



**QUEENSLAND WORKING
WOMEN'S SERVICE INC
ANNUAL REPORT
2009/2010**



1) Contents

	Topic	Page Number
1	Contents	1
2	QWWS Objectives	2
3	From the QWWS Chair	3
4	Management Committee	4
5	Director's Report	5
7	Special Projects	5
8	Staff	11
9	QWWS Service Delivery Report 2009/2010	12
10	Young Workers Advisory Service Report	18
	Auditor's Report	Attachment

QWWS Objectives

- Provide accessible services that support women from diverse backgrounds throughout Queensland to make informed choices about issues that affect them in the workplace.
- Take appropriate action to assist women to achieve workplace justice.
- Increase both women's knowledge and confidence in the workplace and community understanding of workplace issues.
- Foster complementary relationships with women's sector organisations and other work-related services provided by unions, government and other agencies to enhance the status of women.
- Seek opportunities to build the capacity and sustainability of the organisation to further the above objectives.

QWWS was funded for the 2009/2010 financial year by the Queensland Department of Justice and Attorney General and by the Federal Government Fair Work Ombudsman.

From the Chair

Alison McClintock

Once again another year at QWWS has flown by very quickly. QWWS has continued to deliver a high quality information advocacy and advisory service to women in Queensland and demand for services has been as constant as ever. The Young Workers Advisory Service has also had a productive year with increased traffic on the YWAS website, the continuation of the telephone advisory service and high demand for community education services to young people in Queensland high schools.

During October 2009 QWWS was again invited to participate in an external Federal Government review of the Working Women's Centres and similar community based services which examined the need for, and provision of, community-based employment services (CBEAS) in the context of the establishment of Fair Work Australia and the Fair Work Ombudsman. The report was provided to the Fair Work Ombudsman by September 30, 2009 and the centres were advised that it would be used to inform the decision about ongoing federal funding to the centres beyond June 2010.

In June this year QWWS received correspondence from the then Minister for Education and Workplace Relations, the Hon Julia Gillard MP who advised us of the decision to provide funding as well as recognizing the important and viable role played by the Working Women's Centres. Minister Gillard indicated a commitment to resolving the Centres ongoing funding issues and indicated a move towards introducing triennial agreements and funding partnerships with the State and Territory Governments as well as acknowledging the potential for new Centres in all states.

QWWS and the National Working Women's Centres were pleased to receive this recognition and commitment to our services. Our funding agreement is negotiated with the Federal Government Workplace Ombudsman.

During the second half of 2009 QWWS negotiated our third Certified Agreement with the Australian Services Union (Services Branch and Clerical Branch) and this was certified in December at the Queensland Industrial Relations Commission (QIRC). The Agreement provides for annual increases, which will see QWWS wages reaching parity with the recent QIRC Pay Equity decision in January 2011. It also provides for increased paid maternity leave which equals 26 weeks and then after January 2011 will supplement the Federal Governments Paid Parental Leave Scheme to provide for 26 weeks paid leave at replacement wages.

At the 2009 Management Committee Planning Day the Committee felt that the time had arrived to undertake an internal service review examining our governance, staffing and service delivery structures. The Committee have also long recognized that QWWS needs to adopt an additional base for funding of the service particularly for projects outside of current service agreements. With funding uncertainty prevailing until June, this review was delayed but has recently been undertaken by Consultant Helen Twohill and should be finalized by mid October 2010.

I would like to thank my fellow Management Committee members our (currently job-

sharing) Directors; Kerriann Dear and Sue Assad and the QWWS staff for all their efforts in assisting to provide a great value and effective industrial advisory service to women and young people in Queensland. I look forward to a positive 2010/2011 for the service.

Management Committee

The QWWS has now operated since 1994 with the ongoing commitment and work of a volunteer Management Committee, which oversees QWWS governance and operations. The Management Committee is made up of representatives from a broad range of organisations and individuals and the service relies on the volunteer efforts of this group of women, who provide strategic direction and support for the service.

Elected Management Committee 2009/2010

Alison McClintock (Chair)	Individual member
Kaye Broadbent (Secretary)	Individual member
Shanti Thompson (Treasurer)	Individual member
Anna Herzog	Australian Services Union (Services)
Sebastian Ross-Hagebaun (Feb- June) <i>(replaced Behice Bagdas)</i>	Multicultural Development Association
Rosslyn Monro	Youth Advocacy Centre
Jan Shepphard	Australian Services Union (Clerical)
Kerriann Dear	Management Rep (Jobshare position)
Sue Assad	Management Rep (Jobshare position)
Alana Heffernan	Staff Representative

Loretta Gibbs (QWWS Financial Controller), Deidre Morrow (YWAS Coordinator) and Michelle Patterson (Dept Justice and Attorney General) also performed Consulting roles on the Committee during 2009/2010

Committee achievements

- Certified Agreement finalized December 2009.
- Strategic planning meeting conducted July 2009.
- QWWS Review commenced
- Annual General Meeting October 2009.
- Policy and procedure initial review completed January 2009 and ongoing.

Director's Report

(Kerriann Dear and Sue Assad)

At QWWS, with continued demand for assistance from women around Queensland we are conscious of the need to target our service provision to the most vulnerable and marginalized workers. These groups include; older women, Aboriginal and Torres Strait Islander women Culturally and Linguistically Diverse (CALD) and women with disabilities.

Clients who contact QWWS for assistance reflect the level of disadvantage that women often experience in the workplace, earning 17% less than men on average, and facing particular and sensitive issues such as pregnancy discrimination, sexual harassment, and gendered discrimination at work. An overview and analysis of the frequencies and issues working women have raised with the service over the past year is contained in the QWWS Service Delivery Report.

