OUDGE Workers CEENTRE

ANNUAL REPORT JULY 2018- JUNE 2019

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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.

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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 CHAIR

In 2019 our Centre is three years young and we've been focused on game-changing advocacy, new leadership, and future-proofing.

This year the country collectively choked on its souvlaki as wage theft scandals hit the headlines - and our Centre was there ready to take up the fight. Whether it's in the courtroom, in the media, in Parliament or in the streets: our advocacy has been critical in shaping the consensus that you can't break the law, rip off young workers and expect to get away with it in 2019. Beyond winning back more than \$800,000 in stolen wages for individual workers, we now stand poised to pass landmark wage theft laws in 2020 - a huge achievement.

Despite this win on the horizon, we haven't forgotten that worker's rights were never handed down to us by politicians. That's why unique combination of organising, outreach, research and specialist litigation has never been more vital for young people in Victoria.

On behalf of the Committee of Management, I want to thank all our staff, advocates and activists for their tenacity and dedication. In particular, I want to praise the outstanding leadership of our incoming Director Felicity Sowerbutts and Principal Solicitor Oanh Tran who have truly hit the ground running.

The Committee of Management is working hard to future-proof our centre, ensuring we keep our doors open and our phones ringing long into the future. As a co-founder of this Centre, I can't wait to see what we win together next.



Jake Wishart Chair

A MESSAGE FROM THE DIRECTOR AND PRINCIPAL SOLICITOR

We are both excited to have joined the Young Workers Centre in 2019 (Oanh in January 2019 and Felicity in May 2019) and are thrilled to be working alongside young workers who continue to tell their stories, stand up for their rights and fight for better workplaces for all.

The 2018-19 year has been another enormous 12 months for the Young Workers Centre. As we entered our 4th year of operation, our legal and campaigning work has continued to be dominated by the issue of wage theft.

We are looking forward to seeing wage theft laws become a reality in Victoria and we are working with unions, community legal centres, law firms and the State Government to ensure that legislation is strong enough to deter employers from ripping off their workers. On this note, the Young Workers Centre have also spoken in the media about systemic wage theft across Pressed Juices stores.

The Young Workers Centre in collaboration with the Victorian Trades Hall Council and the TWU have also facilitated the involvement of gig workers in the state government on-demand inquiry. Our research work has uncovered that gig economy workers, such as food delivery riders, are being paid piece rates per gig. Our Gig Economy Unit have organised food delivery riders across Victoria to take action and stand up for their rights in an industry that is otherwise disconnected.

YWC activists have energetically hosted our ever first doorknock, street stalls, blitzes in busy retail and hospitality areas and brainstormed creative actions to activate community support for young worker issues.

Our workplace rights and safety education sessions, supported by WorkSafe and EML, have continued to be rolled out to schools, TAFEs, universities and youth organisations across Victoria.

Developing the skills of students and YWC activists has continued to be a priority: for high schools we held a summit immersing students in the World of Work (WOW!)



Felicity Sowerbutts, Director Oanh Tran, Principal Solicitor

We would also like to acknowledge the contribution of the wonderful law students who complete their placements with the YWC, without them our capacity in the legal centre would be vastly reduced.

Thanks to the ongoing support of Slater + Gordon Lawyers and Maurice Blackburn Lawyers who have enabled us to hold training and social events for young workers.

Thanks to our Committee of Management, which has collectively provided good governance and strategic vision to the YWC.

Finally, we would like to thank former YWC Director and Solicitor, Keelia Fitzpatrick and former YWC Principal Solicitor, Carita Kazakoff, who departed the centre in December 2018. Their leadership has made the YWC what it is today and we wish them the best in their future endeavours.



MEET THE YOUNG WORKERS CENTRE TEAM

Patrick Faulkner	Outreach Organiser
Danielle Croci	Outreach Organiser
James Lea	Campaign Organiser
Shauna Stanley	Campaign Organiser
Olivia Pusey	Advocate Team Leader
Leon Harper	Advocate Program Coordinator
Amanda Swayn	Solicitor
Alan MacGill	Gig Economy Organising
Past team members:	Keelia Fitzpatrick, Carita Kazakoff, Rose Steele, Sarah Bright, Dylan Goldsworthy, Phoebe Kelly, Tom Robertson, April Zahra

Outra a she Outra a la au

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. We educate young people as they enter the world of work.

