

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?



# 2018

## Annual Report

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Table of Contents

Our Work.....	3
Our Services .....	3
Our Vision.....	4
Our Mission.....	4
Our People .....	4
Chair's Report .....	5
Executive Director's Report .....	6
Telephone Information Service (TIS) - Overview .....	8
Legal Practice .....	12
Legal Cases .....	13
Resources .....	20
Law Reform Work: Submissions .....	21
JobWatch Media Work.....	21
Thank You.....	23
Financials – Audit Letter .....	26
Financials – Income & Expenditure.....	28
Financials – Assets & Liabilities .....	29
Financials – Statement of Changes in Equity .....	29
Financials – Statement of Cash Flows.....	31
Financials – Notes to Accounts .....	32

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Our Work

JobWatch is an Employment Rights Community Legal Centre which provides assistance to Victorian, Queensland and Tasmanian workers regarding their rights at work. We are an independent, not-for-profit organisation funded by the Office of the Fair Work Ombudsman, Victoria Legal Aid and the Victorian and Federal Governments.

JobWatch services are provided free to Victorian, Queensland and Tasmanian workers. JobWatch is an active member of the Federation of Community Legal Centres and is accredited by the National Association of Community Legal Centres (NACLC).

## Our Services

### VICTORIA

Telephone Information Service  
Legal Representation  
Employment Law Publications  
Lawapp  
Community Legal Education  
Self-Representation Assistance  
Clinical Legal Education  
Law Reform

### QUEENSLAND

Telephone Information Service  
Employment Law Publications  
Lawapp  
Community Legal Education  
Self-Representation Assistance  
Law Reform

### TASMANIA

Telephone Information Service  
Employment Law Publications  
Lawapp  
Community Legal Education  
Self-Representation Assistance  
Law Reform

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Our Vision

JobWatch is committed to improving the lives of workers, particularly those most disadvantaged by advising, representing, informing, educating and empowering, advocating and campaigning for law reform and social change.

## Our Mission

JobWatch aims to improve the working conditions and workplace outcomes for Victorian, Queensland and Tasmanian workers and strives for a fair and just working environment for all Victorian, Queensland and Tasmanian workers.

## Our People

### Committee of Management

Sandra Crabb, Chair  
Dianne Cullen, Deputy Chair  
Terry McGann, Secretary  
Adrian Chevalier, Treasurer  
Barney Cooney, Regular Member  
Elise Paynter, Regular Member  
Joanna Fitch, Regular Member  
Rosemary Shaw, Regular Member

### Office Staff

Zana Bytheway, Executive Director  
Gabrielle Marchetti, Senior Lawyer  
Ian Scott, Senior Lawyer  
Melissa Favasuli, Lawyer/Administrative Officer  
Fiona Warner - Lawyer  
John O'Hagan - Lawyer  
Priscilla Tung, Accountant  
Lilian Tang – Administrative Assistant

### TIS Staff

Alan Hawkey  
Geoff Charles



## Chair's Report

It is with pleasure that I present the JobWatch Annual Report 2017-2018.

JobWatch provides essential services to Victorian, Queensland and Tasmanian workers via the provision of employment law information. Legal representation is also provided to Victorian workers. Additionally, JobWatch engages in community education and law reform activities.

The 2017-2018 financial year has been outstanding for JobWatch, with remarkable work being completed across all facets of the organisation.

The JobWatch Telephone Information Service (TIS), along with website services has gone from strength to strength since their extension to Queensland and Tasmania in January 2017. The number of assistances increasing yet again over 2017/2018 with the TIS completing 12,638 assistances.

The legal practice has assisted a multitude of disadvantaged workers during 2017/2018, through numerous projects including the International Students Work Rights Legal Service at the Study Melbourne Student Centre, the Workplace Advice Clinic at the Fair Work Commission and the running of both the JobWatch Dismissed Workers Project as well as the JobWatch Family Violence and the Workplace Project, a highlight of which saw the 'Domestic and Family Violence – A Real Workplace Issue For Women Discussion Paper' released.

The legal practice also conducts community legal education including training, seminars, and the production of a variety of publications on employment law and workers' rights.

I would like to thank my fellow Committee members for their commitment and for the valuable contribution of their time and expertise. In particular, I would like to thank Barney Cooney, who retired from the JobWatch Committee of Management this financial year. Barney's wisdom, counsel and commitment over many years has been a great support to JobWatch and has helped to steer the organisation to its present strong position.

I would also like to thank Zana Bytheway, Executive Director, whose consistently strong management has guided the organisation to its current position of financial viability and strength.

Many thanks also to the phenomenal JobWatch staff, interns and volunteers for their passion, commitment, hard work and outstanding service delivery without which so many disadvantaged workers would go without assistance. We all look forward to 2018/2019 and another prosperous year ahead.



**Sandrah Crabb**  
JobWatch Chair

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Executive Director's Report

Highlighting workplace issues to inform the community and instigate change (law reform) is a vital function of JobWatch.

This year JobWatch released its paper "Domestic & Family Violence - A Real Workplace Issue for Women".

JobWatch produced the discussion paper to create understanding and urging employers, government and other stakeholders through legislation and policy to assist working women experiencing domestic and family violence by providing supportive workplace environments and effective workplace responses.

Having represented a woman who was dismissed by her employer, while her alleged abusive partner retained his position with the same company, JobWatch became increasingly concerned about the workplace rights and needs of women affected by domestic and family violence.

There is now heightened community awareness of the disturbing prevalence of domestic and family violence with an over-representation of women as victims.

Less known though is that 68% of Australians subjected to domestic and family violence are employed. Consequently the impact of domestic and family violence on employment and the workplace requires greater examination.

Calls to JobWatch provide a stark picture of unsupportive workplace environments with

reports of employer frustration, suspension of shifts and a high proportion of calls involving dismissal for reasons directly related to experiences of domestic and family violence.

JobWatch also contributed to the Law Institute Journal article by Carolyn Ford on the topical issue of sexual harassment and more specifically, how the legal profession is dealing with it. The good news is that stopping sexual harassment in the workplace has commenced and who better to set the standard than the legal profession? The question is however, why in a legally educated profession armed with knowledge and associated confidence, sexual harassment occurs in the first place.

Women in the law are articulate, confident and they know their rights. It might seem surprising, but when there is a power imbalance women are hesitant to make a complaint. So much is at stake. It could easily ruin their career. They think, 'I can handle this', when they shouldn't be exposed to it in the first place.

Workplace culture has to change, as it did with bullying, and it will have to shift massively through education and prevention before women feel safe from victimisation and retribution.

JobWatch has seen a more than 100 per cent increase in sexual harassment complaints from Victorian workers between 2014 and 2018.

JobWatch has created a raft of recommendations for federal legislative change, including a standalone provision addressing sexual harassment under the *Fair Work Act 2009*, similar to the bullying provisions and imposing a positive obligation on employers to eliminate sexual harassment.

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?

These recommendations will form part of a submission to the Australian Human Rights Commission inquiry.

On the individual level where our focus is on assisting the worker, JobWatch has increased assistance to our TIS callers, responding to 12,368 calls and our legal practice has also assisted 288 clients.

I would like to express my gratitude to the Federal Government, the Office of the Fair Work Ombudsman, the Victorian State Government and Victoria Legal Aid for their continued funding and support as a result of which JobWatch remains a secure and financially viable organisation.

My gratitude to our Chair, Sandra Crabb and the entire JobWatch Committee of Management for their commitment, invaluable experience and support which is vital to the operation of the organisation.

I am of course indebted to JobWatch staff for their outstanding work over the last year. A wealth of experience and commitment ensures the highest standard of service delivery. I look forward to another successful year ahead.