Following the July 2009 QWWS Inc. Planning Days an Action Plan was adopted for the 2009/2010 year that highlighted six priority areas for QWWS. These priority areas are capacity, finance, ideas and philosophy, internal relationships, sector development and partnerships and access to our services. These identified strategic priority areas will guide the development of the new QWWS Strategic Plan currently being developed for the period beyond 2010.

The QWWS 2009 AGM was held on Friday 9 October at the Domestic Violence Resource Centre West End. The members at the meeting voted to return to our Objects as Reviewed by the Management Committee in 2003. This focuses the service on providing employment related services to women to enhance their status in the workplace.

Activities for the QWWS Inc. this year have included reviewing QWWS Policy and Procedures, negotiating a new QWWS Certified Agreement for staff that provides 26 weeks paid maternity leave and undertaking strategic planning for both QWWS and Young Workers Advisory Service (YWAS) which resulted in a commitment to an organizational Review for QWWS and YWAS. A key objective was to facilitate a sustainable and viable structure for our service that will see us through the next few years until much longer term arrangements are negotiated. The terms of reference for this review were developed in consultation with staff and considered by the Management Committee.

Highlights and Projects

Research into Australian Aboriginal and Torres Strait Islander Women and Culturally Diverse women and Employment

In early 2010, QWWS was proud to be associated with the launch of two research projects conducted out of Indigenous Policy, Partnerships and Community Engagement and the Business School, Griffith University, Queensland. The investigators were Dr Kaye Broadbent, Professor Glenda Strachan, Professor Boni Robertson, Dr Janis

Bailey, Dr Catherine Demosthenous, Dr Hellene Demosthenous and Ms Sue Ressia and the reports were launched on 20 January 2010. QWWS wish to convey their sincere appreciation to the extensive work that this group of investigators undertook.

The findings are presented in two reports, which are available on the QWWS Website:

- (i) *Indigenous Women and QWWS, Report I: Queensland Working Women's Service* presents the findings of the research conducted by Indigenous Policy, Partnerships and Community Engagement with Indigenous (Aboriginal & Torres Strait Islander) working women in Queensland; and
- (ii) *Migrant Women and QWWS, Report II: Queensland Working Women's Service* presents the findings of the research conducted by the Business School with Migrant working women in Queensland.

These reports highlight the difficulties and complexities associated with women's access to industrial relations services and make specific recommendations for resource allocation and structures, which will support these groups. QWWS has taken these recommendations seriously in our strategic planning and has also disseminated the findings to other women's organizations and alliances.

Following the release of the report QWWS attracted further funding (\$7500) from the National Women's' Alliance S4W (Security for Women) which was directly provided to investigators at Griffith University to conduct a more in depth study into the experiences of Aboriginal women in the workplace. Professor Boni Robertson and her research team at Indigenous Policy, Engagement & Partnerships, Office of Provost at Griffith University conducted this research, which will be available in December 2010 on the QWWS and S4W websites. QWWS acknowledge that Professor Robertson is an expert in the area of Aboriginal Women and Employment and are grateful to have been able to engage her valuable services in the research and development of this report.

QWWS is aware that Australian Aboriginal and Torres Strait Islander (ATSI) women face unique issues in the workforce. One immediate barrier is accessing information and support. Many ATSI women in remote communities do not have the language and self-advocacy skills to access information from large support services. In addition, in ATSI communities there is often distrust of, or indifference to large agencies or organisations that do not have established relationships with women in their community.

Although overall numbers of ATSI Indigenous women contacting QWWS are small (typically 25-45 per year), we have established links with Aboriginal Indigenous women's organisations in the regions and are respected as a trusted source of workplace information. We can play an important role in supporting a referral to a government agency or providing the information ourselves in a culturally relevant way. The research has provided QWWS with valuable insights into developing our cultural competence and accessibility in working with Aboriginal women.

Asian Women at Work Forum

During May 2010, Sue Assad, Acting Co Director together with three QWWS staff from

with CALD backgrounds attended a national migrant working women's forum held in Sydney conducted by *Asian Women at Work*. The forum provided a valuable information exchange and networking opportunity for QWWS and aimed to discover about what is the contemporary issues for migrant and refugee women in precarious employment. It was obvious at the forum that this group continues to experience a disproportionate disadvantage in their employment. A report from the forum is expected soon

Paid Parental Leave

QWWS made submissions to the Productivity Commission Inquiry into Paid Maternity, Paternity and Parental Leave in 2008 and 2009 and are now pleased that some progress made with the introduction of Australia's first guaranteed national scheme commencing on 1 January 2011. AT this time eligible parents will get up to 18-weeks pay at the minimum wage. Through our certified agreement employees of QWWS Inc. will have more generous entitlements that we consider come a bit closer to reflecting the identified needs of new parents at the time of the arrival of a child.

QIRC Pay Equity Test Case

The considerable pay gap between working men and women continues to widen. This was recognized in late 2009 though an historic wages decision made by the Queensland Industrial Relations Commission (QIRC) that recognized from convincing evidence presented by the Queensland Services Union that the work of women in the community sector has traditionally be undervalued. QWWS congratulate the QSU for their enormous efforts and successful campaign to redress this significant gender based inequity.

As a result (according to the QSU website), the decision provides for wage increases of between 18 and 37% over the three year period commencing June 2009.

The Queensland Government has responded by providing an additional \$414 million in funding to the community sector to assist with wage increases and to ensure that services can continue with their important delivery of services.

The Australian Services Union initiated a Federal Equal Pay case in the Fair Work Australia during 2010, which will decide if wage increases for the community sector will be passed on at a national level and through the Modern Awards system. The Federal Government has indicated their support to the ASU to support the Equal Pay Case through a signed agreement.

QWWS Inc provided letters of support for the Test Cases at both the state and federal levels and QWWS staff attended *The National Day of Action* Rally and March held in June. We hope that the Federal Government will follow the State Government of Queensland in providing adequate funding so that women working in this sector do not continue to be disadvantaged.

