

Moving to Australia on a temporary work visa?

Your rights at work

**DOWN
UNDER**



Working Holiday 457 Visas Pay Safety Entitlements

What you need to know about your rights as a
temporary migrant worker in Australia

This information was prepared by Australian trade unionists for distribution in Ireland

A message from ACTU President Ged Kearney

THE economic crisis in Ireland has caused high levels of unemployment and hardship in recent years, and tens of thousands of Irish people are emigrating to Australia on temporary visas to find work. People from Ireland are now the third-largest source of workers entering Australia under the 457 temporary skilled worker visa program, and thousands more enter each year under the Working Holiday visa. Most Irish workers are employed in the healthcare, construction, mining and hospitality industries.

Issues facing Irish workers in Australia

Many young Irish workers on Working Holiday visas are unaware of their rights in the workplace in Australia. There is also evidence that some workers on 457 visas are being exploited as they depend on their employer for their residency rights. Any workers beholden to their employer for their residency rights are naturally going to be reluctant to speak up if their rights are being abused. Some of the key issues facing Irish workers in Australia include underpayment; the denial of entitlements such as leave and workers' compensation insurance through "sham contracting" arrangements; and diminished safety standards on sites where migrant workers are concentrated.

Unions defending migrant workers' rights

Australian trade unions are campaigning for the rights of temporary migrant workers in an effort to combat exploitation. We believe all workers in Australia are entitled to equal rights, pay and conditions. We don't want to see the creation of a group of second-class workers which can be used by unscrupulous employers to lower wages, conditions and



ADVICE: From left, ACTU Secretary Dave Oliver, Irish TD Pearse Doherty and ACTU President Ged Kearney in Melbourne, September 2012

rights across the board.

The existing protections for temporary workers have only been achieved by union campaigns for equality.

Get organised! Join your union

This pamphlet aims to help inform migrant workers from Ireland of their rights at work in Australia. We encourage every Irish worker in Australia to ensure they get the pay and conditions they are legally entitled to. The best way to do this is to join your union as soon as you arrive, and encourage your friends to do the same.

Unions can challenge underpayment, denial of entitlements, unsafe conditions, and threats of deportation by an employer. So stand up for your rights at work. Don't take part in the 'race to the bottom'. Join your union as soon as you arrive in Australia

Ged Kearney, July 2013

Fáilte go dtí an Astráil. Tá an t-eolas seo ullmhaithe d'oibrithe Éireannacha ag taisteal go dtí an Astráil ag ceardchumannaithe na hAstráile. Tá eolas ann faoi do chearta san ionad oibre, sábháilteacht, pá, víosaí, pobal áitiúil na hÉireann agus níos mó. Tá súil againn go gcabhróidh sé duit tuiscint do chuid chearta ar obair san Astráil. Is é an bealach is fearr le chinntiú go bhfuil do chuid chearta cosanta ná a bheith páirteach i gceardchumann!

This pamphlet is an initiative by Pearse Doherty TD, supported by the Claddagh Association Perth, the ACTU and Irish unions Mandate, TEEU, IBOA and Unite

The information in this pamphlet has been sourced from the Fair Work Ombudsman, the Department of Immigration and Citizenship, the Department of Education, Employment and Workplace Relations' Young Worker Toolkit, the ACTU, CFMEU and AMWU websites. It is accurate as of July 2013 but conditions may be subject to change, so visit the DIAC and Fair Work Ombudsman websites for up-to-date information about any significant changes. See page 12 for contact details. Photos are from Shutterstock, the ACTU (p12), CFMEU (p5, p9), Unions Australia (p12) and supplied by Irish community groups (p11). Authorised by Pearse Doherty.

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**unions
australia**

Make sure your rights at work are protected. Join a union when you arrive in Australia.

Join online at

www.unionsaustralia.com.au

or phone

1300 486 466

Temporary visas

To enter Australia as a visitor or temporary migrant with work rights, you need a valid visa. Most people who travel from Ireland and Britain to work in Australia do so on either a Working Holiday (417) visa or a Temporary Worker (Skilled) (457) visa. Most of the information in this pamphlet relates to these two types of visas, but there are other visas which may be applicable to you. For more information on visas, and for the full details of the residency and work rights under each type of visa, please contact the Australian Department of Immigration and Citizenship (DIAC).

