

Young Workers Legal Service

Annual Report 2017 / 2018



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What We Do

The Young Workers Legal Service is staffed by law student Volunteer Advisors who work under the supervision of a legally trained Coordinator/Industrial Officer.

The Service provides free information and advice to people under the age of 30 about workplace problems and has represented them in matters including:

- underpayment of wages
- unfair dismissal
- discrimination
- bullying
- apprenticeships and traineeships
- sexual harassment

The Young Workers Legal Service aims to give young workers the knowledge, skills and confidence to address and solve their workplace problems, and acts both as a public voice for young workers and as an educator of young people about workplace rights.



The Young Workers Legal Service for 2018: Volunteer Advisors Nicholas Aplin, Henry Lu, Lauren Chappill and Philip Rocconi with Coordinator Rachael Seaforth at the South Australian Employment Tribunal for the 2018 State Wage Case.

SA Unions State Secretary Report



SA Unions State Secretary, Joe Szakacs

I am very proud to present this annual report of the Young Workers Legal Service.

The YWLS has, for fifteen years, provided assistance for vulnerable and exploited young workers suffering abuse, harassment and ill-treatment at work.

In some senses, the issues facing young people are the same problems their parents and even their grandparents face in the workforce.

Many have little job security, are earning low and often illegal rates of pay and stubbornly high rates of exploitation. They are victims of wage theft, from being denied penalty rates to having their superannuation contributions stolen from their paypackets.

What makes these crimes worse is that often, they are happening to young people in their first jobs, or during their first few years of work. Luckily, they have the Young Workers Legal Service to act on their behalf.

Some issues, sadly, recur from year to year in our reporting. Young people continue to face sexual harassment and gender-based violence in their workplaces. They face high youth unemployment rates and they are over-represented in workplace injury statistics.

Our staff and our outstanding volunteers understand these pressures on young South Australians, and proudly work for these vulnerable and exploited young workers to ensure they receive compensation and redress.

Our staff and our outstanding volunteers understand these pressures on young South Australians, and proudly work for these vulnerable and exploited young workers to ensure they receive compensation and redress.

I would like to thank YWLS Coordinator Rachael Seaforth for all her outstanding work this year. We couldn't provide the service we do without her committed leadership and the passionate dedication of our student volunteers, who give up their time while completing their legal studies.

I would also like to acknowledge SafeworkSA for its ongoing funding which supports the services we are able to provide to young workers.

We are proud of the fact that the YWLS is able to not only represent and seek justice for young workers, but that it helps develop volunteers and readies them for jobs in which they can continue to fight for justice for working people.

We look forward to another successful year.

Joe Szakacs

Message from the Coordinator



Coordinator, Rachael Seaforth

We have enjoyed another busy and productive year. With the assistance of this years Volunteer Advisors we have achieved some excellent results for our clients and recouped over \$90,000 in unpaid wages and compensation.

This year the Young Workers Legal Service celebrated its 15th anniversary. In the past decade and a half the Service has recovered over \$1.5 million for young workers in South Australia, a figure we are incredibly proud of. This amount is indicative of the important role the Young Workers Legal Service plays in the community in providing advocacy and representation to some of the most vulnerable workers in the state.

The Service plays a critical role in facilitating access to justice and this year we had a significant win in the South Australian Employment Tribunal for one of our clients, Emilia. Emilia was employed by Adelaide Hair Extensions for several years and throughout her employment was paid incorrect base rates, never received penalty rates and had superannuation owing to her. Given phoenixing activity, Emilia was only able to claim approximately \$2,200 for two years of work but pecuniary penalties were sought against the employer because they refused to participate in resolving the matter and displayed no contrition or remorse. The Tribunal handed down their decision and awarded \$2,2275 underpayment including interest to Emilia in addition to imposing \$98,000 as a penalty against the corporation and a further \$16,000 against the individual manager who facilitated the breaches and was a director of the former phoenixed company. Both of the penalty sums were paid to Emilia too.

Whilst this figure will count towards next years reporting, this case highlights concerning wage theft trends which continue to emerge as a part of questionable

business practices. We have also noticed a growing trend in the number of employers refusing to participate in court proceedings, demonstrating a total disregard for workplace laws and minimum entitlements. The YWLS will continue to campaign against wage theft and continue to support and be involved in initiatives such as the Legislative Council's Select Committee into Wage Theft and will continue to educate young people through forums such as the Safe Work SA's Youth Strategy.