**Zana Bytheway**  
**Executive Director**

Am I being treated fairly at work?

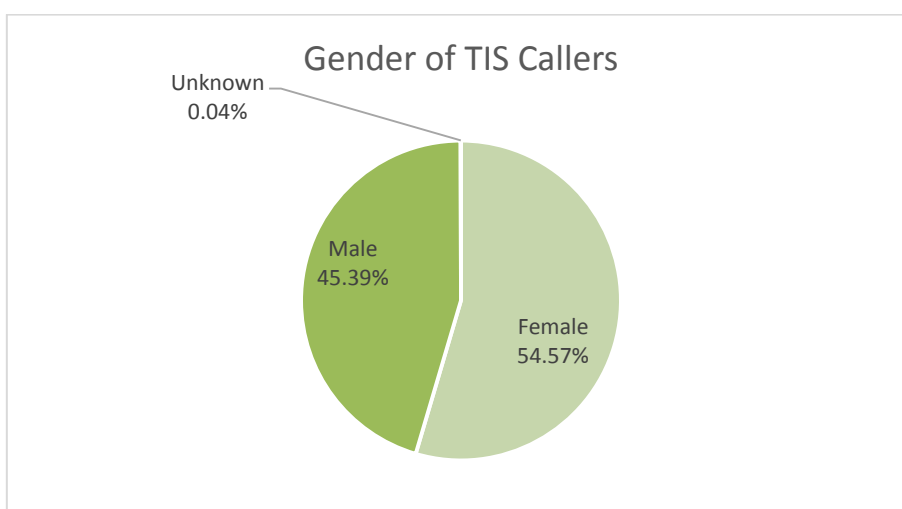
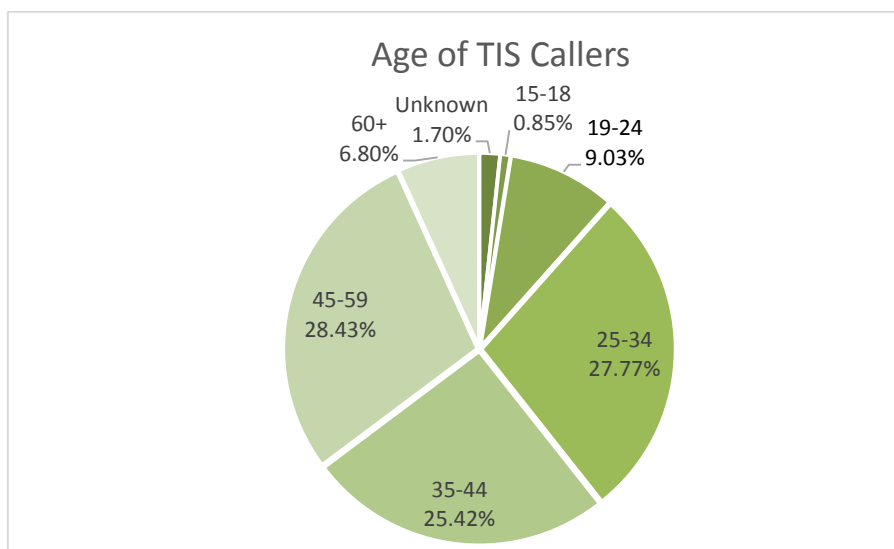
What are my employment rights?

Where do I go for help?

## Telephone Information Service (TIS) - Overview

The JobWatch Telephone Information Service (TIS) provides vital assistance to Victorian, Queensland and Tasmanian workers who encounter difficulties with their employment. There was a continued high level of demand for this service, particularly given the expansion of the service into Queensland and Tasmania from January 2017. The number of caller responses increased over this financial year, rising from 10,997 responses to 12,638 responses.

### Who's Calling JobWatch?



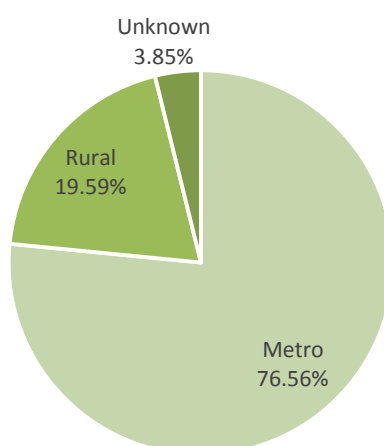


Am I being treated fairly at work?

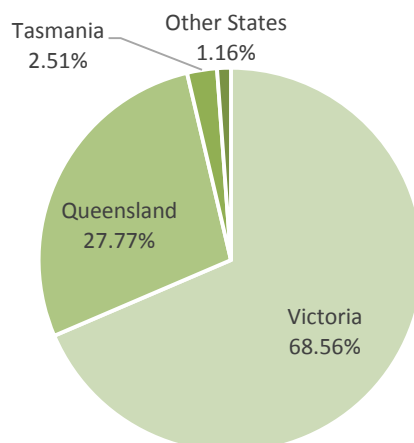
What are my employment rights?

Where do I go for help?

### Residence of TIS Callers - Victorian



### Residence of TIS Callers Assisted- State



The gender, age and residence of JobWatch TIS callers from Victoria are all comparable to the previous year.

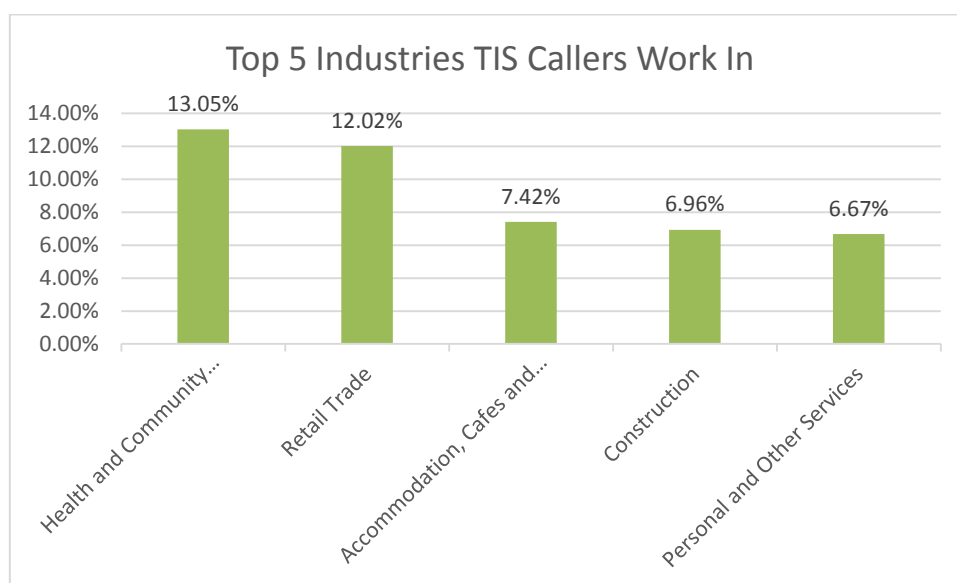
Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

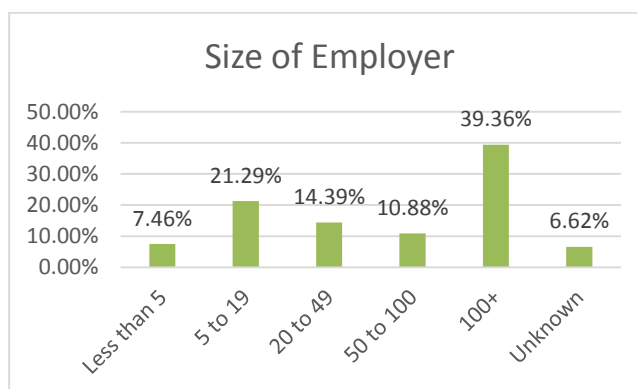
## Where Our Callers Work

JobWatch callers are employed predominantly in Health and Community Services (13.05%), Retail Trade (12.02%), Accommodation, Cafes and Restaurants (7.42%), Construction (6.96%) and Personal and Other Services (6.67%). The most significant variances when compared to the previous year were: Other Services (+1.71%), Construction (+1.48), Property and Business services (-1.41%), Cultural and Recreational Services (-1.06%) and Transport and storage (-0.93%).



