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14 December 2020

The Hon. Ros Spence
Minister for Youth
Level 1/2 Treasury Place
EAST MELBOURNE VIC 3002

Via email: youth@dpc.vic.gov.au

Dear Minister Spence,

RE: YOUTH STRATEGY SUBMISSION

The Young Workers Centre (YWC) welcomes the opportunity to make a submission to the Youth Strategy. YWC, at Victorian Trades Hall, was established in 2016 to break the cycles of exploitation at work for young Victorians. We educate young people on their rights, safety, and wellbeing at work via training programs available to all Victorian high schools, TAFEs and technical colleges. We provide free legal advice to young people to resolve workplace issues. We organise and train young people to develop campaigns to improve their workplaces. We document life at work through our young workers research project.

This submission sets out the YWC's recommendations to address the biggest issues facing young workers across Victoria today. These recommendations reflect YWC's engagement with young workers in Victoria through legal advocacy, community events and worker meetings, where young workers have identified their most pressing concerns and organised around these issues to secure a fairer deal for their generation.

If you have any questions or would like further information, please do not hesitate to contact the Director of the Young Workers Centre, Felicity Sowerbutts on 0421 856 786.

Thank you for your consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "F. Sowerbutts", written in a cursive style.

Felicity Sowerbutts
Director, Young Workers Centre

Ref: FS:JK 72.532



Young Workers Centre Submission

Youth Strategy

December 2020

Introduction

The Young Workers Centre (YWC) welcomes the opportunity to make a submission to the Victorian Government Youth Strategy consultation. YWC, at Victorian Trades Hall, was established in 2016 to break the cycles of exploitation at work for young Victorians. We educate young people on their rights, safety, and wellbeing at work via training programs available to all Victorian high schools, TAFEs and technical colleges. We provide free legal advice to young people to resolve workplace issues. We organise and train young people to develop campaigns to improve their workplaces. We document life at work through our young workers research project.

At YWC, we support young workers to advocate for their peers, communities and workplaces, in a way that empowers young workers as active citizens and primary stakeholders in youth-related issues. This submission sets out key recommendations coming out of YWC's consultation and community engagement with young workers in Victoria.

Young Workers Centre Log of Claims

On top of educating hundreds of Victorian students and young workers about their rights at work, the YWC hosts community events, activist meetings, phonebanks and worker meetings to provide a platform for young workers to self-advocate and work collectively to address their common concerns.

Throughout 2020, 50 young workers in Victoria worked together to build a log of claims. This outlines what young workers identify as the biggest issues facing them and what they will campaign and organise around in order to secure a fairer deal for their generation. The log of claims demanded:

1. Good, clean, secure jobs that all young workers can count on
2. A living wage for all young workers regardless of age, industry, qualifications or visa status
3. The right to shelter for all young workers
4. Skills to equip all young workers for the future
5. Universal healthcare for all young workers

In December 2020, the YWC also held a log of claims meeting with 30 young activists. The young workers participating came from a wide age range and had varying employment statuses. 2 participants were under 18 years old, 11 participants were 18-24, 12 participants were 25-30 and 5 participants were over 30 years old. 26 of the participants lived in metropolitan Melbourne, and 4 in regional Victoria. 13 of the participants were studying and 20 were currently working.

Collection of Mentimeter data from the meeting found that workers' rights, homelessness and housing, and employment were the 3 most important issues facing young workers (with 28, 20 and 21 votes out of 30 respectively). Education and training, environment and climate change, and bullying and discrimination were also significant issues, each receiving votes from more than half of the participants.

When asked if they could change one thing about Victoria to help young people, the most consistent response was around employment, with 10 participants nominating a job guarantee, better job security or a Green New Deal as the one change they'd like to see. Another 6 participants wanted more public housing and more affordable housing as their priority. This reflects data from the previous question and reinforces the finding that young workers want good jobs and better

housing. Other recurring issues were education and training (nominated by 4 participants), and public transport (nominated by 3 participants).

Young Victorians are active participants in community and decision-making through forums such as the YWC. The log of claims consultation is a concrete example of how young people are voicing their concerns and calling on governments to act. Young people know that real policy change is needed to ensure young people have equal opportunity, and that a youth-led Youth Strategy is the best way to guide that change.