Our education team – currently comprising of Danielle, Patrick, James and Shauna – 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

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.

The team has also been present at various careers days including Melton Careers Expo and Whitelion Dare2B Youth Conference.

We have collaborated with community and youth organisations including WestJustice, Melton Careers Expo, Brimbank Learning Futures, YouthNow, Brotherhood St Lawrence, Burke + Beyond, Jobs Prospect Footscray and Melbourne City Mission.

The Young Workers Centre have also attended orientation week events at Melbourne University, Victoria University and Federation University Ballarat.

Reaching Young people in Regional Victoria

The outreach team ran a regional roadshow across Geelong and the Surf Coast in March 2019.

WOW Summit

In September 2018, we ran our second World of Work (WOW) Summit. Over 40 students from schools across metropolitan Melbourne attended the Summit, which involved a simulation game, a panel of young workers and campaign skill workshops that developed young people's understanding of their rights and safety of work.

The program culminated in students taking action.

The program builds students' education and campaigning capacity, allowing them to communicate their knowledge with their peers in their schools and communities. We have also attended schools and TAFEs in Shepparton, Bendigo, Ballarat, Morwell, Drouin, Churchill, Newborough, Warragul, Drouin, Yarrawonga and Leongatha.

OUR NUMBERS: JULY 2018 – JUNE 2019

10,769

young people trained

374

training modules delivered

130

high schools and institutions

20

regional high schools and institutions visited

LEGAL ADVICE AND ASSISTANCE

Our legal centre is the first and only specialist community legal centre in Victoria to represent young people with employment issues. Our legal team and law student advocates provide legal information,

Accreditation with NACLC

In December 2018, we achieved our accreditation with the National Association of Community Legal Centres under its National Accreditation Scheme (NAS), which is an industry based certification process for community legal centres to support, recognise and promote good practice in the delivery of community legal services.



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.

OUR NUMBERS: JULY 2018 – JUNE 2019

371 young people assisted

306 required information only

65 became legal clients

2 enquiries led to workplace campaigns

19 matters went to commission or court

> **\$158,681.65** won for young workers

WHAT OUR CLIENTS HAVE TO SAY



"YWC was the best thing that has happened to me, you guys had my back!"

"I felt I was unfairly dismissed, and the YWC was an avenue to learn about my rights and the ways I could pursue a fair outcome."

"Work hospo lots of year. I moved into the wine industry and the underpayments there were really bad. I consulted YWC when I was dismissed after bringing up underpayments with my boss. Young Workers were incredible."

"We were getting massively underpaid and we tried to have a meeting, they kept shutting us down. We emailed, tried to talk them in person but we kept getting rejected. Someone called the Young Workers Centre and they helped us get an outcome."

"I had a friend who was being helped by YWC. We were working together and she suggested that I look into it. I was very fortunate, because there was already few other employee from the same employer who were being underpaid. We grouped together in our claims, YWC made it easier for me to get involved. It felt like I didn't have to lift a finger, I only had to make couple of phone calls and it was all fixed. It is actually very intimidating to speak to your employer for the back pay or on the money owned, that discussion was done for me, so I felt safe and comfortable." "I chose to speak up because it was brought to my attention, by a new employee, that we were all being under paid. I made contact with YWC and they were very understanding and made getting my backpay possible. They also triggered the business owner to increase the wages for all their employees. Absolute win."

"I was being underpaid, then when I brought this matter up with my employer, they fired me without notice or reason. YWC helped me get the compensation for the period for which I was out of work and helped me through what would have been a very daunting and complex legal experience. I am very grateful for their help."

"I think the YWC are passionate and competent and are essential in our current world. I would like to see more resources put into it."

"I was fed up with being treated badly and wanted to take action against it. With the support of YWC, I got help getting through that."

"I've told a couple of mates definitely go see the young workers Centre. They're free and they'll help you out!"

VOLUNTEER ADVOCATE PROGRAM

We were joined this year by 27 law students from seven different law schools as Young Worker Advocates. These law students undertook placements for university credit with Young Workers Centre, under the guidance of our Advocate Team Leaders, April Zahra, Olivia Pusey and Leon Harper, and our Principal Solicitors Carita Kazakoff and Oanh Tran.