## Size of Employer

The percentages across all 'Size of Employer' categories are comparable to the previous year. Minor deviations are as follows: less than 5 employees (-0.01%), between 5 and 19 employees (-1.80%), between 20 and 49 employees (+0.33%), between 50 and 100 employees (+1.00%), 100+ employees (-0.35%).



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Employment Status

Overall, 74.38% of callers to JobWatch were employed on a permanent basis with 58.14% permanent full-time and 16.24% permanent part-time. A total of 15.26% of callers were employed on a casual basis. This data is similar to that reported in the last financial year.

Employment Status	%
Apprentice/Trainee	0.90
Casual Full-Time	6.19
Casual Part-Time	9.07
Fixed Term Contract	2.05
Fixed Term Contract (extended)	0.26
Independent Contractor	2.34
Job Seeker	1.54
Not Applicable	1.73
Permanent Full-Time	58.14
Permanent Part-Time	16.24
Unknown	1.54
<b>Total</b>	<b>100</b>

## Problem Type

The most prevalent problems affecting callers were: Unfair Dismissal (16.51%), Wage Issues (including Under/Non-Payment and Overpayment) (11.94%), General Protections Dispute (Termination) Claims (7.89%), General Inquiry (7.71%), Discrimination (7.08%) and Harassment (including Bullying and Sexual Harassment) (6.51%).

The reported percentages were reasonably comparative to the previous year with the largest variation occurring in the General Inquiry problem type which increased by 1.69%.

Problem Type	%	Problem Type	%
Common Law Contract Issues	5.01	Notice Issues	2.27
Constructive Dismissal	3.71	Occupational Health and Safety	0.38
Discrimination	7.08	Other/Various (<1% = 39 categories)	10.07
General Inquiry	7.71	Redundancy Issues	6.11
General Protection (Non-Termination)	4.30	Resignation	1.01
General Protections (Termination)	7.89	Superannuation	0.73
Harassment Issues (Bullying. Also Includes Sexual Harassment)	6.51	Unfair Dismissal	16.51
Independent Contracting Arrangements	1.28	Wages Issues (Including Under/Non Payment and Overpayment)	11.94
Leave issues	2.20	Warnings/Procedural fairness	1.75
Maternity	0.94	WorkCover	2.60

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Legal Practice

JobWatch's Legal Practice has had a challenging but rewarding year managing a diverse caseload involving proceedings in courts and tribunals. In addition, the Legal Practice has participated in the Workplace Advice Service at the Fair Work Commission, a program run in conjunction with the Fair Work Commission and the Springvale Monash Legal Service. The Legal Practice has also operated the International Students Work Rights Legal Service in conjunction with the Study Melbourne Student Centre.

In December 2017, JobWatch received funding from the Federation of Community Legal Centres Victoria to partner with two generalist CLCs, being Fitzroy Legal Service (FLS) and WEstjustice (WJ), in running a pilot program designed to test a formalised approach to in situ personnel exchanges as a means of improving understanding of services and building capacity and expertise. Being the specialist CLC, JobWatch took the lead in running the program.

In relation to WJ, a lawyer from WJ attended JobWatch on at least 4 occasions to engage in formal shadowing of JobWatch's senior lawyers. This involved attending the Fair Work Commission to observe a JobWatch lawyer assist clients at the Workplace Advisory Service, attending the Federal Circuit Court to observe an underpayments claim hearing and attending a Fair Work Commission unfair dismissal conciliation as well as other shadowing activities.

In relation to FLS, a senior lawyer from JobWatch attended FLS on at least 4 occasions with the aim of building its lawyers' capacity and expertise in employment law. JobWatch's lawyers attended FLS to provide training, mentoring, and strategic advice and were also available for secondary consultations during FLS's night service.

The pilot program was a success with the collaborative relationships between JobWatch and FLS and JobWatch and WE continuing after the end of the pilot.

Beyond casework, JobWatch's lawyers are involved in training and supervising student interns and volunteers and delivering community legal education. Our lawyers are also engaged in law reform work and play an active role in delivering our TIS on a daily basis.

JobWatch's mission is to help disadvantaged workers. The Legal Practice broadly measures disadvantage by considering a range of factors including the person's income, their ability to speak English and their bargaining power.

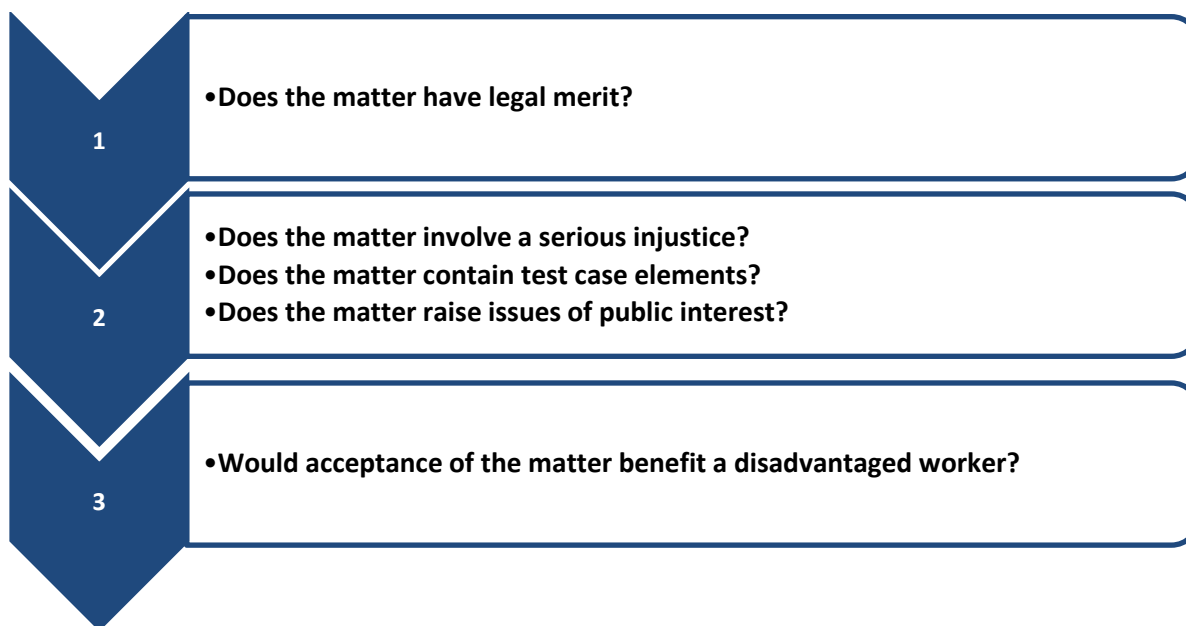


Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

**Prior to opening a matter, our Legal Practice considers the following key questions:**



## Legal Cases

### **Bullying, Resignation and Contractual Dispute**

Roger is a 31-year-old student who arrived in Australia in 2016 to complete his MBA. In 2017, he found work as a Finance Manager with a large multinational company. He was paid a \$10,000 allowance to cover the cost of relocating, but his contract stated that if he left the job within two years, he would be required to repay it.