Victorian young people are healthy and well, mentally and physically

Make work healthier for young workers

Mental and physical health are high-priority issues for young people. Mission Australia's 2020 Youth Survey found that 72.3% of Victorian young people place high value on mental health and 69.8% on physical health.¹ 46.8% of Victorian young people said that "coping with stress" was the top issue of concern, 37.7% were either extremely very concerned about mental health, and 27.8% were extremely or very concerned about physical health.²

As we know from the pandemic, insecure work is a health risk that young people are disproportionately forced to take in casual or gig work arrangements. To allow young workers to take care of their own mental and physical health, the Victorian Government should ensure that all young workers, including casual workers, have access to paid sick leave as many young people work in highly casualised industries without leave entitlements. This includes cleaning, hospitality, retail and aged care. The YWC strongly endorses the Victorian Government's proposal of implementing an industry levy at the end of the Secure Work Pilot Scheme, to provide up to five days of sick and carer's pay at the national minimum wage to all casual or insecure workers in priority industries.

More accessible healthcare

Young people in Victoria also need more accessible healthcare, particularly given the mental health impacts of COVID-19 that has seen a 33% increase in young people presenting to emergency departments for mental ill-health.³ Mental health treatment, in particular, is often too financially or culturally inaccessible for young people from culturally diverse backgrounds, with non-permanent visa statuses or with disabilities, for example. Mental health services should be financially and physically accessible, as well as culturally safe. Significant investment in community facilities and training is needed to bridge the gaps between services to provide consistent, appropriate and accessible mental healthcare for young people in Victoria.

The Victorian Government should accept the Youth Affairs Council (YAC) Victoria's recommendations in its COVID-19 Recovery Plan and increase the capacity of services through increased funding and dedicate resources for outreach, peer work and prevention; support digital

¹ Youth Survey (2020) Mission Australia, accessed: <https://www.missionaustralia.com.au/what-we-do/research-impact-policy-advocacy/youth-survey>

² Ibid.

³ COVID-19 Recovery Plan for Young People (2020) Youth Affairs Council Victoria, accessed: <https://www.yacvic.org.au/advocacy/covid-19-recovery/#TOC-2>

youth mental health services through ongoing funding and training; and implement the recommendations of the Royal Commission into Victoria's Mental Health System.

Victorian young people actively participate in learning, education and training

Better support during post-secondary education and work experience

In Mission Australia's 2020 Youth Survey, 97.3% of young people in Victorian schools said they intended to complete Year 12, and 69.1% planned to go to university after school. A minority planned to go to TAFE or college (6.7%) or get an apprenticeship (6.4%).⁴

The Victorian Government should ensure that young people who want to go to university have the means to do so, through grants targeted at students who need extra support as a result of poverty, disability, caring responsibilities, linguistic background, Aboriginal or Torres Strait Islander background or regional location. The Victorian Government should also overhaul TAFE and apprenticeships to make them more appealing to young people who want to continue their education. This includes fully-funding public TAFE, ensuring TAFE staff have well-paid and secure employment, making courses free for all students, and regulating providers according to strict guidelines to ensure training from private institutions is of the same standard expected from public institutions.

Victorian has the lowest apprenticeship completion rates of any state because apprentices lack support. Victorian apprentices are exposed to wage theft and unsafe work conditions and, as a result, completion rates are low and attrition rates are high. Among technical and trade apprentices in the 2014 cohort, only 38% completed their apprenticeship and 56% dropped out.⁵ To encourage and support young workers taking on an apprentice, the Victorian Government should introduce a licensing system, so that only employers who can prove they have not been involved in wage theft, OHS contraventions and who adhere to apprentice ratios can be licensed to take on apprentices and trainees. This will ensure that young apprentices and trainees are not exploited at work and therefore are more likely to complete their course.

The Victorian Government should also advocate for the Federal Government to amend legislation so that apprentices and trainees are paid living wages, and abolish apprenticeship wages and junior wages so that any distinction based on age or apprenticeship status in industrial instruments is illegal.

The Victorian Government should also support international students taking up an education in Victoria. This means expanding eligibility for concession passes to international students, for example, on public transport, and dedicated funding to support international students in areas of housing and healthcare, while lobbying the Federal Government to allow international students eligibility for government support payments and Medicare.