The impact of Global Recession on Women

On the 20 October 2009, QWWS, as part of the National Women's Secretariat S4W, hosted together with the National Foundation of Australian Women the Queensland launch of research conducted by the Australia Institute into the impact of the global recession on women. The report highlighted the hidden nature of women's unemployment with the failure of ABS stats to identify women who are currently unemployed, looking for work, but not available for work within one month. Issues around lack of access to free training because of partners income were also highlighted as well as the very familiar issue of lack of childcare particularly lack of out of school hours and vacation care.

Our Work Our Lives Conference on Women and Industrial Relations - #3

The National Working Women's Centres have established a proud tradition of hosting National Academic Conferences on women and industrial relations through the Our Work Our Lives Conference series. The first examined Women and the impact of the Workchoices legislation in 2006 and was followed by a second Conference in Adelaide in 2007. The Northern Territory Working Women's Centre will host the third Conference during August 2010.

(Excerpt from the Northern Territory Working Women's Centre Annual Report 2009/2010)

At the end of this 2009 financial year, the NT Working Women's Centre is on the eve of hosting the 3rd national 'Our Work Our Lives' conference, with the support of the University of Western Australia. We are excited to hear from our informed and influential keynote speakers, including the Sex Discrimination Commissioner Elizabeth Broderick, Professor Marian Baird, Senator Jacinta Collins, Minister Malarndirri McCarthy, Dr Sara Charlesworth and Dr Paula McDonald.

A particular highlight will be the panel discussion by Aboriginal and Torres Strait Islander women works, facilitated by Marion Scrymgour. It will of course be an inspiration just to be in the presence of over 100 academics, industrial relations practitioners, union officials, lawyers, public servants and other interested people from all over Australia as well as Timor Leste who will be joining us at the Darwin Convention centre in August to consider issues surrounding women and industrial relations.

Thanks must go to the sponsors of the conference the NT Government, Clayton Utz, Hesta and the Industrial Relations Society of Australia. Thanks also to all of the NTWWC staff and committee of management members for their support and assistance.

Seven members of staff attended this conference and it certainly provided a great opportunity to listen, absorb, participate and network.

Domestic Violence and Employment

QWWS staff members Alana Heffernan and Lee Matahaere have prepared a Conference paper titled '*Domestic violence and the employment relationship: Is statutory protection necessary?*' which will be presented at the 'Our Work Our Lives' Conference in Darwin in August 2010.

QWWS has had ongoing contact and input during mid 2009 to the Australian Domestic and Family Violence Clearinghouse project entitled *Domestic Violence Workplace Rights And Entitlements*. This Project seeks to inform Australian unions and employers about domestic violence issues for employees and to promote the introduction of domestic violence provisions in enterprise agreements using the new Fair Work framework and will continue during 2010.

Economic Security 4 Women

QWWS and the National Working Women's Centres continued to be actively engaged in the consultation and research conducted by the National Women's Alliance ES4W, which is one of six National Alliances funded by the Federal Office for Women. ES4W is concerned with the issues that impact on the lifelong economic well-being of Australian women and advocate that long-term economic well-being empowers women to make choices and enriches all aspects of their lives, including education, health, employment, safety and financial well-being.

The QWWS Co Directors, Kerriann Dear and Sue Assad participated in the S4W biannual meeting in Canberra in February and Sue Assad attended a subsequent meeting in June. There are a number of areas that remain highly relevant to QWWS and our service objectives within the ES4W's Annual Activity Work Plan. Briefly the plan contains the following:

1. Pay and Gender Workforce Pay Equity.

- Increased awareness of the importance of addressing gender pay equity.
- Provide measures and online tools to ensure pay equity and equal opportunity for employees.
- Increased participation and productivity for women and girls
- Longitudinal data to provide evidence to build a business case for supporting gender pay equity strategies.
- Indication of reduction in gender wage gap
- Greater awareness for both employers and employees of the benefits of reducing gender wage gap

2. Education and Training of Girls and Women

- Renewal of a strategic framework for women and girls in VET and ensuring they have access to courses and training to enhance full participation in the workforce.
- Inclusion of work and career planning for women and girls in developments relating to national planning.

3. *Gender Statistics and Analysis – Data De-Segregation by Sex*
 - Improvements in gender analysis of statistical data that is publically available in the domains of Economic Security, Education and Training, Health and Housing.
 - More visibility of “gender statistics and analysis” included in the standard output from the 2011 Census of Population and Housing.
 - Measuring the size of the “Care” Economy in Australia for comparison with the value of Gross Domestic Product

4. *The Australian Care Economy*
 - To ensure that the Care Economy is an important issue in Australian Government as it effects the Australian economy and the economic wellbeing of citizens, especially women.
 - That there is a comprehensive mapping of the Australian Care Economy as a whole.

5. *International Women's Day*
 - Raise awareness of Pay Equity issues

and is supportive of

6. *Australian Women and Their Housing Security: Measures to improve Outcomes*
 - Improved gender analysis of housing affordability for women
 - Identify practical policy options

QWWS Inc. Staff

The staff of QWWS and YWAS are the lifeblood and backbone of the services. It is with their enthusiasm and support that we have continued to deliver high quality services to women and young people. During this year we welcomed Fiona Bucknell and Jesse Westaway to our team of Industrial Officers. Sue Assad acted as Co-Director from March 2010 while Kerriann Dear reduced her hours to part time.

QWWS continues to offer placements for students and volunteers in administration or information, referral, advice and support to women and young people on work-related matters. These students and volunteers make valuable contributions to both QWWS and YWAS.

The Community Jobs Placement program sponsored by the Multicultural Development Association has provided an opportunity this year for Katia Viguria and Nadeshani Geegangee to work with us for 5 months. Emma Harris has also participated in a placement program as part of her Community and Welfare Services studies.

We thank all our staff who we value enormously for their efforts during this period.