Unfortunately, it soon became clear to Roger that the job was not going to be sustainable. While the contract provided for 38 hours per

week plus “reasonable” additional hours, he was in fact required to work in excess of 60 hours every week, often performing duties outside his contracted role. The management culture was macho, and Roger was subjected to intense performance pressure and bullying, including homophobic slurs.

Within a few months, Roger was left with no alternative but to resign.

Some weeks later, Roger had not received his final wages and leave payments. His former employer said they were withholding these entitlements to cover the relocation

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

allowance, and that they would be sending him a bill for the rest.

JobWatch advised Roger that what the company was doing was unlawful. Armed with this information, he was able to obtain their assurance that his entitlements would be paid. Further, the employer agreed to reduce the allowance repayment to \$4,000, which Roger reluctantly paid.

However, the employer continued to withhold Roger's entitlements, so he asked JobWatch to assist further. JobWatch then wrote to the employer stating that the \$4,000 payment Roger had made was an "unreasonable requirement to pay an amount" under s 325 of the *Fair Work Act 2009*; that the contractual term requiring it was ineffective under s 326; and that the full amount of \$4,000 plus Roger's employment entitlements had to be repaid by a certain date in order to avoid further legal proceedings. The employer agreed and the matter was resolved in Roger's favour.

### **Underpayment and Cash-in-Hand**

Marley came to Australia in 2015 to study in the field of hospitality. As part of her course she was required to complete 400 hours of work per semester in the hospitality industry. She found a job as a casual sandwich maker/waitress at a café. She agreed to work for \$18 per hour on a cash-in-hand basis initially but after one week she asked to be put 'on the books' as she needed to show pay slips to her course provider to prove her hours.

During her employment Marley only received one pay slip that contained false information.

After Marley resigned the owner withheld her wages, claiming that she had not given enough notice.

Marley contacted the Fair Work Ombudsman and although assistance was provided, the matter was unable to be resolved through their processes.

JobWatch advised Marley that she had been underpaid during her employment, that her employer had failed to make the requisite superannuation contributions into her super account and that the employer had failed to provide her with accurate pay slips.

JobWatch has issued legal proceedings in the Small Claims division of the Federal Circuit Court on Marley's behalf. Marley was paid the full amount outstanding before the hearing.

### **Unfair Dismissal and Underpayment**

Christian is a 21-year-old Brazilian international student who had worked as a cook in a busy CBD bar-restaurant ever since he arrived in Australia in 2016. Although he was casual, he worked more than full-time hours, often in excess of 70 hours a week. He was paid a flat rate of \$20 for the hours he worked, and did not receive the overtime and penalty rates he was entitled to under the relevant Award.

The head chef began to bully Christian at work and this soon escalated into frequent physical threats. When Christian complained

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

about this to his manager, they sided with the chef. Christian was afraid of the chef because of the threats of violence, and was under a great deal of stress. He asked for two weeks off over the Christmas period. When he returned, the manager told him that his position was no longer available. Christian believed he had been dismissed because of his complaints about the chef.

Christian came to JobWatch through the International Students Work Rights Legal Service. JobWatch advised him that he had been grossly underpaid and had a claim for unfair dismissal. JobWatch assisted him to lodge an unfair dismissal application, and calculated that his gross underpayments were in excess of \$45,000. As tax had never been withheld by the employer, the amount owing after tax was over \$20,000.

JobWatch represented Christian at the unfair dismissal conciliation. In the course of negotiations, it emerged that the employer had a connection to the school where Christian was studying and was able to arrange a fee-waiver worth about \$5,000. JobWatch was able to negotiate this waiver plus a \$15,000 payment to settle both the unfair dismissal and the underpayment matters.

#### General Protections Dispute Claim

Rina had been working in a fast food outlet for around 4 months when a new assistant manager arrived and began to assess her ability. Rina found the scrutiny stressful, particularly as she has a pre-existing anxiety condition, and had to go to the back of the store to calm down following a panic attack.

After this incident Rina's employer told her that she could either resign or be dismissed. Rina did not resign and was dismissed. Rina's termination letter states that she was dismissed due to her health and poor performance. Rina had never received any warnings, written or verbal, to notify her that her performance was poor.

JobWatch advised Rina that she a claim for a general protections dismissal dispute. JobWatch assisted her to lodge a general protections dismissal dispute application and represented Rina at the conference where the matter did not settle.

JobWatch was able to negotiate a settlement agreement favourable to our client following the conference.

#### Unfair Dismissal – Constructive Dismissal

Daniella is a 23-year-old international student from Italy. From early 2016 she worked regularly as a casual at an inner-suburban wine bar. Her employment stopped while the bar underwent renovations for a month and she was told that her work would resume after this was complete, however, after two months she still was not offered any further shifts despite repeated requests.

Daniella came to JobWatch through the International Students Work Rights Legal Service. Job Watch suggested she make an unfair dismissal claim based on a constructive dismissal, as a regular and systematic casual who was being denied work without a valid reason. Job Watch assisted her to lodge the claim with the Fair Work Commission.

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

The employer engaged a Sydney law firm and responded with complex jurisdictional objections to the claim, including that there was no dismissal because the employer was entitled to take Daniella's threat to go to the Fair Work Commission as a resignation. JobWatch represented Daniella at the conciliation and negotiated a settlement in Daniella's favour.

### General Protections Dispute Claim

Rosanna worked for approximately 1 month as a disability support worker when her employer dismissed her.

It had come to Rosanna's knowledge that she was entitled to higher pay rates for some of the shifts that she had been working and that she was being underpaid in accordance with the applicable award. Rosanna wrote to her employer outlining the correct rates of pay and the amounts by which she had been underpaid. In response to her letter, Rosanna's employer dismissed her.

Job Watch advised Rosanna that she a case for a general protections dismissal dispute. JobWatch assisted her to lodge a general protections dismissal dispute application and represented Rosanna at the conference where the matter settled in our client's favour.

### Sham Contracting

Alejandro is a 26-year-old Colombian, in Australia since mid-2017 to study. He had been doing casual labouring on building sites for a building company. The company set a flat rate of \$21 per hour, required Alejandro to submit invoices showing the hours he

worked, and characterised his work as subcontracting. The employer paid some of the invoices, but when Alejandro found better employment and left the job, refused to pay the remaining amounts. Alejandro approached JobWatch for help.

JobWatch advised Alejandro that the nature of his work suggested that he was in fact an employee of the building company, and not a contractor. As such, he could claim the minimum rates and penalties under the relevant Award. He would also be entitled to superannuation.

JobWatch calculated the amounts owing and wrote a letter to the employer requiring payment. The employer responded angrily and refused to negotiate, insisting that Alejandro was a contractor, but also continued to refuse to pay the remaining invoices, saying "You'll be paid what I think you deserve".

JobWatch made a request for assistance to the Office of the Fair Work Ombudsman. The Office of the Fair Work Ombudsman contacted Alejandro and the employer to attempt to resolve the matter. The employer initially co-operated, but stopped communicating when the Office of the Fair Work Ombudsman offered to hold a voluntary mediation.

JobWatch is now obtaining instructions from Alejandro to make a claim for the underpayments in the Federal Circuit Court, where penalties may also be sought, including for sham contracting. The matter is ongoing.



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

### Unfair Dismissal

Our client, Karla, worked as an office manager at a company which she assisted her employer, a friend, to establish. Karla worked for no remuneration for the first few weeks of the company's existence.

Karla had been living in a relationship with domestic violence for 8 years and her employer was aware of her situation and was very supportive. Karla's husband had been charged previously and issued with a corrections order although was allowed home at Karla's request due to financial dependence. Karla took some days off for various reasons over her 2 year employment for court dates and to deal with other family situations. Karla was also diagnosed with a serious medical condition over this period.