To develop ambitions for work in the future, many high school students take up work experience during Year 9 or 10. However, some dodgy bosses use the opportunity for free labour. The Victorian Government should work with schools to ensure that employers either pay students the legal rate

⁴ Youth Survey (2020) Mission Australia, accessed: <https://www.missionaustralia.com.au/what-we-do/research-impact-policy-advocacy/youth-survey>

⁵ NCVET (2019) Apprentices and Trainees 2019 March Quarter Australia – Data Slicer, accessed: <https://www.ncver.edu.au/news-and-events/media-releases/apprentice-and-trainee-commencements-up-in-march-2019-quarter>

for any work done during work experience, or ensure that unpaid time at work experience is educational and fully supervised. Further, the Victorian Government should increase the work experience allowance in order to make work experience more equitable, particularly for students who may already be working outside of school hours, whose paid work would be disrupted by taking on work experience.

Victorian young people are economically active and contribute to the economy

Create an inclusive and effective Youth Employment Strategy

Victorian young people continue to be some of the most exploited workers in the labour force with many experiencing wage theft and many more stuck in casual and insecure employment arrangements. COVID-19 has only made employment more precarious for young workers, with over 100,000 young people leaving the workforce since January 2020.⁶

To tackle this, the Victorian Government should accept the recommendations made by Youth Affairs Council Victoria's COVID-19 Recovery Plan. This includes creating a Youth Employment Strategy that provides meaningful and secure work for all young people; creating jobs for young people through a Youth Jobs Guarantee and dedicated economic stimulus; supporting young people into jobs with targeted resources and strategies; and, providing relevant training through employment education at school.⁷

Tackle exploitation in the workplace

The Victorian Government also needs to tackle exploitative practices within the on-demand gig economy, given the exposure of young people (especially international students) to its risks. The Victorian Government should adopt the YWC's recommendations in its Submission to the On-Demand Inquiry, which includes amending the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic), the Occupational Health and Safety Act 2004 (Vic), the Wage Theft Act 2020 (Vic) and other Victorian legislation that extends to employment to include the ABC Test; place the onus on employers to prove why their worker should be deemed an independent contractor; and create a definition of 'the workplace' that extends to gig work platforms.⁸

The Victorian Government should also adopt a Fair Jobs Code that ensures no public funds are used to subsidise gig economy platforms, and establish a Gig Economy Licensing Authority to oversee a requirement that all corporations operating under a gig-work style employment structure be licenced, similar to the labour hire licensing regime. These measures will keep employers accountable to their workers and protect workers from sham contracting.

⁶ Youth employment plan needed as 20,000 new graduates enter job market (2020) Youth Affairs Council Victoria, accessed: <https://www.yacvic.org.au/advocacy/youth-employment-plan/>

⁷ COVID-19 Recovery Plan for Young People (2020) Youth Affairs Council Victoria, accessed: <https://www.yacvic.org.au/advocacy/covid-19-recovery/#TOC-2>

⁸ VTHC Submission to the On-Demand Inquiry's Recommendations (2020) Victorian Trades Hall Council, accessed: https://d3n8a8pro7vhmx.cloudfront.net/victorianunions/pages/1411/attachments/original/1605742590/VTHC_Submission_to_On-Demand_Recommendations_.pdf?1605742590

More programs and support services for disadvantaged job seekers

The Victorian Government should also significantly invest in additional support for disadvantaged job seekers including Aboriginal & Torres Strait Islander young people, disabled young people, young migrant workers and young people in regional areas, who disproportionately experience discrimination in recruitment and are often put in unsuitable work by employment providers.

In any Youth Employment Plan or Youth Jobs Guarantee led by the Victorian Government, marginalised job seekers should be allocated additional, dedicated resources to overcome cultural and economic barriers. This could mean extra requirements on job providers to assist job seekers from these backgrounds, and it could mean designating places in job readiness programs for job seekers from these backgrounds. A Youth Employment Plan and Youth Jobs Guarantee should include quotas, similar to those implemented in the Victorian Government's recent record investment in building social housing that included social procurement targets to create jobs for women, people with disabilities and Aboriginal & Torres Strait Islander workers.