STAFF

QWWS Director:	Kerriann Dear
QWWS Co-Director:	Sue Assad (March to July)
QWWS Senior Industrial Officer:	Teresa Chase
QWWS Industrial Officers:	Alana Heffernan Fiona Bucknell (temp)
QWWS casual Industrial Officers:	Sarah Angel
QWWS Intake/Information Officer:	Lee Matahaere
QWWS Intake/Administrative Officer:	Nahid Shemerani (temp)
QWWS Finance Officer:	Linda Gong
YWAS Coordinator:	Deidre Morrow
YWAS Industrial Officers:	Andrew Marsden, Emma Treherne
YWAS contract/casual Industrial Officer:	Jessie Westaway Charlotte Fenton

QWWS Service Delivery Report 2009/2010

Teresa Chase (QWWS Senior Industrial Officer)

1. Provision of a telephone advice "advisory-line" for women on employment matters

During the reporting period, QWWS provided a telephone advisory service between 1pm and 4pm Monday and 9am and 4pm on Tuesday, Wednesday and Friday. The advice line is closed on Thursdays to allow Industrial Officers to perform client work and attend staff and casework meetings.

QWWS receives a consistently high volume of requests for assistance and priorities these through a triage/intake system and responded to over 2500 women during this period.

2. Casework assistance

This includes assistance with responding to workplace issues, advice on contracts, negotiating conditions of employment or leave, mediation and dispute resolution as well as individual advocacy and representation in relevant industrial relations commissions where a claim is accepted.

QWWS assisted 113 women with casework including representation during the period. Through this service \$322,081.18 was recovered from employers for women by way of entitlements or compensation for unfair dismissal, underpayment of wages or discrimination. (This is compared to 103 new casework clients in the previous period, with \$240,000 recovered or paid as compensation). Reinstatement, apologies and the provision of positive references were also sought and achieved by many clients.

Referrals and partnerships for industrial advocacy for women

During the period, QWWS maintained and developed a number of referral partnerships to assist women with a matter that could not be progressed by QWWS. This included clients who wished to take their complaints to a tribunal hearing, those who needed higher-level legal advice, or callers who fell outside our target groups.

QWWS has maintained our long-term referral relationships with Hall Payne Lawyers and Maurice Blackburn Lawyers and with Rob Stevenson of Australian Workplace Lawyers. During the period QWWS has also developed strong links with the law firm 'Workers First', who have accepted a number of referrals. These organisations have provided assistance to QWWS' clients as well as to our Industrial Officers when we have needed expert legal opinions on industrial matters.

QWWS has been fortunate to have had the assistance of barrister John Merrell in a case that proceeded to the first stage of hearing in the Federal Magistrates Court. This particular case settled after the first hearing date in court – an outcome significantly assisted by Mr Merrell's involvement.

3. Community outreach to women on workplace issues

QWWS delivers workshops and information sessions to groups of women in the community, aimed at increasing awareness of workplace issues, preparing for and re-entering work and developing negotiating skills in the workplace. During this period, 10 workshops were delivered with 5 in the Brisbane metropolitan area and 5 in Cairns. Evaluations of the seminars indicated that over 95% of women agreed or strongly agreed that they increased their knowledge through attendance and that the information was easy to understand.

4. Client statistics

From 1 July 2008 to 30 June 2009, QWWS received a total of 2521 client queries. These included

2362 specialised assistance calls
100 new casework clients and
79 general inquiry clients

Client demographics

- 1% of clients identified as being from Aboriginal or Torres Strait Islander backgrounds.
- 6.3% of clients identified as being from culturally and linguistically diverse backgrounds.
- 53% of women were in the age group 25-45
- 66.37% of client queries came from rural and regional areas.
- 17.62% of client queries did not identify their residence.

Issues for QWWS clients

During the past year, the majority of enquiries to QWWS (869) concerned dismissal (unfair, unlawful or invalid). Discrimination (349) and workplace harassment (408) also represented a high proportion of enquiries. QWWS clients often present with multiple and complex concerns in relation to their employment.

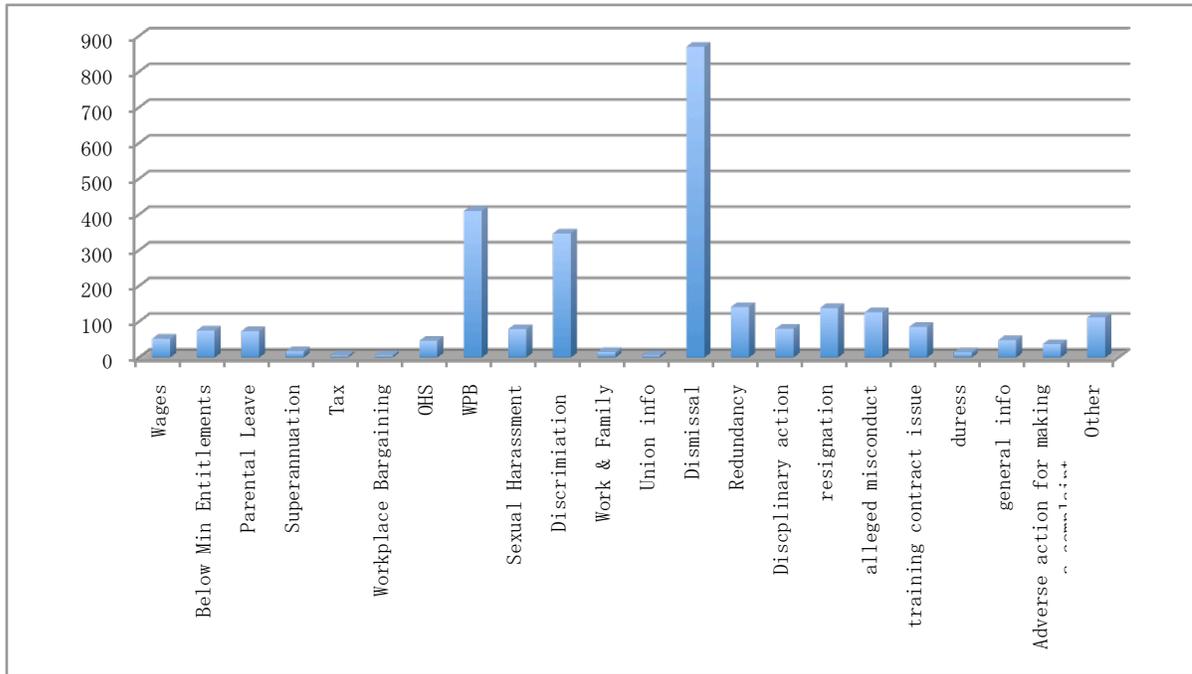
The most common industries represented by QWWS clients during the period were health and community services (14.71%) and retail and wholesale sectors (13.49%). This proportion has not significantly changed over the last 10 years.

