



STAYING IN TRACK: SUPPORTING A HEALTHY JUMP FROM STUDY TO PURPOSEFUL WORK

June 2018

ABOUT THE YOUNG WORKERS CENTRE

The Young Workers Centre, based in 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.

WHAT YOUNG PEOPLE TELL US ABOUT LIFE AT WORK

We surveyed over 1,000 young Victorians about their experiences at work. Here's what they told us:

- 1 in 2 reported experiencing bullying or harassment at work. Bullying and harassment can come from customers or clients, a boss or supervisor, or a co-worker.
- Sexual harassment was reported to be commonplace.
- 1 in 4 young workers reported being asked to do unsafe work (for example working with hot oils with no protective equipment, or closing stores alone late at night).
- 1 in 4 have been injured or ill due to work, and a third of those workers stayed silent. They feared speaking up for repercussions such as losing shifts or being seen as a 'nuisance'.
- Wage theft is rampant: 1 in 2 young workers reported base pay rates less than minimum wage.
- Underpaid workers are losing on average of at least \$3.12 per hour.
- Less than half of young people who work nights, weekends or public holidays reported being paid penalty rates.
- 1 in 5 reported working unpaid trials to get their foot in the door.
- Half young workers have experienced off-the-clock pay violations, including starting work early or staying late without payment.

OUR KEY RECOMMENDATIONS

Employers, Government and regulators can do more to support young workers as they embark on their working lives, whether it's a part time job after school or a dream career. Our recommendations include:

- Work health, safety and rights training must be embedded in high school career and work readiness programs and curriculum. This training must include specific modules on workplace hazards that relate to sexual harassment or gendered violence as well as mental health issues including stress, anxiety or depression. Training should be mandated in all high schools.
- Young workers report fears they'll risk losing their job if they speak up about safety or bullying concerns. Young workers should be able to access an anonymous online reporting mechanism to report hazards or incidents related to workplace health and safety or bullying issues. This platform should be established by or monitored by WorkSafe to investigate incidents.
- Wage theft is a significant form of theft in Victoria, yet is not considered a crime and does not attract criminal penalties. Our current laws favour bad employers who choose to underpay their workers. We are proposing an amendment to the Crimes Act 1958 (Vic) that would mean deliberate and dishonest wage theft would be an offence punishable by imprisonment.

For more, see attached summaries of our young worker snapshots: **Health & Safety** and **The Great Wage Rip-Off**.



GET INVOLVED

youngworkers.org.au

 Young Workers Centre

 @YWCVictoria

1800 714 754 (legal advice or assistance)



YOUNG WORKERS HEALTH & SAFETY SNAPSHOT

According to WorkSafe, 49 young people aged 15-24 were injured every week in 2015-16. Our findings suggest the true figures are much higher due to underreporting.

1. BULLYING & HARASSMENT



1 IN 2 HAVE BEEN BULLIED OR HARASSED

"You have to consistently be polite to rude and sometimes cruel customers. This is pretty related to Trip Advisor and the stigma in a rural town of having to keep a high rating even if it means putting up with rude customers."



I was bullied or harassed by... ■ Customer or client ■ Boss or supervisor ■ Coworker



SEXUAL HARASSMENT IN THE WORKPLACE IS COMMONPLACE

"it isn't treated as an issue. It's a daily occurrence and I would be pinpointed as sensitive if I felt uncomfortable by some of the vulgar comments made by customers daily."

2. SAFETY AT WORK

1 IN 4 HAVE BEEN ASKED TO DO UNSAFE WORK



And when asked by an employer to do a task that looks unsafe,

55.6% will do the job anyway.

Those who do speak up about their concerns receive mixed responses.

3. INJURIES & ILLNESS

1 IN 4 HAVE BEEN INJURED OR ILL DUE TO WORK



...and 1 in 3 did not report that injury or illness to their workplace

"When I injured myself and ended up on WorkCover, I was treated in an extremely poor manner and each time I walk into work now, I feel extremely apprehensive and judged."



YOUNG PEOPLE HAVE LOW UNDERSTANDING OF MENTAL HEALTH ISSUES RELATING TO WORK.

There is low awareness of employers' responsibilities to employees' mental health.