When young workers speak up about their problems at work, our advocates are the first to hear their stories. 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 and Occupational Health & Safety Act

- Drafting correspondence, legal documents and forms, such as letters of demand to employers and applications to Fair Work Commission about unfair dismissal and general protections
- 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.

We have continued with our intensive Summer intake this year. Over the shorter winter university break, some of our advocates have returned to do additional volunteer work to support the ongoing work of the legal centre. Without this support, we would not be able to assist all the young workers who come to us for help.

Advocates

Special thanks and congratulations to all our Advocates who have educated young workers about their rights and helped them access justice at work.

Semester 2, 2018: Fatima Syad; Caleb Broderic; Miranda Niklas; Tilly Houghton; Harley Rose; Cassidy Easton; Caitlin O, Callaghan; Diana Siomos; Chan Hee Park; Wei Wen Phang; Fleur Fenech; Lauren Schoff *Summer 2018-2019:* Annabel Harding; William Deng; Kesu Tu; Bridget Ip; Elliot Young

Semester 1 2019: Nick Perica; Ashleigh Pedroni; Lakshimi Devi Ramakrishnan; Ainslee Spadaro; Bodhi Shribman-Dellmann; Nazdana Haidari; Nicholas Carey; Lucy Tatham; Lily Quinn; Amila Hendahewa

Industrial Law Mentoring for Law Students

Our second industrial and employment law mentoring and networking night was an incredible success, with over 60 students gaining insight into the career paths and lives of 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.

RESEARCH AND ADVOCACY

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

QUOTES FROM OUR ADVOCATES

"I enjoyed every aspect. I learnt valuable legal knowledge while undertaking various tasks."

"I loved hearing peoples[,] stories and being able to help them."

"What I liked most during my YWC placement was being able to work directly with clients, e.g. doing intake on the phone and sitting in on meetings."

"I had never studied employment law at uni before my placement at YWC and didn't intend to, but I ended up loving employment law and am now very interested in working in employment law as a career."

"I loved my time as an advocate at YWC. I loved helping people and having conversations with callers, and I learned to multi-task. But my time at YWC also gave me the skills and confidence to negotiate myself into an employment contract and out of a position in which I felt like I was being exploited. Thank you for your support."

Franchise Workers Health and Safety Snapshot

In late 2018 we released the Franchise Workers Health and Safety Snapshot.

- 2 in 3 young workers at franchise stores around Australia feel unsafe, bullied or uncomfortable at work
- 4 in 10 young franchise workers say they or a coworker have been injured at work
- Young people are left to run stores alone early in the morning and late at night, and they don't feel safe doing it.
- Young workers report being harassed by customers and management and having their shifts cut after complaining about safety issues.

The report drew media attention from Junkee.

Submission to the Victorian On-Demand Inquiry

We provided extensive research and survey analysis support for VTHC's second submission to the inquiry.

- 1 in 5 have been on-demand food delivery riders have been involved in an accident on work time
- There is a lack of transparency from companies about algorithms and ratings and their impact on jobs and pay.
- Workers are unable to negotiate a pay rise, despite their status as independent contractors.

Events

Stakeholder consultation with the On-Demand Economy Inquiry. A Q&A between Natalie James, Chair of the On-Demand Economy Inquiry and workers from across the Gig Economy. (June 2019)

YOUNG WORKERS COMMUNITY CAMPAIGNING AND TRAINING

We believe that training activists and resourcing them is essential to empower young workers to speak up and make change in their own workplaces, campuses and communities. We believe in providing regular opportunities for young people to take action to achieve real change, generate media and share the stories of young people.

Campaigning

- YWC activists partnered with Young, Democracy in Colour and Australian Youth Climate Coalition and visited marginal seats to talk to young people about key issues impacting them in relation to the state election;
- We have hosted numerous community events, activist meetings, phonebanks; action-orientated events and a Campaign Caucus;

Activist training and Workshops

Over the past year we have trained and supported activists to have conversations in their communities and workplaces about the issues that matter to them:

 Young Workers sexual harassment and gendered violence training as part of the 16 Days of Activism Against Gendered-Based Violence;

- We have held actions outside Pressed Juices stores and Reef Café in Belgrave;
- We have organised food delivery riders to stand together to fight for their rights; and
- We have supported Hospo Voice and young hospitality workers to take action.
- Delivery of 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.



