

Business community enlisted to help reach out to 300,000 Chinese workers and employers

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The Fair Work Ombudsman is enlisting the support of the Chinese business community to help educate Chinese employees and employers of their workplace rights and obligations.

The Chinese-speaking community is one of the largest culturally and linguistically diverse communities in Australia.

Fair Work Ombudsman Natalie James says it is important that the Agency reach out to 50,000-plus Chinese employers and more than 250,000 Chinese employees.

Ms James says a series of roundtable discussions with key Chinese leaders last year endorsed a strategic approach to engaging with the community to build a culture of compliance with Australian workplace laws.

“English language proficiency can be a key challenge to the Fair Work Ombudsman communicating effectively with Chinese employers and employees” she says.

“One in four of the Chinese community living in Australia has limited English or does not speak the language at all.

“Chinese-language services, information materials and engagement will assist to overcome linguistic, cultural and contextual barriers to ensure the community engages with our programs.”

Ms James says it is in everyone’s interest, including employers, employees and her own Agency, that such a significant community group understands its respective workplace rights and obligations.

Promoting compliance is not a job for the Fair Work Ombudsman alone and it is encouraging that Chinese community leaders have responded positively to the challenge of increasing awareness of workplace laws and minimum wage entitlements,” she says.

“Communities, competitors as well as employees lose when businesses underpay their workers, irrespective of whether this happens because employers don’t understand and comply with their obligations or deliberately undercut their competitors by paying unlawfully low rates.

“Everyone wins when we work in partnership with communities to build a culture of compliance with workplace laws.”

Ms James says almost three quarters of Chinese nationals resident in Australia live and work in Sydney and Melbourne and are employed predominantly in the food services and retail trades.

“Both industries generate high levels of inquiries to the Fair Work Infoline and requests for assistance from employees concerned that their workplace rights have been compromised,” she says.

Life member of the Australian Chinese Community Association’s NSW chapter and past president of the NSW Chinese Australian Forum, Benjamin Chow, AO, is one prominent businessman working with the Fair Work Ombudsman to reach out to the Chinese community in Sydney.

Mr Chow says: “I would like to congratulate the Fair Work Ombudsman on taking the initiative on this issue and seeking to increase both the knowledge and compliance ability of Australian Chinese businesses to deliver workplaces in which rights are respected and maintained.”

“It is essential that the engagement approach acknowledges the Chinese community, especially its leaders, as collaborators and partners,” Mr Chow said.

Ms James says the Fair Work Ombudsman’s Community Engagement Team, established last year specifically to foster new relationships with multi-cultural communities, has been working on a strategy to deliver purposeful and effective information to the Chinese community.

The Community Engagement Team was established to support the efforts of the Agency’s Overseas Worker’s Team (OWT), which was established in mid-2012 in recognition that overseas workers can be vulnerable to exploitation or require special assistance.

The Fair Work Ombudsman is now receiving more requests for assistance from overseas visa-holders working in Australia than ever

before. About 11 per cent of all requests for assistance lodged with the Agency last year came from visa-holders.

Of the 2100 formal requests for assistance, 930 came from 417 working holiday visa-holders, 315 from 457 temporary skilled work visa-holders and 181 from international students.

Allegations received from overseas workers were highest in Queensland (28 per cent); NSW (25 per cent) and Victoria (22 per cent). A total of \$1.6 million was recovered for visa-holders in 2014-15, up from \$1.1 million the previous financial year.

Ms James says Fair Work inspectors are increasingly finding employers from non-English speaking backgrounds who have little or no understanding of their workplace obligations, or the seriousness of their non-compliant behaviour.

“Anyone establishing a business, including migrant employers, need to ensure they take the time to understand our workplace laws applicable to their business,” she says.

“Migrant employers simply cannot undercut the minimum lawful entitlements of their employees based on what they think the job may be worth, what the employee is happy to accept, what other businesses are paying or what the job may pay in their country of origin.”

Ms James says her Fair Work inspectors cannot visit every workplace or check every pay packet, and therefore education is equally as important as deterrents in achieving compliance with workplace laws.

By working with the communities themselves the FWO will be able to achieve maximum reach and connect directly with the multi-cultural business communities who are a significant employers of both temporary and permanent residents from non-English speaking backgrounds.

“We actively encourage overseas workers who have concerns that their workplace rights are being compromised to contact us,” she says.

“We have an interpreter service on 13 14 50. Our website at www.fairwork.gov.au also has materials translated into 27 different languages and we distribute information on YouTube, Facebook and Twitter.”

Ms James says ethnic media is also an important conduit for the Fair Work Ombudsman to reach non-English speaking communities in Australia.

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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