Throughout this pamphlet, information that is specific to either type of visa will be coloured yellow or purple as below. Information below is from the DIAC website.



Working Holiday Subclass 417

Basic overview

This visa is for people aged 18 to 30 years of age, who are interested in a working holiday of up to 12 months in Australia. You must have turned 18, but not turned 31, at the time of your visa application. The main purpose of this visa is to allow applicants to have an extended holiday while supplementing their funds with short-term work in Australia.

Work/residency rights on First Working Holiday visa

If you are granted your Working Holiday visa you can:

- enter Australia within 12 months of grant
- stay up to 12 months
- leave and re-enter Australia any number of times while the visa is valid
- do any kind of work in Australia. However, you can only work with the same employer for up to six months
- study for up to four months.

For information on eligibility, applications and renewals, visit the DIAC website:

www.immi.gov.au/visitors/working-holiday

Second Working Holiday visa

Applicants who have performed **specified work** in an eligible **regional Australian area** for a minimum of three months (88 days) while on their first Working Holiday visa may be eligible for a second Working Holiday visa. Applicants must have evidence of their specified work. Specified work is any type of work that is undertaken in a 'specified' field or industry (such as harvesting, construction and mining).

For information on types of specified work, and a list of postcodes of regional Australian areas, visit the DIAC website: www.immi.gov.au/visitors/working-holiday/417/eligibility-second.htm

Temp Work (Skilled) Subclass 457

Basic overview

The Temporary Work (Skilled) (subclass 457) visa is for skilled workers from outside Australia who have been sponsored and nominated by a business to work in Australia on a temporary basis. Businesses can employ overseas workers for up to four years in skilled occupations only. The program is uncapped and driven by employer demand.

A business can sponsor a skilled worker if they cannot find an appropriately skilled Australian citizen or permanent resident to fill a skilled position listed in the Consolidated Sponsored Occupations List.

There are three stages to the 457 visa process.

- 1) **Sponsorship**—the employer applies for approval as a standard business sponsor.
- 2) **Nomination**—the employer nominates an occupation for a prospective or existing subclass 457 visa holder.
- 3) **Visa application**—the person nominated to work in the nominated occupation applies for the 457 visa.

Work/residency rights on a 457 visa

Subclass 457 visa holders can:

- work in Australia for a period of between one day and four years
- bring any eligible dependants with you to Australia – dependants can work and study
- after entering Australia, have no limit on the number of times you can travel in and out of Australia
- change your employer and/or occupation if an approved sponsor nominates you for a new position and your application is approved.

For information on eligibility, applications and the sponsored skilled occupations list, visit the DIAC website: www.immi.gov.au/skilled/skilled-workers/sbs
For more information on your rights in the workplace on a 457 visa, see pages 8-9.



Fair pay

Get the pay you deserve

Information is from the Fair Work Ombudsman
www.fairwork.gov.au Young Worker Toolkit
youngworkertoolkit.youth.gov.au and DIAC
www.immi.gov.au

Base rate

Your base rate of pay is the cash component of your wage or salary. The total package is the base rate plus any additional entitlements (such as penalty rates, superannuation etc) combined to give a greater total value.

Penalty rates

Employees often get higher rates of pay when they work late nights, early mornings, weekends or public holidays. Penalty rates come from agreements and awards. They are different for each industry and job. Employees who aren't covered by an award or agreement and who are covered by the national minimum wage don't get penalty rates, unless their contract says they should.

Overtime

If stated in your award, enterprise agreement or contract, you're entitled to receive overtime pay. Overtime is usually any work in excess of 38 hours in a week, or outside the ordinary hours. It is often time and a half for the first 2 hours, then double time after that for all hours outside or in excess of your ordinary hours of work.

Getting paid and pay slips

Your employer must pay you on a weekly, fortnightly or monthly basis, depending on the standard practice in the workplace. Employers must issue pay slips to you within one working day of your pay day.

Working Holiday

Entitled to equal pay

People working in Australia on a Working Holiday visa are entitled to the same pay and work conditions as Australian residents and citizens.

Employers have several obligations. They must:

- ensure that the employee is paid the salary specified for the nominated position
- deduct and make tax payments for the employee while employed by the business
- make superannuation contributions for the employee while employed by the business.