I am extremely passionate about the work we do and each year I am filled with pride towards our Volunteer Advisors who display such dedication, enthusiasm and intelligence during their time with the Service. Whilst on maternity leave in 2017, past Volunteer Advisors Kaeli Convey and Cathleen Barry stepped into the roles of Acting Coordinator and Industrial Officer respectively. Upon returning in February 2018, I was incredibly impressed with the high quality service they provided in my absence. The fantastic work they did whilst taking on a significant responsibility is a testament to the skills, training and experience the Service provides to Volunteer Advisors in preparing them for the workforce beyond their university studies. We are frequently contacted by unions and law firms seeking to employ our Volunteer Advisors with the majority of our volunteers continuing to advocate for workers, so highly respected are they because of the foundational knowledge obtained during their time at the Young Workers Legal Service.

We hope you enjoy reading this year's report and we look forward to another busy and productive year ahead.

Rachael Seaforth

Young Workers Legal Service Activities

Service provision

The Young Workers Legal Service provides free information, advice and representation to young workers. The Service receives calls from the public about workplace problems and advises and represents clients with legal claims.

During our last reporting period 1 July 2017 to 30 June 2018, the Young Workers Legal Service assisted 268 people with questions about employment rights and obligations. Requests for assistance are received via telephone and email. The telephone inquiries come from young workers themselves, their parents, partners, counsellors and school teachers.

The telephone advisory line is staffed five days a week during office hours. Missed calls are returned by the Service's Coordinator/Industrial Officer or Volunteer Advisors usually within 24 hours. This enables young workers to obtain timely information about their workplace rights and legal options.

On Tuesdays, the Young Workers Legal Service offers an advice clinic in which up to eight volunteer law students work under the supervision of the Service's Coordinator/ Industrial Officer. They provide information and advice to callers and clients. Callers who need more specific advice about a workplace problem can make an appointment to meet with our law student Volunteer Advisors on Tuesdays. These workers become clients of the Service. In this reporting period, 42 workers who called for help became clients of the Service, which is further evidence of the Services fundamental role within the community.

Clients may receive a range of services, depending on their circumstances and the availability of legal remedy. We assist clients by:

- Providing information about workplace rights
- Empowering young workers to deal with workplace issues and equipping them with relevant knowledge
- Assisting in workplace negotiations
- Drafting and lodging legal claims
- Providing legal representation

The Service assists and represents clients with a range of issues, including:

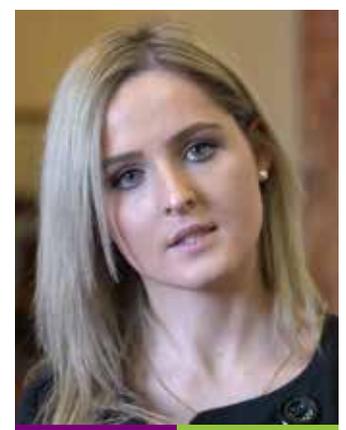
- Underpayment of wages
- Unfair dismissal
- Discrimination
- Bullying
- Sexual harassment
- Apprenticeship and training disputes

It represents workers in forums including:

- The Fair Work Commission
- South Australian Employment Tribunal
- The Equal Opportunity Commission in South Australia
- The Australian Human Rights Commission

Media

The Young Workers Legal Service continues to attract media interest. During this reporting period our client Emilia, who was awarded significant penalties which were imposed against her former employer Adelaide Hair Extensions, appeared in Adelaide Now and the Herald Sun.



Rachael Seaforth appearing in support of the Legislative Council's Select Committee into Wage Theft.

Public advocacy

The Young Workers Legal Service aims to be recognized as the public voice for young workers so it can advocate for system-wide changes which benefit young workers. The YWLS is regularly involved in various campaigns, projects and committees of interest to young South Australian workers. In this reporting period the Service was contacted to participate in a number of events relating to young people and their experiences in the workplace. The following are just some of the highlights from this reporting period:

- The YWLS teamed up with the Legal Services Commission and Matchworks to provide legal education and information to young people involved in the Empowering Youth Program. The focus was on workplace rights, employment law and where help is available when an issue arises.
- The YWLS also conducted a seminar for Legacy volunteers, the Legatees, on rights at work and where young people can go to for assistance if something goes wrong.
- Rachael Seaforth, assisted Angus Story, Industrial Coordinator of SA Unions, in the State Wage Case, helping to secure a pay rise for all state workers.
- The YWLS presented a seminar for Safe Work SA as part of the National Safe Work Month on rights, entitlements and obligations at work. We have also participated in Safe Work SA's Youth Strategy and will continue this work across next reporting period.
- Rachael Seaforth was in Parliament to watch the Legislative Council vote to establish a Select Committee into Wage Theft along with Joe Szakacs of SA Unions, the Hon. Irene Pnevmatikos and the Hon. Kyam Maher.