Consistent with previous reporting periods 51% of our callers were permanent full-time employees, with 19% casual and 16% permanent part-time employees. This compares to 50% full-time and 15% part-time and 15% casual clients in 2008/2009.

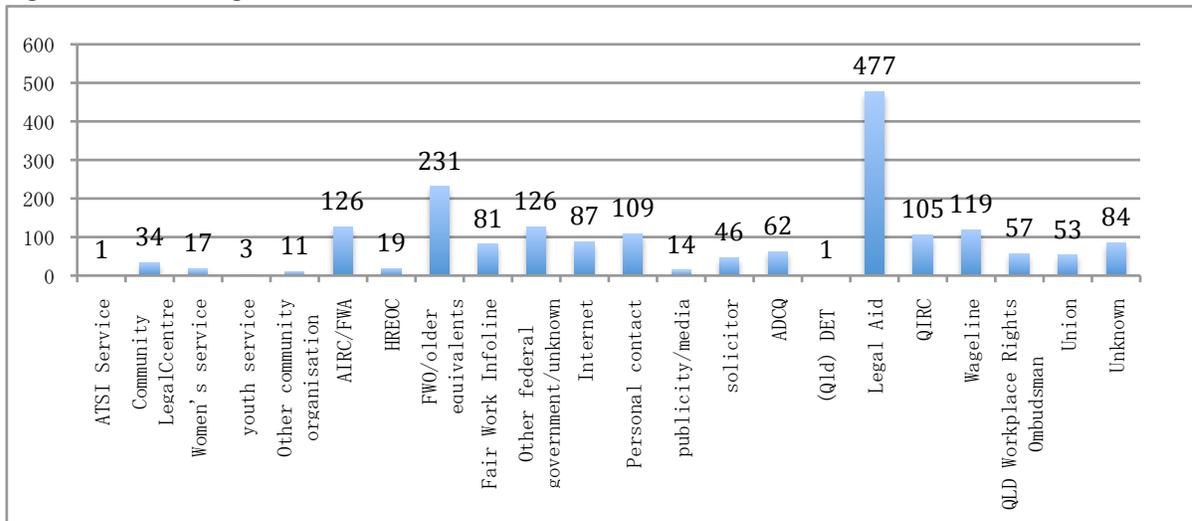
In the period, the majority (over 47%) of our referrals came from state government agencies (including Legal Aid). Federal government agencies, including the Fair Work Ombudsman referred around 27% of callers. Calls referred by Federal Government agencies increased by 11% in the past 12 months with the majority of calls originating

from the Fair Work Ombudsman and Fair Work Australia Info line which were created on July 1 2009.

Types of Enquiries made to QWWS



Agencies Making Referrals to QWWS



5. Media/promotional activities

QWWS engaged in 36 media and promotional activities in the 2009/2010 year, including:

- Holding a stall at International Women's Day
- Participating in the Aboriginal and Torres Strait Islander Employment Expo.

- Four radio interviews on paid parental leave with ABC Radio and Community Radio ('The Wire')
- Participation on a panel discussion on Sexual Harassment at the International Industrial Relations Conference in Sydney in August 2009
- Visit from Mairi Steele, EOWA director
- Attending the launch of the ASU's Year of Women (2010)
- Attendance at the National Day of Action (SACS sector pay equity rally)
- Radio interview on 4EB (Ethnic Broadcasting) radio regarding whether women need to participate in social activities with workmates outside of work hours, in order to receive promotions.
- Promoting QWWS to Aboriginal Torres Strait Islander Legal Service (ATSILS) Rockhampton branch. Discussions were held with ATSILS regarding referring their clients with workplace matters to QWWS.
- Visits with Cairns community and legal organisations, including North Queensland Women's Legal Service, Cairns Community Legal Service, and a number of private workplace law firms in the North Queensland region. Meetings were also held with ADCQ in Cairns, and the Cairns offices of the Fair Work Ombudsman and Justice and Attorney General.

QWWS WEBSITE @ www.qwws.org.au

After initial findings in research conducted by Griffith University with migrant and Aboriginal and Torres Strait Islander women on their impressions of the QWWS website, a new website was developed and launched in mid 2009. The website has a new more inclusive appearance and provides access to women to make e-requests for workplace information or advice from QWWS Industrial Officers. The website contains updated information sheets, information about upcoming events and discussion of current issues facing working women.

Website details:

- 3565 visits and downloads
- 60% of all visitors to the site came via a search engine such as Google, and around 22 % of visitors came to the site by clicking a link on another website. Of the latter, almost 20% came via a link on the Queensland Department of Employment and Industrial Relations (DEIR) website.

QWWS Client feedback

QWWS conducted regular client evaluations of casework clients and education/information sessions. Consistently over 95% of clients are very satisfied or satisfied with the assistance they have received from QWWS.