National minimum wage for adults

From 1 July 2013, the full-time minimum wage is \$16.37 per hour or \$622.20 per week before tax. This means that most employees in the national system shouldn't get less than this. Casuals covered by the national minimum wage get an extra 24% (\$20.30 per hour). See pages 6-7 for more details.

457 457 457

Must receive equal pay

457 visa workers must receive the same wages and conditions of employment as Australian workers doing the same job at the same workplace – 'the market salary rate'.

How do I know what the market salary rate is?

The market salary rate is the wages and conditions (including hours of work) that the employer currently provides to Australian workers doing the same work in the same workplace. These wages and conditions of employment may be set by an award, collective agreement or common law contract. If there are no Australian employees doing the same work at the same workplace, the employer must identify the market rate.

What is the Temporary Skilled Migration Income Threshold?

A Temporary Skilled Migration Income Threshold (TSMIT) sets the minimum salary for a position to qualify under the 457 scheme. 457 visas will not be granted where the market rate is below the TSMIT. From 1 July 2012, the TSMIT was raised to \$51,400. See pages 8-9 for more details.

Sham contracting

Sham contracting is when an employer tries to pass off an employment relationship as an independent contracting relationship. For example, if an employer tells you they cannot employ you unless you have an ABN (Australian Business Number), that is sham contracting. Employers do this to avoid responsibility for paying legal entitlements to workers, such as minimum rates of pay, leave entitlements and workers' compensation insurance.

This information is especially important for workers in the construction industry where sham contracting is widespread. The construction union, the CFMEU, is campaigning against sham contracting.

IMPORTANT: If you are employed in Australia under a 457 visa, you are not permitted to get an ABN as you must be sponsored and nominated by an employer for a specific job.

www.cfmeu.asn.au/campaigns/national/stop-the-sham

What is sham contracting?

Sham contracting is an illegal but widespread practice in the Australian construction industry. It occurs when a company signs up workers as independent contractors (also known as ABN workers) instead of hiring them properly as employees. Companies use sham contracting so they can avoid giving an employee their working rights and entitlements.

Workers on sham contracts miss out on rights and entitlements such as:

- paid sick leave, holiday leave and long service leave
- overtime and public holiday rates
- protection against unfair dismissal
- redundancy payments
- superannuation payments from employers
- workers' compensation insurance
- fares and travel allowances
- and more.

Sham contracting is illegal

Under the sham contracting provisions of the *Fair Work Act 2009*, an employer cannot:

- Intentionally disguise a person's employment, or an offer of employment, as an independent contracting arrangement
- Dismiss or threaten to dismiss an employee for the sole or main purpose of re-engaging the person as an independent contractor
- Make a knowingly false statement for the purpose of persuading an



Information is from the CFMEU
www.cfmeu.asn.au and the
 Young Worker Toolkit
youngworkertoolkit.youth.gov.au

An independent contractor

Choice of how, where and when to perform tasks

Works on a number of projects

Work can be delegated

Provides own equipment

Separate places of work

Paid by completion of tasks

Risk of loss and opportunity of profit

An employee

Employer exercises control

Works exclusively for employer

Work cannot be delegated

Equipment provided by employer

Works from employer's location

Paid periodically

No profit/loss

employee to become an independent contractor.

What should I do if my boss asks me to get an ABN but I am not a genuine independent contractor?

You should not agree to get an ABN because you will miss out on

important entitlements. It is illegal for your boss to pressure you to get an ABN. You should phone your trade union to report this (see page 12 on how to join a union in Australia). Alternatively you can phone the Fair Work Ombudsman (see page 12). Make sure you get the full range of entitlements you deserve!



Your rights @ work

Everybody who works in Australia – whether you are an Australian citizen, permanent resident, or temporary migrant worker – is entitled to several basic workplace rights

What determines my pay and conditions at work?

The national minimum wage and the National Employment Standards (NES) provide the basic safety net for most workers in Australia. Everybody who works in Australia under relevant Commonwealth workplace laws is entitled to be paid at least the minimum wage, which is reviewed each year. Most workers in Australia are covered by the NES – 10 basic minimum standards.

In addition to the minimum wage and NES, other instruments that may set your pay and conditions include a contract, a modern award and an enterprise bargaining agreement.

■ A common law **employment contract** is between you and your employer and sets out the circumstances of your work.

■ **Enterprise bargaining agreements** are legally binding agreements struck between an employer and a group of employees and/or the union and certified by Fair Work Australia.