[more at youngworkers.org.au](http://more.at.youngworkers.org.au)

RECOMMENDATIONS

1. Workplace bullying and health & safety training must 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.

2. WorkSafe and other government bodies must specifically define and recognise Sexual harassment in the workplace as a workplace health & safety issue.

3. Young workers should not have to risk losing their job to have their safety or bullying concerns investigated and taken seriously. WorkSafe should create an online platform that allows workers to report and rate employer responses to incidents of workplace health & safety or bullying.

WorkSafe must introduce a bullying code to improve employer compliance with the requirement to provide a safe healthy workplace mandated by the OHS Act.

4. The education program referred to in recommendation 1 should emphasise that stress, anxiety, depression and other mental health issues are important and avoidable workplace hazards.

Complete further research into the impact of insecure work, to ensure that national efforts being made to improve the mental wellbeing of young people are not weakened by a failure to tackle potentially injurious forms of employment.



YOUNG WORKERS SNAPSHOT



THE GREAT WAGE RIP-OFF

1. MINIMUM WAGE VIOLATIONS

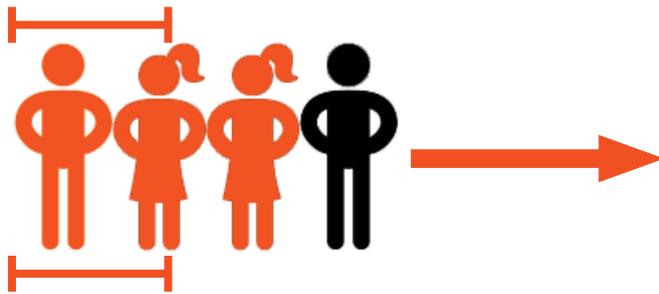


1 IN 5 YOUNG WORKERS AREN'T PAID MINIMUM WAGE...

...and they're losing an average of **\$3.12 PER HOUR**

2. PENALTY RATE VIOLATIONS

3 IN 4 WORK NIGHTS, WEEKENDS OR PUBLIC HOLIDAYS



but less than **HALF** those workers are being paid **PENALTY RATES** for their work

3. UNPAID TRIALS & WORKING OFF THE CLOCK



1 IN 5 HAVE WORKED UNPAID TRIALS TO GET THEIR FOOT IN THE DOOR

and 1 in 2 have experienced **OFF-THE-CLOCK PAY VIOLATIONS**, such as working early or late without payment



"I know I have rights at work but because there are so few jobs going for young people it seems better for me to ignore small violations to keep a job and get a good reference"

Female, 23, Legal Intern

"My boss predominantly hires inexperienced and younger staff so he can underpay and mistreat them as they don't know their rights as employees"

Female, 23, Waitress

MORE: YOUNGWORKERS.ORG.AU

RECOMMENDATIONS

- 1. EDUCATION FOR HIGH SCHOOL STUDENTS**

Work rights and safety education must be mandated for all Victorian High School students Year 10 and above.
- 2. CHANGE THE LAW ON PAYSLEIPS**

Regulations on payslip content must be changed to include

 - Industrial Instrument name, i.e. specific Award or Agreement title
 - Employee classification level under that instrument.
- 3. STRENGTHEN CIVIL PENALTIES FOR NON-COMPLIANCE WITH WAGE LAWS**

Penalties for employers guilty of wage theft must be increased to deter illegal behaviour.
- 4. IMPROVE ENFORCEMENT IN LOW-WAGE & YOUNG WORKER INDUSTRIES**

A dual-enforcement approach includes:

 - Regulators must introduce proactive and unannounced workplace audits and investigations in low-wage and young worker industries.
 - Not-for-profit advocates (community legal centres and trade unions) who secure stolen wages for workers should be compensated directly through additional penalties paid by the employers guilty of breaches.
- 5. INTRODUCTION OF CRIMINAL SANCTIONS**

Employers and company directors must be held criminally responsible for wage theft violations
- 6. AN ONLINE PLATFORM TO REPORT WAGE VIOLATORS**

Young workers should be able to access a Trip Advisor or Glassdoor-style platform to report and rate employers' compliance with wage laws.