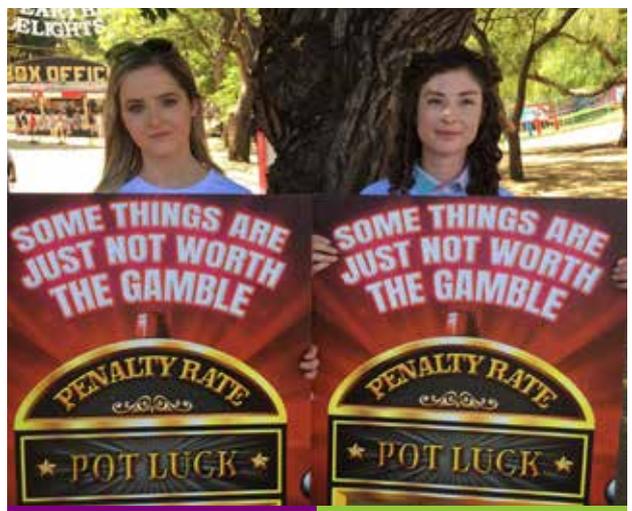
Coordinator, Rachael Seaforth, discussed workers rights with the Legatee mentors at Legacy SA.



Joe Szakacs, the Hon. Irene Pnevmatikos, the Hon. Kyam Maher and Rachael Seaforth discussing wage theft.



Volunteer Advisors Nicholas Aplin, Philip Rocconi and Alexandra Rossi.



Kaeli Convey and Rachael Seaforth campaigning to save penalty rates.

Volunteer program

The YWLS each year has the opportunity to train and educate a new group of dedicated and passionate volunteer advisors. The volunteer advisors work alongside the Coordinator to deliver a high quality legal advice and representation service to young workers in the broader community. The Service's fantastic reputation would not be what it is today without the commitment of our volunteers.

Law students in their final or penultimate year of their degrees, with an interest in improving workers' access to justice, generously volunteer their time each Tuesday. The Volunteer Advisors are asked to commit for a minimum of six months which coincides with university semesters. Many of our volunteers choose to stay beyond six months and happily assist with the training of new volunteers. Through this structure our clients are given stability in their matters in addition to volunteers been able to gain hands on experience with a range of legal issues and having the opportunity to work on a file from inception through to completion.

The Service's volunteer program is one of a kind in South Australia particularly given the opportunity it provides to the Volunteer Advisors to undertake significant responsibility in interviewing clients, managing client files, formulating claims, preparing legal documents and drafting correspondence to clients and employers/ employer representatives. The Volunteer Advisors become the primary contact for their clients and are responsible for providing advice on legal courses of action, taking comprehensive client instructions and updating clients on the progress of their file. The Service additionally places a significant emphasis on team work and our volunteers work in pairs in the provision of their allocated client files, with overall guidance and supervision provided by the Coordinator.

Given the active roles undertaken by our volunteers, it is no surprise the YWLS has acquired a strong reputation for the unique professional development opportunity it offers to law students. We are proud that our volunteers are handed a significant level of responsibility and the Service has become a popular choice for those who wish to gain hands-on experience. As a result, selection



Volunteer Advisors and Rachael Seaforth with Jessica Whitby from the Office of the Training Advocate.

to become a Volunteer Advisor has become a highly competitive process, and the volunteers represent some of Adelaide's most highly skilled law students.

The Service has a focus on ensuring the volunteer experience is a rewarding and enjoyable one which benefits both the volunteers and young workers.

The Service also provides volunteers with formal and ongoing training in industrial law. The volunteers undertake a two-day induction program at the commencement of their volunteering and throughout the semesters have additional opportunities for further training and professional development offered to them. During the reporting period the Volunteer Advisors had the opportunity to attend various training sessions.

The YWLS was also fortunate to have Jessica Whitby, A/ Manager of Complaints and Investigations at the Office of the Training Advocate, conduct a session regarding the laws and regulations surrounding apprentices and trainees and what their applicable rights are.