Better safety nets for international students

International students, who are an important part of Victoria's community of young workers, have been severely and disproportionately impacted by the pandemic. In a survey by the Migrant Workers Justice Initiative, 70% of international students lost their jobs during the pandemic and 48% could no longer afford to pay rent.⁹ 28% could not pay for food.¹⁰ VTHC welcomed the Victorian Government stepping in to provide support to international students when the Federal Government failed to do so.

If international students are to be economically active and contribute to Victoria's economy, they need access to social services such as homelessness services or emergency loans and grants. International students need to be financially supported during times of financial crisis and pandemic, especially when a significant proportion cannot rely on family to send money from overseas.¹¹ The Victorian Government should expand eligibility of critical services such as crisis accommodation, emergency grants, no-interest loans, access to public healthcare and rent relief to include international students.

Help young people access safe and affordable housing

For young workers in Victoria to be economically active and contribute to the economy, they need access to safe, appropriate and affordable housing. On any given night, at least 6,000 young people are homeless in Victoria.¹² The compounding impacts of insecure work, low wages growth, an inadequate minimum wage and unaffordable housing has seen far too many young people fall through the gaps. Young people cannot participate in the economy if they lack even basic access to safe shelter.

⁹ Racism has impacted a quarter of Australia's international students during the pandemic (2020) Catalina Florez, SBS, accessed: <https://www.sbs.com.au/news/racism-has-impacted-a-quarter-of-australia-s-international-students-during-the-pandemic>

¹⁰ Ibid.

¹¹ Ibid.

¹² Young people call on Government to commit to ending youth homelessness (2020) Youth Affairs Council Victoria, accessed: <https://www.yacvic.org.au/advocacy/end-youth-homelessness-vic-2020/>

The Victorian Government should invest significantly in services to prevent young people from becoming homeless, including in community services and emergency loan/payment programs, and adjust legislation to protect low-income tenants in the private rental market. The YWC commends the Victorian Government's record investment into social housing, and urges the Victorian Government to continue leading the way on public and social housing investment until Victoria has enough homes for every person on the waiting list. These housing units should be affordable, accessible to people with varying needs (such as family size and disability) and supported by services.

Introduce mandatory workplace rights education in public schools

For young people to participate in decision-making and connect with civic life, they need to be equipped with the knowledge of legislation designed to protect them and the skills to advocate for themselves and their peers.

The YWC recommends that the Victorian Government introduce a mandatory workplace rights education program in all secondary schools in Victoria to ensure young people can exercise, protect and improve their rights at work. This program should be provided to students as they begin work, usually from age 14. The curriculum should cover rights and entitlements including minimum rates of pay, workplace bullying, occupational health and safety, and different ways to resolve disputes. The curriculum should also include where to go for assistance, such as how a young worker can join their relevant union, contact the YWC or other community legal centre, or submit an inquiry to the Fair Work Ombudsman. YACVic's Youth Policy Synthesis acknowledges that mandatory workplace rights and safety training for secondary school students is a recommendation made frequently to the Victorian Government.¹³

Victorian young people are connected to culture, community and civic life

Introduce mandatory civics and democracy education in public schools

Young people are also some of the most distrusting voters in Australia. Young people have very little faith in Australian politics and democracy, with only 7% of respondents in triple j's 2018 survey of 11,000 young people reporting that they believe politicians act in the best interests of young people.¹⁴ Young people do care about politics, with an increase in the number of young people sharing political content online,¹⁵ but literacy around political processes is low. Since 2004, the National Assessment Program's Civics and Citizenship test has shown that the percentage of Australian students achieving 'proficiency' in government, judiciary and democratic processes remains low.¹⁶ In an era where a generational divide has seen young people unable to enjoy the

¹³ Youth Policy Synthesis (2020) YACVic, accessed: <https://www.yacvic.org.au/assets/Documents/YACVic-Policy-Synthesis-Public-Report.pdf>

¹⁴ Young, smart, and kinda broke: What we learnt from our Census for Young People (2018), ABC News, accessed: <https://www.abc.net.au/triplej/programs/hack/whats-up-in-your-world-the-census-for-young-people/10051266>

¹⁵ Young people care deeply about politics (even if they can't get excited about the election) (2019) G Jennings-Edquist, ABC Life, accessed: <https://www.abc.net.au/life/do-young-people-care-about-politics/10905604>

¹⁶ Schools are not adequately preparing young Australians to participate in our democracy (2017) Z Ghazarian, J Laughland-Booy, Z Skrbis, The Conversation, accessed: <https://theconversation.com/schools-are-not-adequately-preparing-young-australians-to-participate-in-our-democracy-88131>

same economic security as their parents, young people need to be able to hold decision-makers to account.