Karla's husband made many attempts to jeopardise Karla's employment as he did not want her to work. Karla's husband would hide her car keys and threaten to burn the house down if she went to work. Karla was often late for work, although always informed her employer and worked late to make up for the lost time.

While at work, Karla's husband called her constantly. On one occasion Karla's husband told Karla that he had left with her 4 year old son and threatened a murder/suicide forcing Karla to leave work early to find them.

At a meeting at the Department of Human Services, Karla told of the violent incidents experienced by her and her son and was advised to inform the police as her husband was in breach of the order that was then in place. Karla did so and a subsequent

intervention order was made which did not allow Karla's husband to see her or their children. Following this order being made, Karla took a couple of weeks off work as she was emotionally unstable. During this period Karla did attempt to work from home but found she could not access the company email or cloud. All of her subsequent attempts to contact the company were ignored.

When Karla went to work the following week she had a coffee with her employer who advised her that her employment was terminated so that she could take care of her children and sort out her life.

Karla had considered her employer a supportive friend and was shocked at the dismissal, particularly at a time when she had become independent of her husband and was looking forward to moving on with her life.

JobWatch provided legal advice and assistance to Karla in her unfair dismissal matter. The JobWatch legal practice represented Karla at conciliation where the matter did not settle. JobWatch then prepared all the documents required for the hearing although the matter settled at the final hearing to Karla's satisfaction. Karla received monetary compensation, a Statement of Service and her Centrelink Separation Certificate.

### Sham Contracting

Chris was a Centrelink welfare recipient. In August 2013, his employment services provider encouraged him to enrol in a traineeship for a joint program between a

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

training services provider and another large company which purported to train apprentices to work on network maintenance. Graduates of the program were to form one-person companies which would 'subcontract' with the large company, which itself contracted with the network provider.

Chris undertook the 17-week Certificate III in the Telecommunications training program from September 2013 to March 2014. During this time, Chris was required to register the company under which he would operate. From February to March 2014, Chris was pressured into signing loan agreements totalling approximately \$70,000 to fund a vehicle, equipment, insurance and accounting services from various entities affiliated with the program.

Assurances were made that potential earnings would cover these expenses and repayments. At the time Chris had no assets or income and only \$40 in his bank account.

On 17 March 2014, Chris signed a contract with the company and began work for the network provider on a 'subcontractor' basis, regularly working from 8am to 6pm. Soon after beginning work Chris encountered difficulties in servicing the debts he had signed up for. He effectively ceased working in June 2014 due to stress associated with work requirements and the outstanding loans. The lenders began demanding repayments and in May 2015 a chattel mortgagee sale of the van was held. The van sold for approximately \$25,000.00, which was credited to the loan, although a substantial sum remained outstanding. Debt collectors began demanding payments for the outstanding amounts in August 2017.

From November 2015 Chris has been repeatedly hospitalised for mental health reasons. Chris' relationship with his wife has broken down and he now works part-time as a night shift cleaner.

JobWatch provided legal advice in relation to whether the arrangement was an elaborate version of sham contracting. JobWatch believed that Chris was not really running his own business in any practical sense, and that as an employee, Chris should be able to claim employment entitlements under the *Fair Work Act 2009* including unpaid wages, and the loaned amounts he was required to spend. He could also seek penalties against the company and potentially the network provider and other organisations as involved persons under the *Fair Work Act 2009*. There may also be other avenues in misleading and deceptive conduct, unfair contract terms and financial services regulation.

JobWatch obtained advice from Counsel to the effect that while there may be some merit in claiming Chris's entitlements as an employee, the elaborate multi-level contracting arrangement would make this difficult, and a claim based on undue influence or unconscionable conduct would be more likely to succeed.

After some media coverage of Chris's situation which included JobWatch's involvement, JobWatch was contacted by a major plaintiff firm acting for a number of clients in similar situations who were considering a class action along these lines. Chris is currently considering joining this action.

Chris's mother confronted the major lender involved in the scheme about the ethics of lending to someone in Chris's position, and as

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?

a result the bulk of his debts have now been forgiven.

Job Watch remains concerned that this scheme and others like it have the potential to seriously undermine the legal protections provided by the Fair Work system.

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?

## Resources

JobWatch produces a number of employment law related publications which are regularly updated to reflect relevant State or Federal legislative changes and changes to organisational names. At the end of the 2017/2018 financial year, the following information sheets and kits were available on our website ([www.jobwatch.org.au](http://www.jobwatch.org.au)).

- ◆ Cash in Hand (English)
- ◆ Cash in Hand (普通话)
- ◆ Casual Employment
- ◆ Constructive Dismissal
- ◆ Employment Contracts
- ◆ Employment Contracts: Changes to Existing Contracts
- ◆ Family and Domestic Violence and Employment Law
- ◆ Getting Paid and Payslips
- ◆ General Protections Dispute, Non-Termination Claim
- ◆ General Protections Dispute - Termination Claim
- ◆ Hazards of Door to Door Selling
- ◆ Independent Contracting Traps
- ◆ International Students (English)
- ◆ International Students (普通话)
- ◆ International Students: What are your Rights at work?
- ◆ Making a Small Claim under the Fair Work Act 2009 – Self-Representation Kit
- ◆ Maternity Leave and Redundancy
- ◆ Medical Divulgence, During Employment
- ◆ Medical Divulgence, Pre-Employment
- ◆ Misleading Employment Advertising
- ◆ Modelling and Acting
- ◆ Notice of Termination
- ◆ Parental Leave
- ◆ Private Training Courses
- ◆ Redundancy and Retrenchment
- ◆ Sexual Harassment
- ◆ Social Media
- ◆ Superannuation
- ◆ Unpaid Trial Work
- ◆ Unfair Dismissal
- ◆ Unfair Dismissal - Conciliation Self-Representation Kit
- ◆ Unlawful Wage Deductions
- ◆ Warnings
- ◆ Working Overseas
- ◆ Workplace Bullying in Victoria










Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Law Reform Work: Submissions

	Submission to the Senate Standing Committees on Education and Employment – Penalty Rates (July 2017).
	Submission to the Department of Economic Development, Jobs, Transport and Resources – Victoria's Labour Hire Licensing Scheme – Development of Regulations (December 2017).
	Submission to the Department of Prime Minister and Cabinet - Expert Panel – Protection of Religious Freedom (January 2018).
	Submission to the Senate Economics Legislation Committee – Inquiry into the Treasury Laws Amendment (2018 Measures No.4) Bill 2018 [Provisions] (May 2018).
	Discussion Paper 'Domestic and Family Violence: A Real Workplace Issue for Women.' (Launched June 2018).

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## JobWatch Media Work

JobWatch continued to promote community awareness of important workplace issues through the media this year. Interviews and reports included domestic violence and the workplace, discrimination on the basis of pregnancy, underpayments and issues faced by migrant workers (including International Students).



### Herald Sun

- ◆ Interview regarding sexual harassment (July 2017)

### UNIDAYS

- ◆ Interview regarding underpayments (October 2017)

### The New Daily

- ◆ Interview regarding why Australians are quitting their jobs and advancing their careers (November 2017)

### Bendigo Advertiser

- ◆ Interview regarding exploitation of vulnerable workers in the Bendigo area and wider region of central Victoria, particularly migrants and refugees (April 2018)



### ABC Radio

- ◆ Interview in relation to workplace bullying (July 2017)

### ABC 774

- ◆ Interview regarding debt bondage in Australian horticulture (October 2017)

### SBS Radio

- ◆ Interview in relation to Fair Work Ombudsman Italian language resources (August 2017)
- ◆ Interview regarding successful legal practice matter (October 2017)
- ◆ Interview in relation to sexual harassment (October 2017)



### 7:30 (ABC)

- ◆ Interview in relation to sham contracting (October 2017)

### Four Corners (ABC)

- ◆ Interview in relation to exploited domestic workers (November 2017)

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Thank You

### Organisations

JobWatch would like to thank the following people, organisations and businesses who have worked with us throughout the year to improve the quality of workers' lives, especially the most disadvantaged in the community.

