and safety performance reports, including compliance levels; and
- Specific contact persons at both franchisee and franchisor levels to whom workers can direct health and safety enquiries.

(c) Franchisors establish incident and hazard reporting mechanisms that are rolled out consistently across their franchise system. Reporting mechanisms must be based on guidance material developed by WorkSafe in consultation with industry and unions (ie the Handbook for the Franchise Industry). Such tools should:

- Be accessible online and mobile friendly;
- Allow workers to report anonymously if they choose;
- Allow workers to report to franchisee, franchisor, or both;
- Be promoted to workers when they commence employment (eg at inductions and training); and
- Be promoted to workers regularly (eg workplace posters, reminder links on payslips).

Such tools should enhance, not replace, franchisees' existing health and safety incident and hazard reporting mechanisms.



This report is based on surveys conducted face to face and online August – November 2017. The survey received 373 responses from workers aged 30 and under. 43% of respondents currently work in a franchise and 57% previously worked in a franchise. Respondents worked across 79 different franchise brands, however two-thirds of respondents worked at 8 large franchise brands. The survey was targeted towards Victorian workers, but includes 28 responses from workers in other states. This report was prepared by Sarah Bright and Keelia Fitzpatrick of the Young Workers Centre.