Volunteers also had the opportunity to hear from Danny Connor, Lawyer for the SA Unions Workers Compensation Service, and learn about the Return to Work Act 2014 and common issues that arise.

Additionally, volunteers participated in a session with Gary Bridle, Stakeholder Manager at AustralianSuper where they learnt about the history of compulsory superannuation and other related issues.



Volunteer Advisors Henry Lu and Shay-Lee Fegan working together on a file.

The Service continues to support the University of Adelaide's Clinical Legal Education by providing a placement for law students undertaking the subject. In this way, law students are able to gain credit towards the completion of their law degrees while volunteering.

This year we also had the pleasure of hosting a year 10 student as a part of the Workplace Learning program.



Volunteer Advisors with Gary Bridle from AustralianSuper.

Public education



Rachael Seaforth presenting a seminar for SafeWork SA's National Safe Work Month.

The Young Workers Legal Service reaches out to various communities to provide information about workplace rights. The Service seeks, in particular, to reach young workers who are isolated, disengaged, or otherwise disadvantaged.

Between July 2017 and June 2018, the Young Workers Legal Service participated in the Empowering Youth program to speak to young people around Adelaide about their rights at work. By offering these seminars, the Service can educate and empower young people who are often exploited. We aim to equip young workers who have often only just entered the work force for the first time with information regarding their rights and obligations at work.

The Service makes it a priority to visit organisations and community centres which assist disadvantaged young people. The Service has sought, in particular, to place its education services within reach of young people from low socio-economic backgrounds, who have recently arrived in Australia, or who have found difficulty staying within the school system. The Empowering Youth program has been an excellent opportunity to equip and empower the most vulnerable young people.

The YWLS also participated in the Australian Migrant Resource Centre's Youth Symposium 2018. The focus of this event was to discuss and tackle some of the barriers young people from migrant and/or refugee backgrounds have experienced when trying to obtain employment or within their employment. Rachael Seaforth was able to discuss these issues with young people themselves in addition to industry job providers. This was a fantastic opportunity to engage with such resilient and inspirational individuals and empower them with the knowledge of their entitlements and rights in a small step towards eradicating the exploitation of people from these vulnerable groups.

Social media

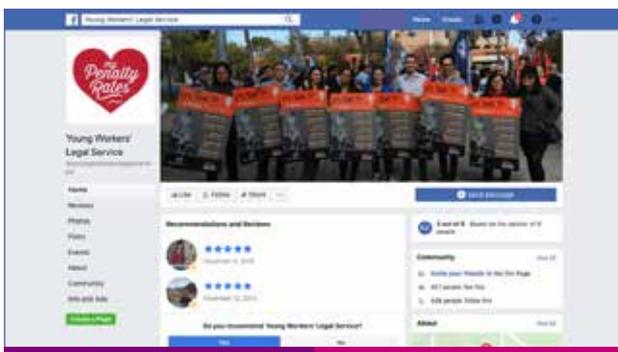
As well as having a website, the Young Workers Legal Service uses social media to connect with young people and the broader community. The goal of our online presence is to:

- Maintain contact with past and present supporters
- Engage the community with the activities of our Service

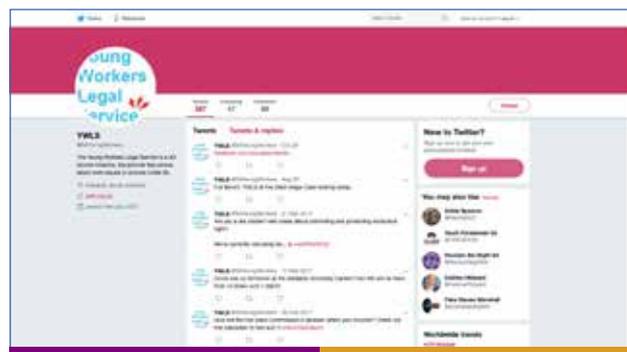
- Educate people about their workplace rights
- Communicate news of relevance to young workers
- Strengthen relationships between the Service and other related organisations



www.ywls.org.au



facebook.com/youngworkerslegalservice



[@SAYoungWorkers](https://twitter.com/SAYoungWorkers) on Twitter

YWLS People

The Young Workers Legal Service thanks the following people who volunteered at the Service between July 2017 and June 2018.

- Loretta Foran
- Rhiannon Ireland
- Philip Rocconi
- Nicholas Aplin
- Henry Lu
- Lauren Chappill
- Alexandra Rossi
- Shay-Lee- Fegan
- Toby Barnfield

Where are they now?