- ◆ Federal Government - Department of Jobs and Small Business
- ◆ The Office of the Fair Work Ombudsman
- ◆ The Victorian Government – Department of Justice and Regulation
- ◆ Victoria Legal Aid
- ◆ The Victorian Government – Department of Economic Development, Jobs, Transport & Resources
- ◆ Collier Charitable Fund
- ◆ Fair Work Commission
- ◆ Justice Connect
- ◆ University of Melbourne
- ◆ Monash University
- ◆ RMIT University
- ◆ Australian Catholic University
- ◆ Deakin University
- ◆ La Trobe University
- ◆ Fitzroy Legal Service Inc
- ◆ WEStjustice
- ◆ Study Melbourne Student Centre
- ◆ Inner Melbourne Community Legal
- ◆ Finrea-IT Consultants
- ◆ CPS Technology Group
- ◆ Digital Bridge-Website development
- ◆ Springvale Monash Legal Service
- ◆ Clayton Utz
- ◆ Web and Design Bros
- ◆ Print, radio and T.V. media

### Interns and Volunteers

JobWatch hosts student interns and volunteers, providing students with the opportunity to gain practical legal experience. Students assist on the TIS, with legal casework, research and administration. JobWatch would like to thank the following student interns and volunteers for their contributions during 2017/2018.

- ◆ Adam Prince
- ◆ Alan Truong
- ◆ Alan Wang
- ◆ Alex Callahan
- ◆ Alex Welsh
- ◆ Alexandra Consiglio
- ◆ Alexis Reinheimer
- ◆ Alice Millar
- ◆ Amy Cawston

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

- |                      |                      |                      |
|----------------------|----------------------|----------------------|
| ◆ Amy Rich           | ◆ Emma Backhouse     | ◆ Jessica Tran       |
| ◆ Anchal Uppal       | ◆ Emma Halliday      | ◆ Jia Xiang Zheng    |
| ◆ Andreas Kotsimbos  | ◆ Emma Matsdotter    | ◆ Jimmy Yan          |
| ◆ Andrew Jin         | ◆ Emma Palmer        | ◆ Jinxin (Jessy) Xie |
| ◆ Angela Ng          | ◆ Eshani             | ◆ John Villegas      |
| ◆ Anna Tran          | Kandaneeratchy       | ◆ John Woo           |
| ◆ April Whitehead    | ◆ Eunice Ghita       | ◆ Julia Corr         |
| ◆ Ashleigh Gillman   | ◆ Georgina Kilborn   | ◆ Julia Kerry        |
| ◆ Ben Ellis          | ◆ Georgina Lupson    | ◆ Karen Samuel       |
| ◆ Bom ie Choi        | ◆ Greg Jones         | ◆ Katherine Davis    |
| ◆ Callum McInnes     | ◆ Hannah Scott       | ◆ Katie Zhang        |
| ◆ Cameron Doig       | ◆ Hannah Scott       | ◆ Lachlan Glass      |
| ◆ Candace Fernandes  | ◆ Hayden Walker      | ◆ Larissa Iglesias   |
| ◆ Charles Haszler    | ◆ Henry McMenomy     | ◆ Laura Boehm        |
| ◆ Charlotte Ferguson | ◆ Hilary de Guingand | ◆ Laura Campanaro    |
| ◆ Charlotte Johnston | ◆ Imogen Aitken      | ◆ Lauren Kennedy     |
| ◆ Cheryl Quek        | ◆ Ishita Mattoo      | ◆ Liam McCarthy      |
| ◆ Cheyann De Jong    | ◆ Jacinta Kenward    | ◆ Lilian Tang        |
| ◆ Christopher Cooper | ◆ Jack Cairns        | ◆ Li-Tzu Liu         |
| ◆ Courtney Logue     | ◆ Jackson Hurley     | ◆ Macey Allison      |
| ◆ Courtney Spear     | ◆ Jacob Kairouz      | ◆ Madeline Close     |
| ◆ Cyndi Makabory     | ◆ James Aridas       | ◆ Madeline Shipley   |
| ◆ Daniel Goldblatt   | ◆ James Farrugia     | ◆ Maria Pham         |
| ◆ Dean Bloetz        | ◆ James Kenyon-Smith | ◆ Marianne Eyar      |
| ◆ Dorsa Salazadeh    | ◆ James Occleshaw    | ◆ Marital Walsh      |
| ◆ Dylan Evans        | ◆ Jane Ku            | ◆ Matthew Capannolo  |
| ◆ Edwina Memic       | ◆ Jason Xue          | ◆ Matthew Hamilton   |
| ◆ Elizabeth Hong     | ◆ Jenny Vu           | ◆ Matthew Lewis      |



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

- |                         |                          |                       |
|-------------------------|--------------------------|-----------------------|
| ◆ Megan Thomas Richards | ◆ Patrick Wingove-Lupton | ◆ Sean Rogers         |
| ◆ Michelle Loughran     | ◆ Pavel Sraj             | ◆ Sheldon Oski        |
| ◆ Midhush Illesinghe    | ◆ Peter Watkins          | ◆ Shifa Shaik         |
| ◆ Milad Juma            | ◆ Phoebe Blank           | ◆ Simon Halstead      |
| ◆ Mira Travica          | ◆ Rachael Hammond        | ◆ Siobhan Rae Walsh   |
| ◆ Molly Scott           | ◆ Rachel Alter           | ◆ Sophie Vassallo     |
| ◆ Mona Wu               | ◆ Raffaella Oliva        | ◆ Stephanie Noack     |
| ◆ Nada Breik            | ◆ Rebecca Durso          | ◆ Stephanie Suntovski |
| ◆ Na Pan                | ◆ Rebecca Gill           | ◆ Stephen O'Connell   |
| ◆ Nathan Kah            | ◆ Rhiannon Zarro         | ◆ Sukriti Sachdeva    |
| ◆ Nathan Stubbins       | ◆ Rob Hennessy           | ◆ Tarryn Jeffrey      |
| ◆ Nathaniel McCracken   | ◆ Robert Hall            | ◆ Teone Tobin         |
| ◆ Neil Curry            | ◆ Rui Lee                | ◆ Timothy Gracie      |
| ◆ Nicholas Kong         | ◆ Russell Hughes         | ◆ Timothy Warburton   |
| ◆ Nicola Maria Gregoric | ◆ Samantha Marks         | ◆ Tom Mason           |
| ◆ Nissa Burns           | ◆ Samantha Marsh         | ◆ Tommy Eardley       |
| ◆ Oliver Deane          | ◆ Samantha White         | ◆ Tristan Hocking     |
| ◆ Olivia Moll           | ◆ Samu                   | ◆ Ujjesha Singh       |
| ◆ Olivia Price          | ◆ Elleperumaarachchi     | ◆ Verity Norbury      |
| ◆ Omro Alansari         | ◆ Sarah Jane             | ◆ Vishmitha De Alwis  |
| ◆ Paige Freeman         | ◆ Lauterstein            | ◆ Vivienne Zhu        |
| ◆ Patrick Bourke        | ◆ Sasha Carrie           | ◆ Wing Yi Bridget Ip  |
|                         |                          | ◆ Yunyang Gao         |

## Financials – Audit Letter

### Sean Denham & Associates

Accountants & Auditors

#### INDEPENDENT AUDIT REPORT TO THE MEMBERS OF JOB WATCH INC.

##### Opinion

I have audited the accompanying financial report, of Job Watch Inc., which comprises the statement of financial position as at 30 June 2018, statement of changes in equity, statement of cash flows and the statement of profit or loss and other comprehensive income for the year then ended, notes comprising a summary of significant accounting policies and the certification by members of the committee.