■ **Modern awards** outline minimum wages and conditions for an industry or occupation. These conditions



apply on top of the NES and include entitlements such as breaks, allowances and rates of pay for working at different times. You may be covered by one or more of these instruments. The employment conditions contained in your contract or enterprise bargaining agreement generally cannot be lower than the conditions contained in the modern award that applies to the industry you work in (search the Fair Work Commission for your award or agreement: www.fwc.gov.au).

For more information on the national minimum wage, see page 3. For more on the National Employment Standards, see page 7.

General protections

Everyone working under relevant Commonwealth workplace laws is entitled to general workplace protections. The *Fair Work Act 2009* provides protections of certain rights, including: workplace rights; the right to engage in industrial activities; the right to be free from unlawful discrimination; and the right to be free from undue influence or pressure in negotiating individual arrangements.

These rights are protected from unlawful actions, including: adverse action; coercion; misrepresentations; and undue influence or pressure. See www.fairwork.gov.au for more.

Can I join a union?

Yes. Under Australia's laws, everyone has the right to join a union. You do not have to inform your employer that you have joined. For more information contact Unions Australia on 1300 486 466.

Superannuation (pensions) & tax

What is superannuation?

Superannuation is money set aside over your lifetime to provide for your retirement. If you're eligible, your employer must make a contribution of at least 9% of your salary each year into a super fund. You can choose to make your own super contribution on top of this. You may be able to choose the fund that this super is paid into.

Am I eligible?

You're generally entitled to super if you're between 18 and 69 years old, and you're paid \$450 or more (before tax) per month. Superannuation is paid by your employer on top of the minimum wages for your job, and is paid to

full-time, part-time and casual employees, and some contractors.

Accessing super overseas

You are entitled to access your superannuation when you leave Australia. The Australian Taxation Office website provides more information on accessing it.

Extra entitlements

Some awards and agreements have their own extra super rights. Check your award or agreement to find out if extra super applies.

Not getting super?

If your employer isn't fulfilling their obligations you can lodge an enquiry with the ATO.

TAX

Getting your tax file number

A tax file number (TFN) is a unique nine-digit number the ATO issues to you so you can work and pay tax in Australia. You can apply for your TFN online if you're on a 457 or Working Holiday Visa and you're actually in Australia. The ATO will verify your details with DIAC. To apply online you need a valid passport, and work visa authorised by DIAC. See www.ato.gov.au/content/40962.htm

Filing your tax return

A tax return is information you provide to the ATO about your annual income and other details so they can work out how much tax is payable. If you've paid too much you may be entitled to a refund.

See Australian Taxation Office for more: 131 020 or www.ato.gov.au/super

in Oz – the basics

National Employment Standards

The vast majority of people working in Australia are covered by the National Employment Standards (NES). The NES ensure that you have 10 minimum conditions of employment that cannot be reduced.

Am I covered by the NES?

The NES apply to all employees covered by the national workplace relations system regardless of the award, agreement or contract of employment.

The national workplace relations system covers people employed in the private sector by a constitutional corporation (Pty Ltd or Ltd companies); people employed in Victoria, the Northern Territory or the ACT; and people employed by the Commonwealth or a Commonwealth authority. For more information on who is covered by the NES view *Employment → NES* on www.fairwork.gov.au.

The 10 entitlements under the National Employment Standards are:

1. Fair Work Information Statement

Employers have to give the Fair Work Information Statement to all new employees.

2. Maximum weekly hours of work

38 hours per week, plus reasonable additional hours.

3. Requests for flexible working arrangements

Parents and carers can ask for a change in working arrangements to care for young children under school age or children under 18 with a disability.

4. Parental leave and related entitlements

Up to 12 months unpaid leave, the right to ask for 12 months extra unpaid leave and other types of maternity, paternity and adoption leave.



Information is from the Fair Work Ombudsman www.fairwork.gov.au

5. Annual leave

Four weeks paid leave per year, plus an extra week for some shift workers (pro rata for part-time employees).

6. Personal/carer's leave and compassionate leave

Ten days paid personal (sick)/carer's leave, two days unpaid carer's leave and two days compassionate leave (unpaid for casuals) as needed.

7. Community service leave

Up to 10 days paid leave for jury service (after 10 days is unpaid) and unpaid leave for voluntary emergency work.