Emerging issues for QWWS Clients

Industry issues

This year, clients working in health and community services, personal service, wholesale

or retail and hospitality / accommodation represented over 55% of QWWS callers. These industries all have high rates of complaints about discrimination and dismissal, with the health and community services sector displaying the highest percentage of calls relating to workplace harassment. This last trend is one that has continued over the last 3 years and may indicate industry-wide and industry-specific problems regarding the management of workplace harassment.

2008/9 complaint comparisons:

Compared to the previous financial year, pregnancy discrimination dropped from 2.5% to 1.6% of callers. Dismissal complaints rose from 20.25% to 23.25% of callers. Enquiries about redundancy dropped from 4.5% to 3.7% of callers. This latter statistic may reflect job losses as a result of the global financial crisis in 2008/9. Interestingly, calls about alleged misconduct rose from 1.7% in 2008/9 to 3.3% this year.

Discrimination complaints: options for resolution

The alternative forum for airing discrimination complaints provided by the General Protections provisions in the Fair Work Act continues to be an appealing avenue for women suffering workplace discrimination. In particular, clients with pregnancy and impairment discrimination complaints have indicated a desire to utilize these provisions for a variety of reasons. These include the a significantly shorter time period between lodgment of the complaint and conciliation, and the fact that the matter is conciliated by a Commissioner of Fair Work Australia, as opposed to a 'lay' conciliator – this latter fact perhaps being perceived as giving the proceedings more weight.

From a practitioner's point of view, the benefits of the FWA general protections provisions include being able to utilize multiple legislative provisions for the one complaint. For example, a complaint of less favorable treatment on the basis of impairment may able to be lodged on the basis of Discrimination (s 351), temporary absence due to illness or injury (s 352), or making a complaint or enquiry about a workplace right (s 340) using the same complaint process.

The 'traditional' avenues for discrimination complaints (Anti-Discrimination Commission Queensland, Australian Human Rights Commission), however, continue to have appeal for complainants. QWWS' experience is that the benefits to clients in choosing this jurisdiction may include:

- significantly longer time set aside for conciliation conferences
- the opportunity for conciliator involvement in pre-conference communications
- greater tolerance of post-conciliation negotiation and second conciliation attempts
- Conciliator expertise around a single piece of legislation
- the capacity to seek damages for 'hurt', 'distress' or other types of 'general damages'.

Clients clearly have to make their own decisions regarding which jurisdiction they will

choose to resolve a workplace discrimination complaint. Anecdotally, QWWS industrial officers have found that, over the past year, clients would be more likely to indicate a desire to make a complaint to FWA if the discriminatory conduct had left them unemployed, or they were in a poor financial position. This was likely because of the shorter time frames involved. Alternatively, clients who wished to 'teach the employer a lesson', or ensure the employer knew how much hurt their actions had caused, or simply those who were in a stronger financial position, tended to be more likely to choose the ADCQ or AHRC.

Overall, industrial officers reported that a slightly higher proportion of callers (who had the option of choosing a jurisdiction) would indicate they wished to pursue their complaints in FWA.

Future directions

Queensland Working Women's Service Inc has commissioned an organizational review during August and September 2010 to determine some key issues relating to the future directions of the services.

QWWS will continue to deliver services to young people in accordance with funding agreements with the Fair Work Ombudsman and the Queensland Department of Justice and Attorney General (Industrial Relations) for the period 1 July 2010 to 30 June 2012.

Young Worker's Advisory Service Report

Mission Statement

To assist and support young workers in dealing with any workplace issue.

Objectives of Young Workers Advisory Service (YWAS)

- Increase young workers' knowledge of conditions, legal requirements and government policies and programs relating to the workplace in both state and federal jurisdictions.
- Provide services that are accessible to and appropriate for diverse language and cultural groups and that respond to the needs of geographically isolated young people.
- Enhance existing work-related services provided by unions, government and other organisations to young workers while ensuring that there is no duplication of functions.

QWWS has sponsored the Young Workers Advisory Service (YWAS) since April 2002 and YWAS has operated alongside QWWS funded industrial relations services to women since that time. YWAS is operated by the QWWS and QWWS is the legal entity for funding for the YWAS.

YWAS provides information, advice and advocacy to young people on work-related issues including employment entitlements, maternity leave, termination and redundancy, discrimination and sexual harassment, workplace bullying and employment contracts. The service handles client queries and provides a "case-work" service to assist with claims to workplace relations authorities, industrial tribunals and anti-discrimination commissions. In addition, YWAS provides resources, such as brochures and infosheets, and delivers information sessions and workshops on rights entitlements.

From contact with young people, outreach to schools and data from a recent Australian Research Council (ARC) project partnership between YWAS and the Queensland University of Technology (QUT), there is significant indication that the awareness of young people as to their workplace rights and entitlements is low. Further, their understanding of how to take action to obtain this information or to redress unfair or unlawful treatment is minimal. The data collated also reveals numerous cases where young people have been exploited, underpaid, harassed or discriminated against and the high level of advocacy support they generally require for negotiating with their employers.

Young people are generally not members of unions and are unlikely to engage privately paid advocacy or legal advice in respect of employment rights. Further, the experience of YWAS is that this group are also not tenacious in exploring or seeking to

uphold their rights at work, and without support in a manner that is developmentally appropriate many situations pass without redress to the disadvantage of the young person.

The take-up of and feedback about services offered by YWAS from young people over the past eight years is an indication that access to a youth-specific employment service is of significant value in upholding the rights of young employees.

The regulation of youth employment also varies widely across the states within Australia and involves non-integrated, and at times confusing, relationships between government departments and other agencies.

Professor Andrew Steward, in his report *Making the working world work better for kids* for the NSW Commission for Children and Young People (December 2008) suggested that the lack of awareness of rights among young people might be addressed by specifically mandating agencies to alert workers to their ability to demand certain entitlements. He states that organisations such as the Young Workers' Advisory Service in Queensland and the Young Workers' Legal Service in South Australia have performed a tremendously valuable service in assisting young workers to identify and assert their rights.

