

Employment Law Service and Community Legal Education Program

The Footscray CLC Employment Law Project (**Project**) seeks to improve employment outcomes for newly arrived and refugee communities in Melbourne's Western suburbs. Informed by a period of consultation and research (**Stage One**), the Project will deliver two linked programs: a pilot legal advice and referral service; and a community education program (**Stage Two**). One of the outcomes of the Project will be a Report that sets out key employment issues and recommendations, supported by evidence gathered in Stages One and Two (**Stage Three**).

The following pilot programs have been developed in response to our Stage One preliminary findings. We welcome your feedback and thoughts on the proposed programs at any stage.

1. Pilot Employment Law Service (commencing May 2014)

a. What is the Employment Law Service, and who can it assist?

The Employment Law Service will provide free employment-related legal information, advice, advocacy and referral to refugees, asylum seekers and newly arrived migrants (who are from a non-English speaking background and have lived in Australia for less than 10 years). Clients must live, work or study in the Western suburbs of Melbourne. The Service operates as follows:

Drop-in Information and Referral Service:

The Drop-in Information and Referral Service (operating on Wednesday afternoons) is the first point of contact for all clients seeking legal advice about their employment. At this stage, we will speak to clients about their situation and provide basic information and referrals (either external or internal). Where clients are referred to an external agency, we will do our best to facilitate a warm referral. With the client's consent, we will forward details of their case to the appropriate service for assistance.

Appointments and representation: If clients are eligible for further assistance and we have the capacity to assist, we will arrange either a daytime or night-time (Wednesday evening) appointment for them to meet with a lawyer for employment law advice. Ongoing representation may be available to vulnerable clients with meritorious claims.

b. How will the service operate and when does it open?

The pilot Employment Law Information and Referral Service will operate as follows:

Employment Law Information and Referral Service

When: 3-6pm, Wednesdays

No appointment necessary

Commencing: May 7 2014

Where: Footscray Community Legal Centre, 72 Buckley Street, Footscray

We encourage clients to come as close to 3pm as possible as there will be a limited number of clients that we can meet with each week. We hope to expand this service to outreach locations over the coming months - particularly Sunshine and Werribee. Please contact us if you have a client located in these areas.

c. What can the Service assist with?

The types of work-related matters we may be able to assist with include:

- **Discrimination** (for example, being treated unfairly because of race, or an employer failing to accommodate a worker's family responsibilities)
- **Sexual harassment** (for example, unwelcome behaviour of a sexual nature)
- **Bullying** (for example being regularly teased by boss or other workers).
- **Underpayments** (for example, not being paid enough, not being paid regularly, not receiving particular allowances, not receiving superannuation)
- **Unpaid trial work or unpaid training.**
- **Warnings or termination of employment** (for example, allegations about conduct or performance, losing your job, made redundant, or being fired).
- **Workplace safety and workplace injury**
- Work as **independent contractor** (e.g. have an ABN, supply own tools and equipment, no entitlement to wages etc)

We cannot assist with criminal law, tax law, social security law (e.g. Centrelink) or immigration law.

d. How to refer to the Service: important considerations

Consider time limits: Please remember that there are time limits for some cases so it is important to encourage your clients to seek advice as soon as possible, especially if they have lost their job.

If a client wants assistance sooner than the next Drop-in Service, please encourage them to contact Job Watch ((03) 9662 1933) – an employment rights community legal centre with a telephone information service.

Call to confirm: If your client wishes to attend the Employment Law Drop-in Information and Referral Service, please confirm which Wednesday your client plans to attend and call the Footscray CLC reception to confirm that the service will be operating: (03) 9689 8444.

When to come: Please remind clients to arrive as close to 3pm as possible so that they have the best chance of being seen on the day.

What to bring: Ask clients to bring all documents relating to their work (such as a contract of employment, any letters or other correspondence they have received from their boss, their most recent payslips, a group certificate, letter of separation from Centrelink, the names of any awards or agreements, and copies of any relevant policies or procedures)

If your client is **unable to attend the Drop-in service** due to work, distance or other commitments, please contact us.

2. Community Legal Education Program (underway)

We can arrange community legal education (**CLE**) sessions for community members and community workers about workplace rights and responsibilities. These sessions may be formal or informal and can feature a general overview of workplace rights and responsibilities or be focused on a particular topic (for example your rights if your boss ends your job; safety at work; being a parent and work; discrimination; different employment types and entitlements etc).

3. Further identified needs

There are clear unmet needs for the following projects and programs. We are looking for partners to deliver the following in collaboration with us:

Train-the-trainer program: a structured short-term training program for community workers from key newly arrived and refugee communities in the West. Footscray CLC will train the trainers in employment rights and responsibilities, then work with the trainers to develop an education event/resource for their community.

Targeted education materials: a review of available targeted materials and development of further materials in a variety of formats (including digital stories) for use in the CLE program and by other educators Victoria-wide.

Staff – legal and community workers: to increase the capacity of the Service to assist more clients, provide **outreach services** at Werribee and Sunshine; deliver more CLE sessions; build links between communities and the Centre; and oversee the delivery of the train-the-trainer program and development of education materials.

Any questions or comments? Please email or call Catherine Dow, Employment Project Solicitor. catherine@footscrayclc.org.au 9689 8444.