

MEDIA RELEASE

Thursday 10 March 2022



International students win big against unscrupulous employers

Nearly \$50k of underpayments and entitlements recovered for six international students against unscrupulous small business employers by employment rights community legal centre JobWatch.

Six international students from India and Colombia are celebrating this month after the Federal Circuit and Family Court of Australia ordered compensation of a combined \$50k for unpaid wages, superannuation and other entitlements. Represented by employment rights community legal centre JobWatch, these six students had been underpaid between \$3k and \$15k each in their employment.

Kajal, Vineeth and Vaishnavi all worked casually in hospitality in early 2020. They had gotten their jobs after responding to an advertisement on Gumtree, and during their employment, had been underpaid significantly. Juan, Maria and Marilyn were engaged by a sole trader as commercial cleaners after accepting a verbal offer of work for \$20 per hour. Despite working a combined 522 hours, they had only been paid a total of \$740 cash in hand.

Gabrielle Marchetti, Principal Lawyer at JobWatch, who represented all six students said, “While these six cases were with two different employers in two different industries, there is a commonality that unfortunately we see too often – unscrupulous employers taking advantage of international students who may not speak English well or may not have a full understanding of their working rights in Australia”.

Vaishnavi was first referred to JobWatch from Study Melbourne, after asking for assistance with her rights through the International Students Employment and Accommodation Service (ISEALS).

“When English is not your first language, you can feel like there’s nothing you can do and no one to turn to. I think there are employers who target international students because they think we are more vulnerable and can get away with treating us badly,” says Vaishnavi.

“I knew I was owed money, but I was afraid that my employer could do something to affect my visa and my studies. I needed help from someone who knew what to do, and Gabrielle from JobWatch has been so supportive right from the start. With her help, we were able to be successful in our claims and have it to be recognised by the court that we are owed this money.”

Vaishnavi has now completed her Masters studies and is now working as an estimator with a new employer who treats her well and pays fairly.

“While I wish I had never been underpaid in the first place, the good thing is that I now know about JobWatch and ISEALS. Every time I hear of another international student in my community who is being treated badly at work, I know where to refer them for support,” she says.

International students in Victoria can access the ISEALS program through Study Melbourne by calling 1800 056 449 (free call from landline phones) or emailing info@studymelbourne.vic.gov.au.

All workers are encouraged to call JobWatch’s Telephone Information Service on 1800 331 617 (regional Victoria, QLD, TAS) or 03 9662 1933 (Melbourne metro) if they have concerns about their rights at work.

Available for interview

- Gabrielle Marchetti, Principal Lawyer, JobWatch
- Vaishnavi Lella, client (Thursdays and Fridays preferred)

Contact

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About JobWatch

JobWatch is an independent, not-for-profit employment rights community legal centre. We operate out of Victoria and provide assistance to Victorian, Queensland and Tasmanian workers about their rights at work. Some of our functions include:

- A free and confidential Telephone Information Service for Victorian, Queensland and Tasmanian workers.
- Community legal education, including training, seminars and the production of a variety of publications on employment law and workers' rights.
- Representation and assistance for disadvantaged workers through a legal casework practice.
- Campaign and law reform activity with a view to promoting workplace justice and equity for all workers.

For more information: www.jobwatch.org.au