YWAS Service Delivery Report

(Deidre Morrow YWAS Coordinator)

The client services reported on under this section were contracted under a funding agreement with the Queensland Department Justice and Attorney General (JAG).

Service delivery

1. Provision of a telephone advice "advisory-line" for young people on employment matters.

During the reporting period, YWAS provided a telephone advisory service four and a half days per week. The advice line is closed on Thursday afternoons to allow Industrial Officers to perform casework and attend training, team or casework meetings.

Financial Year	2008/2009	2009/2010
Total clients requesting assistance	1603	1275
Specialised industrial relations information/advice	1281	1030
General client assistance (basic information or referral)	322	203
Casework services provided	125	110
Information/educational sessions	87	52
Media and Promotional activities		67
YWAS website visits		4495

2. Casework assistance

This includes assistance with responding to workplace issues, advice on contracts, negotiating conditions of employment or leave, mediation and dispute resolution as well as individual advocacy and representation in relevant industrial relations commissions where a claim is accepted.

YWAS assisted 110 young people with casework including representation during the period. Through this service over \$100,000.00 was recovered from employers for young people by way of compensation for unfair dismissal, underpayment of wages or discrimination. Statements of Service, and Deeds of Release or Settlement were also sought and finalized for many young people.

Referrals and partnerships for casework

During the period, YWAS developed and maintained a number of referral partnerships to assist clients further. This included clients who wished to progress their complaints to a tribunal hearing, those who needed higher-level legal advice, or deal with training contract issues.

YWAS has maintained our well-established referral relationships with the Queensland Workplace Rights Ombudsman, Hall Payne Lawyers and Maurice Blackburn Lawyers. We have also strengthened our referral relationship with Rob Stevenson of Australian Workplace Lawyers. These organisations have provided assistance to YWAS' clients as well as to our Industrial Officers when expert legal/workplace opinions are needed.

3. Community outreach to young people on workplace issues/Information/education sessions

YWAS delivers workshops and information sessions to groups of young people, aimed at increasing awareness of workplace issues, preparing for and re-entering work and developing negotiating skills in the workplace. During this period, 52 sessions were delivered. This included five in Cairns and the remainder in the Southeast Queensland area. Evaluations of the sessions indicated that over 99% of the participants agreed that they increased their knowledge and that the information was easy to understand.

The majority of information sessions were delivered at Queensland High schools but also included sessions at; Beenleigh PCYC, Wesley Mission and Get Set for Work Agencies.

4. Client statistics

From 1 July 2009 to 30 June 2010, QWWS received a total of **1233** client queries. These included **1030** specialised assistance calls, 110 casework clients and **203** general inquiry clients.

Client demographics

- 6.7% of clients identified as being from culturally and linguistically diverse backgrounds or non-English speaking backgrounds.
- 62% of client queries came from rural and regional areas.

Issues for YWAS clients

During the past year, the majority of enquiries to YWAS (336) concerned dismissal (unfair, unlawful or invalid). Discrimination (131) and workplace harassment (116) also represented a high proportion of enquiries. YWAS clients often present with multiple and complex concerns in relation to their employment.

Demographic characteristics of young people contacting YWAS

The most common industries represented by YWAS clients during the period were the retail and wholesale sectors (20%). Since 2002 this has been the most common industry that young people contacting YWAS for assistance work in.

A majority 31% of our callers were permanent full-time employees, with 27% casual and 7% permanent part-time employees. This compares to 35% full-time, 25% casual and 5% part-time and in 2008/2009.

In the period, the majority (over 38%) of our referrals came from state government agencies (including Legal Aid). Federal government agencies, including the Fair Work Ombudsman referred around 22% of callers. Calls referred by Federal Government agencies increased by 100% in the past 12 months with the majority of calls originating from the Fair Work Ombudsman and Fair Work Australia Info line which were created on July 1 2009.

YWAS continues to provide support and assistance to young people in approaching their employer about their employment entitlements or negotiating better outcomes at work.

YWAS also assist young people to make complaints with Fair Work Australia (FWA), Fair Work Ombudsman (FWO), Queensland Industrial Relations Commission (QIRC) and Anti Discrimination Commission Queensland (ADCQ) and Employment Claims lodged at the Magistrates Court where applicable.

YWAS Client feedback

YWAS conducted regular client evaluations of casework clients and education/information sessions. Consistently over 99% of clients are very satisfied or satisfied with the assistance they have received from YWAS. 92% of clients did not know of any other service that could have helped them at this time. Some comments made were ' *Very helpful ... Very helpful and understanding ... I think YWAS is a great service ... Very happy with how fast service was*'.

5. Media/promotional activities

YWAS undertook activities including:

- Participating in the Aboriginal and Torres Strait Islander Employment Expo.
- 4 radio interviews on young people and work
- 14 youth network meetings in the period
- Cairns regional trip
- ADCQ Advisory Committee meetings
- Sharing a stall with QWWS at International Women's Day

6. YWAS WEBSITE

www.ywas.org

The YWAS Website continues to be popular although telephone contact remains the most frequently used method for young people to seek specialised assistance. The web address is www.ywas.org.

The website received an upgrade in mid 2009 and provides an option to make e-requests for workplace information or advice from QWWS Industrial Officers and request school or group talks. The website contains updated information sheets, information about upcoming events and issues facing young workers.

Website activity:

4495 visits by 3652 visitors	1
2,429 Page views	
81% were new visits	

The most popular page is the home page 41% then "young workers" 11%. The website is accessed by direct traffic at 22%, Referral sites 53% (including facebook 16% and apps.facebook.com 11%) and search engines 23%

YWAS on Facebook

A facebook profile "Young worker" was established in 2008 recognising the media plays an important role in profile raising and communication. The promotion on Facebook of the competition mentioned above which enabled the survey of 270 young people was a great success. Advertising on Facebook has also assisted in increasing visits to the YWAS website. Visits to the YWAS website in the first half of the financial year were 1342 compared to 3153 in the last.