8. Long service leave

Entitlements are carried over from pre-modern awards or from state legislation. For details on your long service leave view *Employment → NES* on www.fairwork.gov.au.

9. Public holidays

Paid days off on public holidays unless it's reasonable to ask the employee to work.

10. Notice of termination and redundancy pay

Up to four weeks' notice of termination (five weeks if the employee is over 45 and has been in the job for at least two years) and up to 16 weeks redundancy pay.

Casual employees

If you are a casual employee, you are only entitled to some of the NES:

- maximum weekly hours
- two days unpaid carer's leave and two days unpaid compassionate leave per occasion
- community service leave (except paid jury service)
- days off on public holidays unless it's reasonable to ask you to work
- the Fair Work Info Statement.

I'm not in the national workplace system. How am I affected?

Two NES entitlements apply to all full-time and part-time employees. These are parental leave and notice of termination.

What do I do if my rights aren't being met?

- Contact your union (see page 12 for details).
- If you're on a 457 visa, call the ACTU's Confidential Hotline for 457 visa-holders on 1300 362 223.
- Make a complaint, including an unfair dismissal claim, to the Fair Work Ombudsman (free service) at www.fairwork.gov.au or 13 13 94.
- If your sponsoring employer is not meeting their obligations in line with your visa you should contact DIAC on www.immi.gov.au or 131 881.

Your rights on a 457 visa

Under Australian law, 457 visa-holders must receive pay and conditions at least as good as Australian workers doing the same work at the same workplace

The Worker Protection Act 2008 aims to protect you from exploitation. Under these laws, your sponsor must provide you with the same terms and conditions as Australian workers performing the same work in the same workplace. These laws also give the Department of Immigration and Citizenship (DIAC) powers to make sure that sponsors are complying with their obligations.

RIGHTS AT WORK

How much should I be paid?

457 visa workers must receive the same wages and conditions of employment as Australian workers doing the same job at the same workplace – this is referred to as the market salary rate.

How do I know what the market salary rate is?

The market salary rate is the wages and conditions (including hours of work) that the employer currently provides to Australian workers doing the same work in the same workplace. These wages and conditions of employment may be set by an award, collective agreement or common law contract.

What if there are no Australian employees doing the same job?

If there are no Australian employees doing the same work at the same workplace, the employer must identify the market rate. They may refer to an applicable award or agreement, or if necessary, to remuneration surveys or earnings data. The DIAC must be satisfied that the rate nominated by the employer is fairly set.

What is the Temporary Skilled Migration Income Threshold?

The indexed Temporary Skilled Migration Income Threshold (TSMIT) was raised to \$51,400 from 1 July 2012. New visas will not be granted where the market rate is below the TSMIT.

What money can be taken out of my salary?

Employers must not seek to recover any recruitment costs, visa fees or migration agent fees. Employers who



try to recover these costs are in breach of their sponsorship obligations and DIAC can impose sanctions on them. Employers also have an obligation to pay for the cost of return travel to the visa-holder's home country. Any other deductions, including for accommodation, can only be made with the understanding and written agreement of the 457 visa holder. These deductions must be reasonable and provide a benefit to you.

How often should I be paid?

Your sponsoring employer must pay you on a weekly, fortnightly or monthly basis, depending on the standard practice in the workplace.

What do I need to know about superannuation?

In most cases your sponsor must pay superannuation (pension) contributions for you. These amounts must not be deducted from your salary and must be paid directly by your sponsor to your superannuation fund.

I signed an employment contract when I was overseas. Is it valid in Australia?

Any contract you signed with your sponsor or employment agency when you were overseas is only enforceable in Australia as long as it complies with Australian laws. When working in Australia on a Subclass 457 visa, you are entitled to the same working conditions as Australian permanent residents and citizens.

Can I bring my family dependants to Australia with me? Are they allowed to work?

You can bring members of your family to Australia providing they satisfy the requirements for the visa, including the agreement of your employer to sponsor them. Your dependants are eligible to

work and study in Australia without restrictions. If your dependants choose to study, they may be required to pay international student fees.

Can my employer sack me?

Employers can only sack or lay off 457 visa workers in the ways allowed by Australian laws or the relevant award or enterprise agreement. You are protected from unfair dismissal to the same extent that Australian workers are protected.

Can my employer cancel my visa, or have me deported?

