

Thursday, 30 July 2020

ATTN: Committee Secretary

Education, Employment and Small Business Committee
Parliament House
George Street
BRISBANE QLD 4000
AUSTRALIA

By email: eesbc@parliament.qld.gov.au

**RE: Bulimba Electorate Youth Advisory Panel 2020: Submission to the
Queensland Parliament Education, Employment and Small Business Committee
*Inquiry into the Criminal Code and Other Legislation (Wage Theft) Amendment Bill 2020***

Dear Sir/Madam,

First and Foremost, we thank the committee on it's time for accepting and acknowledging our panel's submissions on the Inquiry into the Criminal Code and Other Legislation (Wage Theft) Amendment Bill 2020. We, as the Bulimba Electorate Youth Advisory Panel 2020 – an independent panel consisting of fourteen 16 – 25 year old's who reside in the State Electorate of Bulimba who provide reflections and opinions as youth to the State Member of Parliament, Di Famer MP – recognise the value and importance of youth reflections into this inquiry, due to the extremely high frequency of young people impacted and taken advantage of by Wage Theft.

Whether it be in the retail, hospitality or services industry, young people make up a large portion of casual workers around Queensland, and greater Australia. For most, working casually or part-time is beneficial for employees and employers as it grants both parties a level of flexibility that would be otherwise unattainable on full-time contracts. It was a consensus of our panel when reviewing the definition of Wage Theft and further research that it was highlighted how frequently our own panellists had been manipulated by their previous Employers, and thus felt a strong requirement to provide feedback on this bill.

It is on the behalf of the Bulimba Electorate Youth Advisory Panel that we support the introduction of this bill and acknowledge its requirement in an environment of evolving workforces and work arrangement.

As an underpinning notion to support this bill inquiry, our panel acknowledges that not all instances of wage underpayment or misrepresentation occurs as a result of wilful or intentional conduct by

an Employer, but rather administrative errors or interpretation negligence. We acknowledge that the bill focuses on the wilful and intentional forms of wage theft by Employers.

We do acknowledge queries and potential recommendations to support the enhancement and introduction of this bill to Queensland Parliament.

It is recognised, as per **Recommendation One** of the Inquiry, that a Public Education Campaign be manifested and incepted to greater educate Queenslanders on the signs and implications of Wage Theft. To truly expose the root problem of Wage Theft, lack of education is a key factor to mitigating this. Members of our panel acknowledge as individuals and participants as a young workforce, we do not fully understand our rights as employees, namely, unpaid trial periods, award rate payrate increases, allowances and penalty rates, thus we acknowledge the introduction of an elaborate and educational public campaign. It is vital that this campaign be strategically marketed to align with channels young people engage within.

In collaboration with the above campaign, it is vital that **Recommendation Two** and **Recommendation Three** of the Inquiry enhance the public education campaign. Representatives of the Panel reference the pivotal role Higher Education providers such as Universities, Tertiary and Vocational Education Providers and Schools play in the messaging of this campaign. It is for this purpose that it is vital for stakeholders within this Inquiry engage with Education providers to collaborate on providing this. It is the panel's opinion view that these Educational programs be readily available to not only International Students, but rather all students.

One of our panellists acknowledges that, "I have experienced this [Wage Theft] first hand during my first job working at a pizza place. Pay was never on time, pay slips were non-existent and I remember being eight weeks behind on pay at one point. It was only after I quit and threatened to expose the owner's unscrupulous behaviour, that I received my entitled pay." Wage Theft knows no barriers between International and Domestic populations, and as such is why Higher Educational Providers facilitate this educational campaign.

Our panel notably supports the introduction of the details listed in **Recommendation 8** as a mechanism to support the facilitation and accessibility of assistance with claims of Wage Theft. It is strongly advised that accessible information and tools be readily available to support unfortunate victims of Wage Theft to finalise their settlement claims.

It is acknowledged that administrative and accessibility flaws currently exist within the Federal *Fair Work* regulator. This system is currently one that requires a full review to greater support claimants and educate Employers. These flaws are recognised within the Inquiry **Recommendation 11** and **Recommendation 12**. Our panel appreciates the Committee's acknowledgment of the Fair Work Ombudsman potential systematic and cultural improvements to greater support claims of Wage

Theft, no matter of the settlement value. Currently, the Fair Work Ombudsman is not an easily accessible informative service to support workers (especially young workers) to respond to minor queries or concerns with their Employers.

Further, the communication and transparency of employment standards and contractual obligations by Employers is a further element we recognise as potential improvement of Employment Standards. It has been noted by panellist that groups of Employers are manipulating workers by the use of hidden contractual terms in large and lengthy employment documentation with hidden terms and requirements. It is for this purpose that we reference the requirement for Employment Standards or the Fair Work Ombudsman be reviewed in alignment to enhance the introduction of this bill in Queensland.

Our panel accepts and appreciates the current framework of the bill, albeit with the above minor recommendation adjustments that will further support this bill. We appreciate Queensland Parliament following the recent passing of the Victorian Parliament review of the Wage Theft Bill 2020, and acknowledge the framework of the Victorian Parliament in establishing their finalisation of this.

In conclusion, the Bulimba Electorate Youth Advisory Panel 2020 appreciate, recognise and congratulate the efforts of the Queensland Parliament on providing a legislative platform to criminalise participants of and recognise the importance of Wage Theft in a modern evolving workforce.

Should you request further details or advice, we would welcome the opportunity to provide this either face to face or via online communication.

Kind Regards,

Bulimba Electorate Youth Advisory Panel 2020