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Committee Secretary
Education, Employment and Small Business Committee
Parliament House
George Street
Brisbane QLD 4000

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

Dear Committee Secretary

Inquiry into wage theft in Queensland

Thank you for the opportunity to submit to this inquiry.

Over the past few years I have undertaken significant research into non-compliance with minimum employment standards in Australia. Attached are three recent articles based on that research for your assistance.

The first article, Clibborn S (2018) 'Multiple frames of reference: Why international student workers in Australia tolerate underpayment', *Economic and Industrial Democracy*, DOI: 10.1177/0143831X18765247 is based on a survey of 1,433 international university students based in Sydney and interviews with 40 of them. It quantifies underpayment of wages for international students working in part time jobs in retail and food services and examines their vulnerability to wage theft. It explains why they tolerate wage theft including because they take cues from their peer international students. In this event, I propose policy solutions aimed at early provision of simplified information regarding both minimum wage expectations in jobs known for underpayment and creating clear, safe pathways for reporting non-compliance and recovering underpaid wages.

Second, Clibborn S, and Wright CF (2018) 'Employer theft of temporary migrant workers' wages in Australia: Why has the state failed to act?' *Economic and Labour Relations Review*, 29(2), 207-227, considers why there has been recent growth in reported cases of underpaid wages, particularly of temporary migrant workers, and why the state has failed to implement a

strategy to adequately address the problem. It explains two main reasons for the increased reporting: Fragmentation of employment regulation and widening avenues for temporary migration. In the event that the problem of wage theft is one that the Australian government is either unable or unwilling to solve, in this article we argue that one must look beyond the federal government for solutions. This brings me to the third article which does just that.

The third article, Clibborn S (2019, forthcoming) 'It takes a village: Civil society regulation of employment standards for temporary migrant workers in Australian horticulture', *University of NSW Law Journal*, presents a case study of a horticulture region of Southern Queensland dealing with problems caused by wage theft. While the previous article explained national-level policy contributions to the wage theft problem, this article illustrates the possibilities for local-level solutions. The case study explores the Australian horticulture industry's reliance on temporary migrant labour, examining how key community members recognised the serious risk of damage to the local economy caused by wage theft and other mistreatment of temporary migrants performing seasonal horticulture work. Some community members feared that a poor reputation, spread amongst backpackers on social media, would discourage future workers from visiting in the region, leaving farms unable to harvest crops and negatively impacting the surrounding economy. Accordingly, these community members took steps to ensure better treatment of workers including compliance with employment laws. The article offers a model for potential state interventions at the local level to better ensure legal compliance.

Yours faithfully,

Stephen Clibborn