No. Employers can't cancel visas or have people deported. However, an employer who has sponsored a 457 visa-holder must notify the DIAC if the visa-holder stops working for them. DIAC will give you 90 days to find a new sponsor or apply for another kind of visa. If the 457 visa-holder does not find a new sponsor or apply for a new visa, their visa may be cancelled by the DIAC and they will have to leave Australia.

Do I have the right to change jobs?

Yes. A new employer must have a nomination for the 457 visa holder approved and then you can start work with the new sponsor.

Can I apply for permanent residence?

Yes. If your sponsoring employer agrees they can sponsor you for permanent residence. In some cases you may be able to meet the criteria for a permanent visa without needing a sponsor. Contact the DIAC on 131 881 to discuss your options.

HEALTH SERVICES

Do I need private health insurance?

Your rights on a 457 visa

Yes. You must maintain private health insurance as a condition of your visa. The requirement to have private health insurance also applies to family members. It is also acceptable for an employer to agree to pay health insurance as part of the employment contract.

What about Medicare?

Most people on 457 visas are not eligible for Medicare coverage. Workers on 457 visas and their families who are not eligible for Medicare coverage can seek an exemption from the requirement to pay the Medicare levy. They need to obtain a Medicare Levy Exemption Certificate and supply this with their tax return. For information on how to obtain this Certificate, call 1300 300 271 or visit www.medicareaustralia.gov.au.

IF YOU LOSE YOUR JOB

I've lost my job. What happens now?

If you have lost your job, there are three options available to you:

- Find another employer who is willing to sponsor you and apply for another Subclass 457 visa to work for that new employer.

- Apply for permanent residency via the Employer Nomination Scheme (contact DIAC to discuss).

- Apply for another type of visa that you may be eligible for. For example, if you want to study, you can apply for a student visa, or if you want to have a holiday before returning home, for a visitor visa.

For more information visit the DIAC website at www.immi.gov.au or phone 131 881.

“Employers can’t cancel 457 visas or have people deported”

Information is from the DIAC website www.immi.gov.au and the Australian Manufacturing Workers Union ‘457 Visa Handbook’ www.amwu.org.au

The ACTU has launched a confidential hotline to provide advice and assistance to 457 visa-holders

ACTU Confidential Hotline for 457 visa-holders: 1300 362 223

Standing up for migrant workers’ rights

Unions have campaigned against the abuse of the 457 visa program by some employers, and this campaigning has helped bring about increased safeguards and protections for temporary migrant workers.

Migrants have made enormous contributions in all aspects of Australian society, including the trade union movement. We are not opposed to immigration, or to migrant workers. We are opposed to businesses exploiting the system to put skilled migrant workers in a vulnerable position; undercut pay and working conditions in Australia; and deny local workers job opportunities.

We have four major concerns:

1. That there are serious instances of exploitation of some migrant workers by their employers. This includes workers being underpaid, denied basic entitlements, and forced to take dangerous risks for fear of their residency rights being revoked.
2. That this exploitation leads to the lowering of wages and conditions across the entire work force that have been hard-fought for and won by unions over decades.
3. That Australian citizens and permanent residents are being turned away from jobs they are qualified for.
4. That businesses are using the 457 system to evade their social responsibility to contribute to the skills



training of young Australians, for example by training apprentices.

What is the union movement’s view of 457 visas?

The reasons why temporary workers are vulnerable to exploitation and underpayment were investigated and documented in the 2008 Government-commissioned Deegan Review of the 457 visa system, which pointed to the high degree of power employers wield over guest workers in relation to their residency rights.

This is an industrial issue, not a migration issue. Unions support the limited use of 457 visas after there have been checks that skills shortages are real and that local workers are not being avoided. We are in favour of increased

permanent skilled migration in these cases.

Unions want to see businesses advertising locally, training apprentices and employing permanent workers. The union movement is campaigning for the Government to ensure employers comply with existing laws.

Unions are on the frontline of defending migrant workers

The Deegan Review led to a major reform of the 457 visa program in 2009 which included the payment of market rates to 457 visa-holders and the ability for 457 visa-holders to change job without applying for a new visa. Not only has our campaigning helped bring about changes in Government policy that has improved the situation for temporary migrant workers, but unions across Australia have worked to defend the rights of individuals and groups of migrant workers on a daily basis. There have been numerous cases of unions winning significant amounts of back pay for migrant workers who have been underpaid. There have even been several instances of union organisers travelling to airports to block employers from attempting to send migrant workers home.