The YWLS has become a training ground for young unionists and legal professionals. Many of our ex-volunteers are successful at gaining employment within the legal profession and union movement, continuing to advocate for worker's rights. In this year's report Angus Oehme, one of our long serving ex-volunteers, has written about his experiences and how volunteering prepared him for his legal career.

Kaeli Convey

I began volunteering at the YWLS in 2016 while completing my law degree. I applied to volunteer because I wanted to put my theoretical knowledge from uni to practice, while also contributing to the fight for the interest of workers more broadly. Volunteering at the YWLS allowed me to do both. From day one I was afforded the responsibility of conducting client interviews, and drafting legal letters and court documents. I gained a solid legal knowledge of employment law as well as solid transferable legal skills, leaving me feeling 'job ready' upon graduating uni. I also had the opportunity to participate in community engagement and advocate the principles of unionism to other young workers.

Staff

During 2017/2018 the Young Workers Legal Service was staffed by the following people:

- Kaeli Convey, as Acting Coordinator from July 2017- February 2018
- Cathleen Barry, as Industrial Officer from July 2017 – January 2018
- Rachael Seaforth, as Coordinator of the Service and a legally qualified Industrial Officer.



Coordinator/
Industrial Advocate
Rachael Seaforth



Acting
Coordinator
Kaeli Convey



Industrial Officer
Cathleen Barry

The experiences, and the skills I learnt at the YWLS led to my current role as a solicitor at a small law firm acting for workers in employment and workers compensation matters. Just as importantly, it crystallised my passion for representing workers and fighting against unjust workplace laws that I have taken into my career, giving it a strong sense of purpose.

To top it off, I genuinely enjoyed my experience greatly and made wonderful friends. I would recommend volunteering at the YWLS to any law student who is passionate about workers rights and social justice more broadly.

Kaeli Convey



Kaeli Convey

Volunteers report - Henry Lu

Studying law for over five years now, I truly believe volunteering at the Young Worker's Legal Service has had one of the most profound impacts on my development as an aspiring lawyer.

They say experience is the best teacher and at the Young Worker's Legal Service Volunteers are given every opportunity to experience the ins and outs of the legal work the service undertakes. Volunteers are entrusted with helping solve real problems of real people. We personally manage the files, conduct the client interviews, contact employers and even argue legal issues with other legal professionals.

As a student, I never imagined that I would be disputing legal issues with other professionals, but with the support and guidance of the Service Coordinator, my peers and the friendly, development-focused environment, I have built the necessary skills enabling me to take on legal issues and tasks with confidence.

Most importantly, Volunteering at the Young Worker's Legal Service is an opportunity to be an integral part of a movement that is working tirelessly to seek justice for workers. Volunteering at the Young Worker's Legal Service has taught me the value of the legal profession; its ability to positively impact others and make a difference to our community. For anyone who is interested in developing their legal skills, looking to add value to others, or for someone who is still wondering why they are in Law School... volunteer at the Young Worker's Legal Service, develop your skills and find some purpose.



Henry Lu



Alexandra Rossi

Volunteers report - Alexandra Rossi

The Young Workers Legal Service is geared towards providing young people with a taste of the benefits of being a union member.

I was one of six students fortunate enough to secure a volunteer position with YWLS at the beginning of 2018. As a law student, I had become all too familiar with volunteering and work experience opportunities in which I observed from the side lines and assisted from afar. However, the YWLS allowed hands on experience to be gained under the expert guidance and supervision of an Industrial Officer, a unique opportunity to directly aid exploited and vulnerable young workers in a meaningful way, whilst building transferable skills and future career prospects.

A typical volunteer day ranged from providing legal advice to the public on employment related matters, conducting interviews, managing client files, researching and identifying legal solutions to employment law matters, corresponding with employers, calculating underpayments and drafting of legal correspondence. The YWLS provided a practical platform to engage in many areas of employment law including: unfair dismissal, equal opportunity and discrimination, underpayment of wages, general protections and workplace dispute resolution. I gained a great sense of satisfaction from seeing a matter through from its first to final stages, and a young worker's transition from exploited to empowered.

Whilst volunteering with YWLS, I concurrently undertook a Graduate Diploma in Legal Practice (GDLP), and chose Employment Law as an elective subject. The practical skills and knowledge I had gained from the YWLS were relevant and seamlessly applied to the theoretical requirements of the GDLP, proof that volunteering at YWLS provides a solid basis for practicing employment law in the real world.