The YWC recommends that the Victorian Government introduce compulsory civics education in school. This curriculum should cover local, state and federal systems of voting, the legal obligation to vote, and the role of significant political actors such as political parties, lobby groups and trade unions.

Support and engage with existing young workers' forums

The Victorian Government should also support forums where young people do choose to participate in decision-making and community. This includes resourcing student unions at Victorian TAFEs and other public training institutions, so that students can participate in making decisions and holding decision-makers to account through post-secondary education. The Victorian Government can also support young people by resourcing community organisations such as the YWC where young activists come together to collectively advocate for better work rights for young people and become active participants in decision-making through forums such as the log of claims.

Victorian young people are safe, experience equality of opportunity and are treated fairly

Make workplaces safer and fairer

Many young workers are forced to work in unsafe conditions, due to bosses' willingness to exploit young people's lack of experience around occupational health and safety to cut corners. A 2017 YWC survey found that 1 in 4 young people surveyed have been asked to do something at work that made them feel unsafe but 55.6% did the unsafe work anyway.¹⁷ 1 in 2 young people surveyed reported experiencing incidents of bullying or harassment at work. Many international students also work in unsafe conditions because bosses use their visa status and lack of workplace rights knowledge as a means for exploitation and coercion. Young women are also particularly exposed to sexual harassment from bosses, managers, coworkers and customers.¹⁸

To empower young people to keep themselves and their peers safe at work, workplace health and safety training should be embedded in high school career and work-readiness programs and curriculum and mandated in all Victorian high schools for students Year 10 and above. This early education at the point at which young workers are entering the workplace for the first time is pivotal in ensuring they can develop habits in identifying safety and/or bullying hazards and understand their employers' obligations to address them.

Stamp out workplace discrimination

Young workers also want fairer workplaces and a more equal society more broadly. Young workers face discrimination for lots of reasons, including disability, age, visa status, cultural background and gender, especially when these factors compound.

¹⁷ Young Workers Health & Safety Snapshot (2017) Young Workers Centre, accessed: https://d3n8a8pro7vhmx.cloudfront.net/victorianunions/pages/1411/attachments/original/1475818335/Young_Workers_Health_Safety_Snapshot.pdf?1475818335

¹⁸ Ibid.

The Victorian Government needs to invest in programs to assist young job seekers find secure and permanent employment, and invest in programs to make opportunities in the workplace and community more accessible, inclusive and safe for young workers from all walks of life. This means making

Address COVID-19 racist attacks on international students

In the wake of COVID-19, racism has also become a major concern for young people of colour and international students. A study by the Migrant Worker Justice Initiative has found, of over 6,000 international students, 23% have experienced verbal racist abuse during the pandemic and 25% said people avoided them because of their appearance.¹⁹

The Victorian Government should invest in programs that train workplaces and public educational institutions to identify, minimise and redress racist behaviours and provide additional support services for young people of diverse cultural backgrounds who have been subjected to racist abuse.

Government, community services and the youth sector are accessible, appropriate and coordinated, and respond to young people's evolving needs

The YWC is in constant engagement with young people across Victoria when they approach the legal centre for advice about work-related issues. Last financial year, the YWC legal centre assisted 579 young workers with their problems at work. Our training across high schools and educational institutions has also empowered young people with knowledge about their rights at work, and the tools to protect those rights. The YWC provided 224 training models to 5,994 young people across 89 high schools or institutions (including 11 regional high schools or institutions) in the last financial year. The YWC has also hosted numerous community events, activist meetings, phonebanks and worker meetings that empower young workers to self-advocate and work collectively to address the issues impacting young workers in Victoria. The YWC is a vital space for organising and educating young workers to be empowered citizens and advocates for their own peers and communities. The Victorian Government should commit to the long term funding of youth advocacy bodies including the YWC to end the uncertainty of short term contracts for relevant bodies that represent, advocate for, and empower young people.