Unions believe that all workers in Australia, no matter where they’re from, should have equal rights to decent pay and conditions and to be treated fairly at work.

Stay safe



Information is from Young Worker Toolkit
youngworkertoolkit.youth.gov.au

Health & Safety Authorities

Workplace health and safety authorities in each state and territory and Safe Work Australia have responsibilities for enforcing workplace health and safety legislation. They provide education, training and advice on health and safety at work.

Australian Capital Territory
 WorkSafe
www.worksafe.act.gov.au
 (02) 6207 3000

New South Wales
 Workcover
www.workcover.nsw.gov.au
 13 10 50

Northern Territory
 WorkSafe
www.worksafe.nt.gov.au
 1800 019 115

Queensland
 WorkCover
www.workcoverqld.gov.au
 1300 362 128

South Australia
 SafeWork
www.safework.sa.gov.au
 1300 365 255

Tasmania
 WorkSafe
www.worksafe.tas.gov.au
 1300 776 572

Victoria
 WorkSafe
www.worksafe.vic.gov.au
 (03) 9641 1444 /
 1800 136 089

Western Australia
 WorkSafe
www.worksafe.wa.gov.au
 1300 794 744

Safe Work Australia
 National policy setting body
 Call 1300 551 832
www.safeworkaustralia.gov.au

Every employer has a legal obligation to ensure their employees work in a safe and healthy environment.

Employers must provide you with:

- Safe workplaces
- Safe machinery and materials
- Safe systems of work
- Information, instruction, training and supervision
- A suitable working environment and facilities.

My workplace is unsafe. What should I do?

If you feel that your workplace is unsafe, or you have received no training on workplace safety issues, you should contact your union or the state workplace safety authority immediately.

Safety in building and construction

Working in the building and construction industry can be dangerous. Employers and workers must manage hazards and risks to prevent death, injury and illness. Things that may be cause for concern in the building

and construction industry include:

- Demolition work
- Asbestos removal
- Underground services
- Excavations
- Working at heights
- Extension ladders
- Trestle ladder platforms
- Erecting and dismantling scaffolding
- Falling objects.

If you work in building and construction and your workplace is unsafe, contact your union or the state workplace safety authority immediately.

Union sites are safer sites

Statistics consistently show that sites that have a strong union presence are safer than non-unionised sites as a result of the health and safety work carried out by the union representatives. Stay safe, join the union and work on a union site.

Irish government travel advice

For a full run-down of advice and travel tips from DFA for Australia, visit: www.dfa.ie/home/index.aspx?id=8602



Wear sunscreen. Seriously, like.

During the daily sun protection times (usually around 9am-3pm):

- Wear sun-protective clothing that covers as much skin as possible.
- Wear SPF30 or higher sunscreen. Apply 20 minutes before you go outdoors and reapply every two hours.
- Wear a hat that protects your face, head, neck and ears.
- Seek shade.
- Wear sunglasses.

Visit www.sunsmart.com.au for more info

Mind your head

... and mind your mates.

Suicide prevention and mental health support in Australia:

Lifeline – 24-hour nationwide crisis support and suicide prevention.
 Ph 13 11 14. www.lifeline.org.au

Beyond Blue – depression and anxiety. Ph 1300 22 4636. www.beyondblue.org.au

Headspace – National Youth Mental Health Foundation (12-25 years).
 Ph 1800 650 890. www.headspace.org.au

OzHelp – suicide prevention & support for workers in construction & mining.
 Ph 1300 694 357. www.ozhelp.org.au



Get connected

Fáilte! It can be tough leaving your family and friends behind and moving to another country. There is a well-established Irish community across Australia that can be a great source of help for new arrivals who are settling in – providing practical advice and assistance as well as social support. A number of community, cultural, sports and welfare organisations are listed below, so get in touch.