IN THE MEDIA

Wage theft has continued to dominate the media, and the Young Workers Centre has been at the forefront of the stories. From calling out brands such as Pressed Juices and UberEats to speaking on workplace health and safety we have worked hard to make sure that young people and their experiences are being heard in the media.

Pressed Juices

Young Workers Centre activist, Mingka Macdonald, was at the forefront of the campaign to uncover rampant wage theft across Pressed Juices with stories in the Age and Junkee.

- 'We always had to chase': Pressed Juices staff owed wages as stores close: <u>https://www.smh.com.au/business/</u> <u>small-business/we-always-had-to-chase-pressed-juices-staff-owed-wages-as-stores-close-20190301-p5115i.html</u>
- Young Workers Say Pressed Juices Owes Them Thousands In Unpaid Wages And Superannuation: <u>https://junkee.</u> <u>com/pressed-juices-unpaid-workers/181725</u>

Gig Economy

Food delivery riders have also taken action this year. The brave actions of Uber riders generated media in the New York Times.

• Uber Drivers' Day of Strikes Circles the Globe Before the Company's I.P.O.: <u>https://www.nytimes.com/2019/05/08/</u> technology/uber-strike.html_

Your rights at work

Former YWC Director, Keelia Fitzpatrick and former Principle Solicitor, Carita Kazakoff, spoke to Triple J Hack, Frankie Magazine and the Sydney Morning Herald about your rights at work.

- How to make sure you're not being ripped off at work: <u>https://www.abc.net.au/triplej/programs/hack/know-your-rights-over-summer/10682250?fbclid=lwAR3NW0L0UbYI4tjyYBIPARa-0AgHkJcjYZJLMaWxNkF-i4vMZ1JFwDZeyP0</u>
- · How Not to Get a Shit Job: https://www.frankie.com.au/item/7764-how-not-to-get-a-shit-job
- Melanie says she earned \$2 an hour and every step was tracked on an app: <u>https://www.smh.com.au/business/</u> workplace/melanie-says-she-earned-2-an-hour-and-every-step-she-took-was-tracked-on-an-app-20181006-p5085z. <u>html?fbclid=lwAR1zbimUvaIDbSaXFy4hnpWeKm51aB0EXwoFtvGEBa0m9w0fN8wxg05ED8s</u>

Health & Safety at work

We have also been called upon to speak about workplace bullying and harassment and our franchise snapshot report also generated media around workplace health and safety.

- Star Radio Host Ray Hadley Accused of "Intense Bullying": <u>https://www.sbs.com.au/news/the-feed/star-radio-host-ray-hadley-accused-of-intense-bullying</u>
- Young Workers Say they Feel unsafe working alone at franchise stores: <u>https://junkee.com/young-workers-franchise-stores/182228</u>

For an updated list of all our media appearances, please visit youngworkers.org.au/press

MEET THE COMMITTEE OF MANAGEMENT

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 2019 we farewelled Chair Abbey Kendall and non-voting member Tom Weston who have both moved interstate. We welcomed new committee member Daniel Nguyen and Annabel Harding as a non-voting member.

CURRENT COMMITTEE OF MANAGEMENT MEMBERS

Jake Wishart (Chair) is a former campaigner at GetUp and organiser for the Media, Entertainment & Arts Alliance (MEAA). His background is in community organising, campaigning and media having worked for the United Firefighters Union, 350.org, Adam Bandt MP, Essential Media Communications & Radio Adelaide.

Simon Schmidt (Treasurer) worked many dodgy jobs before becoming a teacher of secondary English and Legal Studies. While teaching he became active in the Independent Education Union, where he has been working in roles since, including Organiser and Media & Communications Officer. He has been the IEU's national delegate on the Australian Council of Trade Unions Youth Committee and a Young Sustainable Development Goals Advocate with Education International. Simon is very proud to be a founding member of the Young Workers Centre Committee of Management.

Carina Garland (Secretary) is the Assistant Secretary of Victorian Trades Hall Council.

Jessica Dawson-Field is an employment lawyer in Maurice Blackburn's Melbourne office. She holds a Bachelor of Arts and a Juris Doctor, and was admitted to practice in 2014. Before joining the firm, Jessica gained experience working in an employment and commercial litigation team for a top tier commercial firm, as well as a union. She was also a Student Research Fellow at the Centre of Employment and Labour Relations Law at the University of Melbourne.