In my opinion, the accompanying financial report of Job Watch Inc. has been prepared in accordance with Div 60 of the *Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act)* including:

- giving a true and fair view of the Association's financial position as at 30 June 2018 and of its financial performance for the year then ended; and
- complies with Australian Accounting Standards to the extent described in Note 1 to the financial statements, and the requirements of the *Associations Incorporation Reform Act 2012 (Vic)* and Div 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

##### Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of my report. I am independent of the association in accordance with the *Associations Incorporation Reform Act 2012 (Vic)* and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

##### Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the association's reporting responsibilities under the *Associations Incorporation Reform Act 2012 (Vic)* and the *Australian Charities and Not-for-profits Commission Act 2012*. As a result, the financial report may not be suitable for another purpose. My opinion is not modified in respect of this matter.

##### Responsibility of the Committee for the Financial Report

The committee of the association are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 1 of the financial report is appropriate to meet the requirements of the *Associations Incorporation Reform Act 2012 (Vic)* and the *Australian Charities and Not-for-profits Commission Act 2012* and the needs of the members. The committee's responsibility also includes such internal control as the committee determine is necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the committee are responsible for assessing the association's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the committee either intend to liquidate the association or to cease operations, or have no realistic alternative but to do so.

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

#### *Auditor's Responsibility for the Audit of the Financial Report*

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the committee.
- Conclude on the appropriateness of responsible entities' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the association's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions that may cause the to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



Sean Denham

Dated: 12<sup>TH</sup> OCTOBER 2018  
Suite 1, 707 Mt Alexander Road  
Moonee Ponds VIC 3039

Contact JobWatch

jobwatch employment rights legal centre

o Metro (03) 9662 1933  
o Regional 1800 331 617

## Financials – Income & Expenditure

JOB WATCH INC.  
 ABN 74 615 132 361

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME  
 FOR THE YEAR ENDED  
 30 JUNE 2018**

	Note	2018 \$	2017 \$
<b>INCOME</b>			
Grants- Project Funds:			
DBI/VLA (State Funding)	7	425,960	504,941
OFWO (Commonwealth Funding)		409,091	408,455
Miscellaneous Income		269,579	340,961
Interest		29,217	27,469
		<u>1,133,847</u>	<u>1,281,826</u>
<b>EXPENDITURE</b>			
<b>Salary &amp; On-Costs:</b>			
Salaries		479,165	400,576
Salaries- Salary Packaging		127,827	134,976
Leave Provisions		18,943	40,181
Superannuation		56,439	62,031
Other employment related costs		15,860	18,077
		<u>698,234</u>	<u>655,841</u>
<b>Operating Expenses</b>			
Accounting Fees and audit fees		24,668	21,516
Client Disbursements and Costs		7,448	4,980
Conferences (Inc. Fees, Travel and Accom)		2,662	3,044
Consultants		-	40,750
Sundry expenses		3,966	2,204
Depreciation		19,750	7,928
Equipment Repair		618	3,357
IT Support and Software		8,549	16,000
Insurances		2,926	2,995
Marketing and Promotion		250	357
Memberships		10,897	6,417
Printing, Stationary and Postage		16,939	13,792
Rent and Outgoings		99,150	97,281
Practice Certificates		2,708	2,153
Staff Amenities		7,387	8,381
Telephones		52,476	38,762
		<u>260,394</u>	<u>269,917</u>
<b>TOTAL EXPENDITURE</b>		<u>958,628</u>	<u>925,758</u>
Surplus/(Loss) before income tax		175,219	356,068
Income tax expense		-	-
Other comprehensive income net of income tax		-	-
		<u>-</u>	<u>-</u>
Total comprehensive income for the year		<u>175,219</u>	<u>356,068</u>

The accompanying notes form part of these financial statements.

Page 1

Page 28



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Financials – Assets & Liabilities

 JOB WATCH INC.  
 ABN 74 615 132 361

### STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2018

	Note	2018 \$	2017 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	2	786,989	1,193,750
Trade and other receivables	3	670,458	59,685
Financial assets	4	527,001	-
<b>TOTAL CURRENT ASSETS</b>		<b>1,984,448</b>	<b>1,253,435</b>
<b>NON-CURRENT ASSETS</b>			
Property, plant and equipment	5	26,772	33,436
<b>TOTAL NON-CURRENT ASSETS</b>		<b>26,772</b>	<b>33,436</b>
<b>TOTAL ASSETS</b>		<b>2,011,220</b>	<b>1,286,871</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	6	107,372	73,536
Amounts received in advance	7	606,452	110,100
Provisions	8	257,861	227,835
<b>TOTAL CURRENT LIABILITIES</b>		<b>971,685</b>	<b>411,471</b>
<b>NON-CURRENT LIABILITIES</b>			
Provisions	8	-	11,084
<b>TOTAL NON-CURRENT LIABILITIES</b>			
<b>TOTAL LIABILITIES</b>		<b>971,685</b>	<b>422,555</b>
<b>NET ASSETS</b>		<b>1,039,535</b>	<b>864,316</b>
<b>MEMBERS' FUNDS</b>			
Retained Profits		1,039,535	864,316
<b>TOTAL MEMBERS' FUNDS</b>		<b>1,039,535</b>	<b>864,316</b>

The accompanying notes form part of these financial statements.

Page 2

Page 29



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

## Financials – Statement of Changes in Equity

JOB WATCH INC.  
ABN 74 615 132 361

### STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2018

	Note	Retained Earnings \$	Total \$
<b>Balance at 1 July 2016</b>		508,248	508,248
Surplus attributable to the entity		356,068	356,068
Other comprehensive income		-	-
<b>Balance at 30 June 2017</b>		864,316	864,316
Surplus attributable to the entity		175,219	175,219
Other comprehensive income		-	-
<b>Balance at 30 June 2018</b>		<u>1,039,535</u>	<u>1,039,535</u>

The accompanying notes form part of these financial statements.

Page 3

Page 30

Am I being treated  
 fairly at work?

What are my employment rights?

 Where do I  
 go for help?

## Financials – Statement of Cash Flows

 JOB WATCH INC.  
 ABN 74 615 132 361

### STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2018

	Note	2018 \$	2017 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Receipts from Government Grants - recurrent		306,736	840,078
Receipts from Other Sources		687,932	320,961
Interest Received		29,217	27,469
Payments to Suppliers and Employees		(890,654)	(969,977)
Net cash provided by/(used in) operating activities	8	133,231	218,531
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Investment of funds in term deposit		(527,001)	-
Purchase of plant and equipment		(13,446)	(37,044)
Proceeds from sale of equipment		455	-
Net cash provided by/(used in) investing activities		(539,992)	(37,044)
Net increase/(decrease) in cash held		(406,761)	181,487
Cash at the beginning of the year		1,193,750	1,012,263
Cash at the end of the year	2	786,989	1,193,750

The accompanying notes form part of these financial statements.

Page 4

Page 31

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?

## Financials – Notes to Accounts

JOB WATCH INC.  
 ABN 74 615 132 361

NOTES TO THE FINANCIAL STATEMENTS  
 FOR THE YEAR ENDED  
 30 JUNE 2018

**Note 1: Statement of Significant Accounting Policies**

This financial report is special purpose financial report prepared in order to satisfy the financial reporting requirements of the *Associations Incorporation Reform Act 2012 (Vic)* and the *Australian Charities and Not-for-profits Commission Act 2012*. The committee has determined that the Association is not a reporting entity. The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuation of non-current assets. The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in preparation of this financial report.