NATIONAL

Irish Embassy

20 Arkana St
Yarralumla
Canberra ACT 2600
(02) 6273 3022
Fax: (02) 6273 3741
www.embassyofireland.au.com

Gaelic Football and Hurling Association of Australasia

www.gaelicfootball.com.au

Irish Echo

National Irish-Australian newspaper, based in Sydney
www.irishecho.com

Comhaltas Australia

Australia@comhaltas.net

Irish Australia Chamber of Commerce

Phone: (03) 9909 7750
office@irishchamber.com.au
irishchamber.com.au

Australian LGBTI community

National news, events, etc.
www.samesame.com.au

WESTERN AUSTRALIA

Irish Club of WA

61 Townshend Rd, Subiaco, Perth, WA
Phone: (08) 9381 521
www.irishclubofwa.com.au/

Claddagh Association

Irish emigrant welfare
Ph: 0403 972 265
support@claddagh.org.au

www.claddagh.org.au

Irish Families in Perth

Connect through Facebook
irishinperth@hotmail.com

GAA Perth

www.gaelicfootball.com.au/WA.html

Irish Scene magazine

www.irishscene.com.au

NEW SOUTH WALES

Consulate General of Ireland

Level 26, 1 Market Street
Sydney NSW 2000
(02) 9264 9635
Fax: (02) 9264 9740
www.irishconsulatesydney.net

Gaelic Club of Sydney

1st Floor, 64 Devonshire Street, Surry Hills, NSW 2010
(02) 9212 1587
www.gaelicclub.com.au

Irish National Association

Based in Gaelic Club of Sydney, see above

Sydney Irish Language School

www.irishlanguageschool.com.au
sydney.org.au

GAA NSW

www.gaansw.org.au
info@gaansw.org.au

Irish Australian Welfare Bureau NSW

2 Wellington Street, Bondi,

Sydney NSW 2026

(02) 9300 8019
iawb@bigpond.net.au
www.iawb.org.au

VICTORIA

Celtic Club

316/320 Queen St
Melbourne VIC 3000
(03) 9670 6472
info@celticclub.com.au
www.celticclub.com.au

GAA Victoria

Gaelic Park Inc. 324 Perry Road, Keysborough
Victoria 3173
(03) 9798 2752
enquiries@gaavictoria.org.au
www.gaavictoria.org.au

Irish Australian Welfare Bureau Melbourne

(03) 9482 3865

QUEENSLAND

Queensland Irish Association and Irish Club

175 Elizabeth Street
Brisbane QLD 4000
(07) 3221 5699
reception@queenslandirish.com

Mount Isa Irish Club

1 Nineteenth Avenue
Mount Isa
QLD 4825
(07) 4743 2577
mtisairishclub@hotmail.com

GAA Qld

www.gaelicfootballqld.com.au

Irish Australian Support Association Qld

Irish emigrant welfare group
info@iasaq.com.au
www.iasaq.com.au

SOUTH AUSTRALIA

Irish Australian Association

13-15 Carrington St Adelaide SA 5000
(08) 8212 3767
irishclubsa@gmail.com
www.irishclub.org.au

Gaelic Football & Hurling Association of SA

www.gaelicfootballsau.com.au
info@gaelicfootballsau.com.au

AUSTRALIAN CAPITAL TERRITORY

Canberra Irish Club

6 Parkinson Street
Weston, ACT, 2611
(02) 6288 5088
www.irishclub.com.au

NORTHERN TERRITORY

NT Irish Association

(08) 8983 1247

TASMANIA

Irish Association of Tasmania

New Sydney Hotel
87 Bathurst Street,
Hobart Tasmania 7000
(03) 6234 4516

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1300 486 466

USEFUL CONTACTS

Department of Immigration and Citizenship (DIAC)

Ph 13 18 81. www.immi.gov.au

DIAC's Translation and Interpreting Services

Ph 13 14 50. www.immi.gov.au/tis

Australian Taxation Office

Superannuation: Ph 13 10 20.

General: Ph 13 28 61. www.ato.gov.au

Fair Work Commission

National workplace relations tribunal. Look up awards, agreements and other information online. www.fwa.gov.au

Fair Work Ombudsman

Workplace regulator. Provides free advice and information on Australia's workplace rights and laws and investigates complaints, including unfair dismissal claims.

Ph 13 13 94. www.fwo.gov.au

Australian Human Rights Commission

If you believe you have been

discriminated against.

Ph 1300 656 149. www.hreoc.gov.au

Young Worker Tool Kit

Web-based information resource for young people entering the work force. youngworkertoolkit.youth.gov.au

Office of the Migration Agents Registration Authority

Ph 1300 22 62 72. www.mara.gov.au

Job Search – Harvest Trail

Links job seekers with harvest jobs.

Ph 1800 062 332

jobsearch.gov.au/harvesttrail