The Victorian Government can ensure that the youth sector responds to young people's evolving needs through ongoing consultation with community organisations such as the YWC and grassroots groups like the Youth Workers Activist Network.

As a matter of equity, the YWC also recommends that consultations conducted by the Victorian Government with individual young people should be fairly remunerated, should ensure young people are fully informed about how their information will be used, and should include avenues for those young people consulted to hold decision-makers accountable to the findings of the consultation.

¹⁹ Racism has impacted a quarter of Australia's international students during the pandemic (2020) Catalina Florez, SBS, accessed: <https://www.sbs.com.au/news/racism-has-impacted-a-quarter-of-australia-s-international-students-during-the-pandemic>

Recommendations

Victorian young people are healthy and well, mentally and physically

1. Implement an industry levy after the Secure Work Pilot Scheme to provide five paid days of sick and carer's leave at the national minimum wage to all casual and insecure workers in priority industries.
2. Invest in community facilities and training within health services to provide consistent, appropriate and accessible mental healthcare for young people in Victoria.
3. Accept the Youth Affairs Council (YAC) Victoria's recommendations in its COVID-19 Recovery Plan
4. Implement the recommendations of the Royal Commission into Victoria's Mental Health System.

Victorian young people actively participate in learning, education and training

5. Invest in designated grants to assist university students impacted by poverty, disability, caring responsibilities, linguistic background, Aboriginal or Torres Strait Islander background or regional location.
6. Fully fund public TAFE.
7. Ensure TAFE staff have well-paid and secure employment.
8. Make courses free for students, and regulate providers to ensure private institutions are held to the same standard as public institutions.
9. Introduce an apprenticeship licensing system, so that only employers who can prove they have not been involved in wage theft, OHS contraventions and who adhere to apprentice ratios can be licensed to take on apprentices.
10. Advocate for the amendment of federal legislation so that apprentices and trainees are paid living wages, and advocate for the abolition of apprenticeship wages and junior wages so that any distinction based on age or apprenticeship status in industrial instruments is illegal.
11. Expand eligibility for concession passes to international students.
12. Dedicate funding to support international students in areas of housing and healthcare.
13. Lobby the Federal Government to allow international students eligibility for government support payments and Medicare.
14. Work with schools to ensure employers pay students for any work done during work experience, and ensure that unpaid work experience is educational and fully supervised.
15. Increase work experience allowance.

Victorian young people are economically active and contribute to the economy

16. Adopt the recommendations made by Youth Affairs Council Victoria's COVID-19 Recovery Plan.
17. Adopt the YWC's recommendations in its Submission to the On-Demand Inquiry.
18. Adopt a Fair Jobs Code that ensures no public funds are used to subsidise gig economy platforms.
19. Establish a Gig Economy Licensing Authority to oversee a gig-work licensing regime.
20. Invest significantly in services to prevent young people from becoming homeless, including in community services and emergency loan/payment programs, and adjust legislation to protect low-income tenants in the private rental market.

21. Commit to building 6,000 social and public housing units and houses per year for the next decade that are affordable, accessible to people with varying needs and supported by services.
22. Introduce a mandatory workplace rights education program in public schools from age 14 to ensure young people can exercise, protect and improve their rights at work.

Victorian young people are connected to culture, community and civic life

23. Introduce compulsory civics education in school
24. Fully fund forums where young people participate in decision-making, including student unions and community legal centres that support young people in Victoria.

Victorian young people are safe, experience equality of opportunity and are treated fairly

25. Embed workplace health and safety training in high school career and work-readiness programs and curriculum in all Victorian high schools for students Year 10 and above.
26. Invest in programs to assist disadvantaged young job seekers to find secure and permanent employment
27. Invest in programs to make opportunities in the community more accessible, inclusive and safe for young people.
28. Invest in programs that train workplaces and public educational institutions to identify, minimise and redress racist behaviours
29. Provide additional support services for young people of diverse cultural backgrounds who have been subjected to racist abuse.

Government, community services and the youth sector are accessible, appropriate and coordinated, and respond to young people's evolving needs

30. Commit to the long term funding of youth advocacy bodies and community legal centres that advocate for young people, including the Young Workers Centre