**a. Cash and Cash Equivalents**

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

**b. Property, Plant and Equipment**

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all property, plant and equipment is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use. Leasehold Improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

**c. Employee Entitlements**

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

Provision is made for the Association's liability for long service leave from commencement of employment service with the Association.

**d. Provisions**

Provisions are recognised when the Association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**e. Impairment of Assets**

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is an indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying amount. Any excess of the asset's carrying value over its recoverable amount is recognised in the income and expenditure statement.

What are my employment rights?

Am I being treated fairly at work?

Where do I go for help?

**JOB WATCH INC.**  
**ABN 74 615 132 361**

**NOTES TO THE FINANCIAL STATEMENTS  
 FOR THE YEAR ENDED  
 30 JUNE 2018**

**Note 1: Statement of Significant Accounting Policies (cont.)**

**f. Revenue**

Revenue is brought to account when received and to the extent that it relates to the subsequent period it is disclosed as a liability.

**Grant Income**

Grant income received, other than for specific purposes, is brought to account over the period to which the grant relates.

**Deferred Income**

Unspent grant income received in relation to specific projects and events is not brought to account as revenue in the current year but deferred as a liability in the financial statements until spent for the purpose received.

**Interest Revenue**

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

**Donations**

Donation income is recognised when the entity obtains control over the funds which is generally at the time of receipt.

All revenue is stated net of the amount of goods and services tax (GST).

**g. Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the assets and liabilities statement.

**h. Economic Dependence**

Job Watch Inc. has recorded a surplus for this financial year. A surplus was achieved in the previous two financial years after experiencing significant losses in prior financial years due to reduced funding. The entity is dependent upon funding received from both the State and Federal Government's to operate. Funding is received from the Fair Work Ombudsman, (Commonwealth) and the funding is committed until 31 December 2020. The Victorian Legal Aid (State) current transitional funding is committed until 30 June 2018 and is applied for on an annual basis. The decision made by the Job Watch Inc. Committee of Management, in June 2013, to restructure the organisation has enabled it to continue to operate within the current funding limitations. The structure has been in effect since 1st November 2013 and no further reductions are planned.

**j. Income Tax**

The Association is exempt from paying income tax by virtue of Section 50-45 of the Income Tax Assessment Act, 1997. Accordingly, tax effect accounting has not been adopted.

Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

**JOB WATCH INC.**  
**ABN 74 615 132 361**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2018**

	2018 \$	2017 \$
<b>Note 2: Cash and cash equivalents</b>		
Cash on Hand	682	241
Cash at Bank	786,307	1,193,509
	<u>786,989</u>	<u>1,193,750</u>
<b>Note 3: Trade and other receivables</b>		
Trade debtors	639,314	48,000
Prepayments	10,477	6,018
Bond - Security Deposits	5,467	5,467
Sundry receivables	15,200	200
	<u>670,458</u>	<u>59,685</u>
<b>Note 4: Financial Assets</b>		
Term deposits	<u>527,001</u>	<u>-</u>
<b>Note 5: Property, plant and equipment</b>		
Computers - at cost	103,170	89,725
Less accumulated depreciation	(76,967)	(57,456)
	<u>26,203</u>	<u>32,269</u>
Furniture & Equipment - at cost	130,751	131,250
Less accumulated depreciation	(130,182)	(130,083)
	<u>569</u>	<u>1,167</u>
	<u>26,772</u>	<u>33,436</u>
<b>Note 6: Trade and other payables</b>		
<b>Current</b>		
Trades and other payables	38,488	20,502
PAYG withholding payable	-	6,073
Accrued expenses	18,454	16,191
GST payable	50,430	30,770
	<u>107,372</u>	<u>73,536</u>



Am I being treated fairly at work?

What are my employment rights?

Where do I go for help?

**JOB WATCH INC.**  
**ABN 74 615 132 361**

**NOTES TO THE FINANCIAL STATEMENTS  
 FOR THE YEAR ENDED  
 30 JUNE 2018**

			2018 \$	2017 \$
<b>Note 7: Amounts Received In Advance</b>				
Funding Grants in Advance - VLA Surplus (a)			26,452	110,100
Funding Grants in Advance - VLA Other Projects			193,333	-
Funding to be distributed			386,667	-
			<u>606,452</u>	<u>110,100</u>
<b>(a) Reconciliation of VLA Funds received</b>				
	VLA Surplus	VLA SACS ERO State	VLA SACS ERO Extra	Total
Opening balance	10,121	31,874	68,105	110,100
Funds received	275,000	67,311	-	342,311
Funds utilised (net of interest)	(258,669)	(99,185)	(68,105)	(425,959)
Balance Funds Carried Forward	<u>26,452</u>	<u>-</u>	<u>-</u>	<u>26,452</u>
<b>Note 8: Provisions</b>				
<b>Current</b>				
Provision for Annual Leave			76,721	69,346
Provision for Long Service Leave			181,140	158,489
			<u>257,861</u>	<u>227,835</u>
<b>Non-Current</b>				
Provision for Long Service Leave			<u>-</u>	<u>11,084</u>
<b>Note 10: Cash Flow Information</b>				
<b>Reconciliation of Cash Flow from Operations with Profit from Ordinary Activities</b>				
Profit after income tax			175,219	356,068
Non-cash flows in profit				
- Depreciation			19,750	7,928
- profit on disposal of asset			(95)	-
Changes in assets and liabilities;				
- (Increase)/decrease in trade and other receivables			(610,773)	(47,233)
- Increase/(decrease) in trade and other payables			33,836	(93,095)
- Increase/(decrease) in grants in advance			496,352	(45,318)
- Increase/(decrease) in provisions			18,942	40,181
Net cash provided by Operating Activities			<u>133,231</u>	<u>218,531</u>

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Where do I go for help?

JOB WATCH INC.  
ABN 74 615 132 361

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2018**

**Note 11: Operating Lease Commitments**

Operating leases contracted for but not recognised in the financial statements

Payable - minimum lease payments:

- no later than 12 months
- between 12 months and five years
- greater than five years

	2018	2017
	\$	\$
- no later than 12 months	-	6,535
- between 12 months and five years	-	-
- greater than five years	-	-
	<u>-</u>	<u>6,535</u>

Being for rent of office at Level 10, 21 Victoria Street, Melbourne, 3000.

The current property lease has been extended for a further 12 months, expiring on 31st July 2017.

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**STATEMENT BY MEMBERS OF THE COMMITTEE  
FOR THE YEAR ENDED  
30 JUNE 2018**

The Committee has determined that the Association is not a reporting entity and that this special purpose report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee of Job Watch Inc.:


a) the financial statements and notes of Job Watch Inc. are in accordance with the *Associations Incorporation Reform Act (Vic) 2012* and the *Australian Charities and Not-for-profits Commission Act 2012*, including:

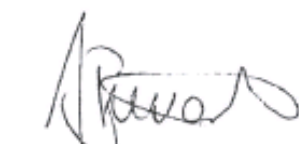
i. giving a true and fair view of its financial position as at 30 June 2018 and of its performance for the financial year ended on that date; and

ii. complying with the *Australian Charities and Not-for-profits Commission Regulation 2013*; and

b) there are reasonable grounds to believe that Job Watch Inc. will be able to pay its debts as and when they become due and payable.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

  
Chairperson

  
Treasurer

Dated: 6 Oct 2018

Dated: 2/10/2018

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go for help?

**JobWatch**  
Employment Rights Legal Centre

[www.jobwatch.org.au](http://www.jobwatch.org.au)

(03) 9662 1933 (Melbourne Metro)  
1800 331 617 (Country VIC, QLD, TAS)