Australian Research Council project on young people and work

During 2005 to 2009, YWAS was a partner to an Australian Research Council Grant (ARC) with Queensland University of Technology, Griffith University, Education

Queensland, Catholic Ed. and Queensland Council of Unions. This three-year research project explored how young people acquire knowledge about industrial relations (Citizenship and Employment for Secondary School Students). The research aimed to foster better understandings of mechanisms to improve the knowledge of young workers about their rights and responsibilities in the workplace. A report to partners was delivered and made available widely.

The project was named "Social Citizenship and Employment for Secondary School Students" and undertaken by Dr Paula McDonald, Queensland University of Technology; Dr Janis Bailey, Griffith University; Prof Barbara Pini, Curtin University and Dr Robin Price, Queensland University of Technology.

Overall the findings of this research reflect our direct experience in working with young people and highlight the need for education targeted in this area.

The findings in regard to how young people get their information has given rise to YWAS considering how to best target advertising to parents as well as young people which will be raised in our upcoming planning.

The research findings are useful to assist in planning for YWAS service delivery. They have also been useful in making the YWAS submission to the review of the Child Employment legislation and a letter YWAS sent to the Federal Minister for Workplace Relations regarding the need for education of young people.

Highlights of the 2009/2010 period for YWAS

YWAS survey of young workers

During late 2009 the YWAS Steering Committee endorsed a small piece of research to further investigate how young people wish to obtain information and advice about their employment rights and responsibilities.

The Survey was conducted via Survey Monkey and promoted through entry into a competition on the YWAS website and via Facebook advertising. Two competitions were conducted with tickets to music events as prizes. The project commenced on 12 November 2009 and ended on 31 January 2010. There were 270 surveys completed.

In summary the findings revealed that:

77.8 % of young people expressed a preference to make contact via email. *YWAS provides this service and it is promoted on the website. The uptake is low in comparison with phone contact. Estimated at about 1 email in 5 phone calls. The surveys were undertaken online and thus the preference may be distorted by the method used for the survey.*

69.9% of people indicated that they did not have a problem with leaving a message on an answering service if there was no one available to talk with them.

67.5% of young people who responded that they preferred to have their enquiry dealt with immediately by an experienced industrial officer and not speak to a receptionist.

Respondents also indicated a preference for information to be available online (85.8%).

This information has been provided to the QWWS Management Committee to assist with strategic directions for continued service delivery to young people through YWAS.

Youth Week events

YWAS was represented/participated in 4 youth week events this year including the Left Right Think Tank Launch on 13 April 2010. The launch was a fantastic opportunity to connect young people and policy makers. Guest speakers included Queensland Treasurer Andrew Fraser and Leader of the Opposition John-Paul Langbroek.

The JustUs? Youth Forum on the 16 April 2010 encouraged young people to explore their identity, place and purpose. Billy Williams (Djaywunti, Scripture Union Qld Indigenous Liaison) spoke on Identity and Dave Andrews (TEAR Australia, Waiters' Union) provided a stimulating discussion around diversity and community.

The Youth Week Our City. Our State, Our future on 16 April 2010 was an interactive forum for young people in Brisbane to discuss what they would like for the future of Brisbane/ Queensland with the relevant government decision-makers.

YWAS also held a stall at the Youth Week Expo on 14 April 2010 at Parkridge. Senior high school students were involved in planning, preparation and executing a range of fun activities for yrs 8 to 10 students.

Review of the Child Employment legislation

YWAS made a submission to the Queensland Government's Review of the Child Employment legislation in May 2010 .

Research data

During the period YWAS assisted Dr Paula McDonald from Queensland University of Technology School of Business by providing data relating to the experiences of young people about sexual harassment.

Current issues for young people in employment

The key issue continues to primarily be termination of their employment. Other issues are underpayment of wages, denial of conditions of employment (including training contract issues), unauthorised deduction from pay, discrimination (age and pregnancy) workplace health and safety (including workplace bullying).

The issues that are governed by State legislation and reported to YWAS included training

contract issues, lack of understanding and compliance with the Child Employment legislation, Workplace Health and Safety Laws and regulations including Workplace Harassment.

Regional tour 2009

The annual Regional Information and Education outreach project was conducted Cairns and made community and high school visits on the 2, 3 and 4 November 2009.

The visit included four school talks, networking with youth organizations and the general promotion of the services provided by YWAS.

The visit also provided an opportunity to catch up with our key Far North Queensland Referral Agencies including; the Fair Work Ombudsman, Cairns Magistrates Court, the City Library, Department of Justice and Attorney General (Industrial Relations), Anti Discrimination Commission Queensland and the Cairns Community Legal Centre Inc

YWAS Steering Committee

Our sincere thanks are expressed to the members of the YWAS Steering Committee in this period for their ongoing participation and support for the Young Workers Advisory Service.

YWAS Steering Committee Members 2009/2010:

Nyree Hatzimihail – Careers Counsellor – Queensland University of Technology
David Powell and Siyavash Doostkhah – Youth Affairs Network Queensland
Nick Tindley – National Retail Association
Joan Schmidt – Department of Education Training and the Arts (resigned April 2010)
Paul Florens – Department of Justice and Attorney General
Richard Proctor – Commission for Children and Young People
Catherine Moynihan – Legal Aid
Alana Heffernan – Individual member- youth representative
Sue Assad/Kerriann Dear – QWWS Management Committee

Future directions

Queensland Working Women's Service Inc has commissioned an organizational review during August and September 2010 of both QWWS and YWAS to determine the future directions of the services.

YWAS will continue to deliver services to young people in accordance with a funding agreement with the Queensland Department of Justice and Attorney General (Industrial Relations) for the period 1 July 2010 to 30 June 2012.