Sherry Huang is an organiser at the National Union of Workers and a researcher for ABC Four Corners. She arrived in Australia on a working holiday visa in 2010 in order to research the working conditions of temporary migrants to Australia, and in January 2013 started her PhD at RMIT University. Sherry founded T-WHY, a digital information service for young Taiwanese people working in Australia, in 2014.

The Hon. Peter Gray retired after 29 years as a judge of the Federal Court of Australia in 2013. Previously, he practised as a barrister in Melbourne, covering a wide variety of areas, with a specialisation in industrial law. He has a Bachelor of Laws with First Class Honours from the University of Melbourne and a Bachelor of Civil Law from Oxford University. While a judge, Peter also served as a judge of the Industrial Relations Court of Australia, a Presidential Member of the Administrative Appeals Tribunal, Aboriginal Land Commissioner, and a Deputy President of the National Native Title Tribunal. **Samuel Dariol** is the Media & Campaigns Officer at the Refugee Council of Australia - a peak body for refugee organisations in Australia. Previously he has worked as a community organiser around refugee issues with Jesuit Social Services and with the Fossil Free Universities campaign.

Josh Liley works for the Electrical Trades Union and was formerly a lawyer at Gordon Legal. He practises in industrial law, employment law, and class actions. Before coming to Gordon Legal, Josh practised industrial and employment law at Slater and Gordon.

Daniel Nguyen is the Executive Officer of Tarwirri, a membership body for Indigenous law students and lawyers, working towards contributing to the awareness of legal and policy issues affecting Aboriginal and Torres Strait Islander communities in Victoria. He is passionate about working to contribute to movements to ensure a just and fair society.

Yasser Bakri (Non-voting member) is a barrister with 6 years of litigation experience and immediately prior to going to the bar had a busy practice in the Industrial and Employment Law department at Slater & Gordon.

Annabel Harding (non-voting member) is a recent arts/ law graduate who currently works for the Parliament of Victoria as an Electorate Officer. She has previously worked as a legal advocate at the Young Workers Centre. Annabel is a proud member of the CPSU and is passionate about helping young people fighting for the rights at work.



YOUNG WORKERS CENTRE INCORPORATED FINANCIAL REPORT

54 Victoria St, Carlton 3053 VIC

No. A0094577V

Add Summary

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 2019.

For the period 1 July 2018 to 30 June 2019 and in accordance with funding arrangements entered into with VTHC, 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 funds transmitted to it in accordance with funding arrangements between YWC Inc and VTHC.

Profit and Loss

Young Workers Centre Incorporated 1 July 2018 to 30 June 2019

	30 Jun 19
Income	
Interest Income	179.68
Total Income	179.68
Gross Profit	179.68
Less Operating Expenses	
Computing	150.00
Consulting & Accounting	1,125.00
Insurance	665.06
Interpreters	65.62
Rent	9,450.00
Subscriptions	2,474.00
Telephone & Internet	1,005.00
Training	2,200.00
Volunteers Expenses	306.00
VTHC Shared Expenses	7,128.00
Total Operating Expenses	24,568.68
Net Profit	(24,389.00)

Balance Sheet

Young Workers Centre Incorporated As at 30 June 2019

	30 JUN 2019
Assets	
Bank	
Young Workers Centre Incorpora	24,211.54
Total Bank	24,211.54
Total Assets	24,211.54
Liabilities	
Non-current Liabilities	
Loan- VTHC	100.00
Total Non-current Liabilities	100.00
Total Liabilities	100.00
Net Assets	24,111.54
Equity	
Current Year Earnings	(24,389.00)
Retained Earnings	48,500.54
Total Equity	24,111.54

KEEP IN TOUCH

We know that young workers are stronger when they stand together and are empowered to speak up and shout out.

Over the next 12 months we will visit more schools in regional Victoria and continue to expand the Student Activist Network to allow high-school students more opportunities to be involved and find their voice.

We also intend to train volunteer leaders to run campaigns and organise other young workers.

To hear about what we're up to in 2020 and how you can get involved follow us on social media.

- Facebook: facebook.com/YWCVictoria
- Twitter: @YWCVictoria
- Instagram: @YoungWorkersVic
- LinkedIn: Young Workers Centre

And whether you want to be on a megaphone at an action or talking to young people about their rights at work you can sign up to volunteer at youngworkers.org.au/volunteer

