



Community-Campus Summit on International Students Employment Rights and Protection from Exploitation

Tuesday, 20 April 2010, 9 am to 12.30 pm

Building H, Room H1.16

Caulfield Campus, Monash University

BACKGROUND

This document draws upon research conducted by Monash University academics and others, discussions with the employment rights legal centre Job Watch, a literature search, and meetings with staff who deal directly with international students. It highlights negative experiences of international students in casual, part-time and vacation work, but should not be interpreted as meaning that all international students are exploited in the non-vocational labour market. References are available on request.

ISSUES

There is widespread concern about the experience of international students in the casual, part-time and vacation work market, yet their circumstances mean that for many the income from this type of work is essential to maintaining enrolment in courses and a reasonable standard of living. If provided under appropriate conditions, it also provides an opportunity to build employability skills and support career planning. However the conditions are often problematic.

Vulnerability of some international students to fears about visa issues, and lack of awareness of basic employment rights may be creating a subgroup of workers prepared to take on employment with conditions that do not meet Fair Work Australia awards. This potentially leads to an undermining of labour market conditions for all students – anecdotal information suggests that some employers prefer international students due to their potential acceptance of suboptimal rates, possibly inadvertently undermining hard-won workplace standards.

At the same time, international students may be reluctant to complain or seek help, and unwilling to “make trouble” due to perceived threats to their student visa through stories of employers “reporting” students who lodge complaints. Many put up with the situation or simply change employers.

This is compounded when international students fail subjects. The need to “save face” means they are often unlikely to ask their families for support to pay unexpected fees. This can create a spiral of working low paid hours excessive for their situation, while undertaking study for which they may be poorly equipped. Assistance from home is also impacted upon by fluctuating exchange rates, although the current strong Australian dollar is advantageous for those students are working to support family members off shore.

There is also a view that conditions considered exploitative by Australian workers are not always seen as such by international students, and that lower pay rates are relatively favourable to those obtained in their home countries and seen as positive. This needs to be balanced with an understanding of the real cost of living.

A primary issue therefore is that while there is a moral imperative to ensure that international students are not exploited and have a positive experience of the student labour market, there is also an imperative to ensure that the propensity of some to accept a lower level of terms and conditions is countered so that the labour market for all students is not impacted.

OPTIONS

Monash University and its surrounding communities collaborate with major providers of student work to develop a Monash/Community Award which recognises those demonstrating good practice in employing students. This award should focus on exceptional practice and outstanding contributions in employment of students generally, so that the distinction between local and international students is blurred, rather than reinforced. Practices highlighted should be scalable to large and small employers. University and community accolades and recognition, if suitably promoted, may lead to business improvement for the host employers, and attraction of quality students as potential employees.

Review information provided to off shore student applicants prior to their making a decision to enrol at an Australian university, to support informed decision making. This should include costs of living, restrictions on work, consequences of exchange rate fluctuations etc. As a consequence some students may defer taking up their place until they have amassed sufficient funds.

Create a zero credit point 'Monash 101' subject for international students as part of overall orientation covering issues around adjusting to life as a student in Australia. This should include Australian workplace issues, but also contextualise work as part of a value-adding framework around career planning and development of employability skills.

Fund a position within Employment & Career Development to work with international student groups and individuals. By establish a positive relationship of trust the position would take on an educational role leading to increased knowledge by international students of their employment rights, supported by peer education and advocacy. This position to be actively engaged in building external relationships to support appropriate employment opportunities.

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