Being a YWLS volunteer has opened doors and led to opportunities throughout the year including a legal internship with United Voice and current employment at the Australian Services Union. The valuable, hands on practical experience has allowed me to hit the ground running and opened up possibilities which would otherwise not have presented. I will be forever grateful for the opportunity which sparked a passion to defend and advance rights at work and enabled my career journey to begin.

Service Statistics

The Young Workers Legal Service received 268 inquires in this reporting period. Issues related to termination of employment and underpayment of wages continue to be the most common inquiries.

Between 1 July 2017 and 30 June 2018, 42 young workers became clients of the Service. The Service continues to be in high demand and strives to provide high quality advice and information to as many young workers as soon as possible.

Termination of employment	109
Underpayment of Wages	73
Bullying	11
Discrimination and Sexual Harassment	4
Redundancy	5
Trainee/Apprentice disputes	5
Other*	61
Total calls	268

* Callers in the 'Other' category represent inquiries in relation to disciplinary action, contract advice, classification advice, minimum engagement, superannuation, occupational health and safety and workers compensation inquiries.

The Young Workers Legal Service deals with a range of workplace issues including underpayment of wages, unfair dismissal, discrimination, sexual harassment, bullying, and trainee and apprentice disputes. Between 1 July 2017 and 30 June 2018, the issue most frequently raised by callers was termination of employment, equating to over 40% of overall inquiries. This figure is inclusive of all dismissals and termination of employment for unlawful reasons.

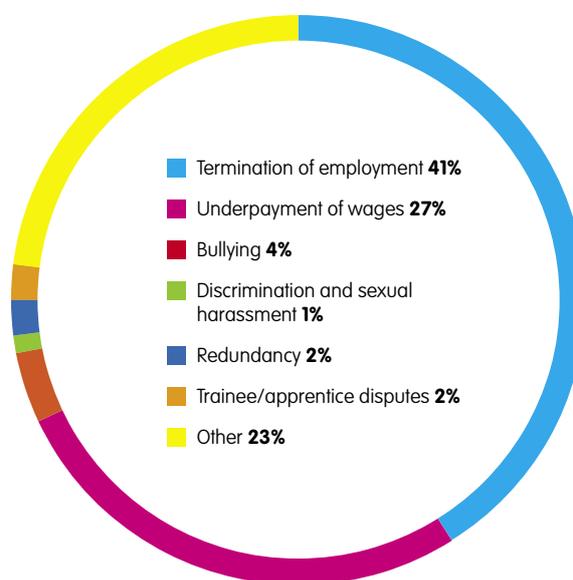
The second most commonly raised issue was underpayment of wages, equating to over 27% of overall inquiries. These figures demonstrate a consistent pattern of employment issues when compared with the last reporting period.

Often we received enquiries about a range of issues and this is not reflected in these statistics.

Employment issues dealt with

Callers by issue

In this reporting period termination of employment and specifically, unfair dismissals have been the most common issue to come before the Service. The second most popular inquiry issue is in relation to underpayment of wages and entitlement inquiries. All other inquiries, including discrimination, sexual harassment and redundancy issues continue to come before the Service in predictable numbers.



Age of young workers assisted

The most popular age range of those who contacted the Service were in the 21 to 25 year old age group with 38% of callers while 21% of callers aged between 14 and 20 contacted the Service and 30% of callers aged 26 and above. The youngest age of callers was 14.

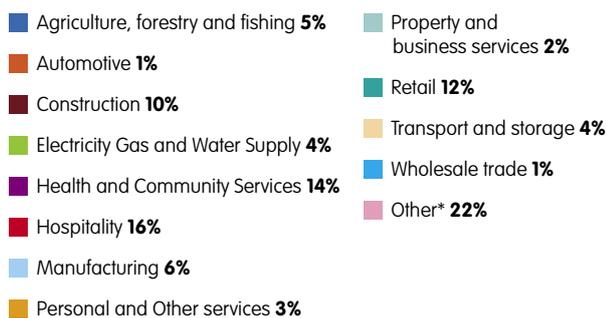
14 - 20	58
21 - 25	103
26+	82
Unknown	25

Gender of young workers assisted

Between 1 July 2017 and 30 June 2018, 139 callers were female and 128 were male. The gender of the remaining callers was not recorded. The figures suggest that the Service is effectively reaching both male and female young workers, with this year in relatively equal numbers.

Industries represented by young workers assisted

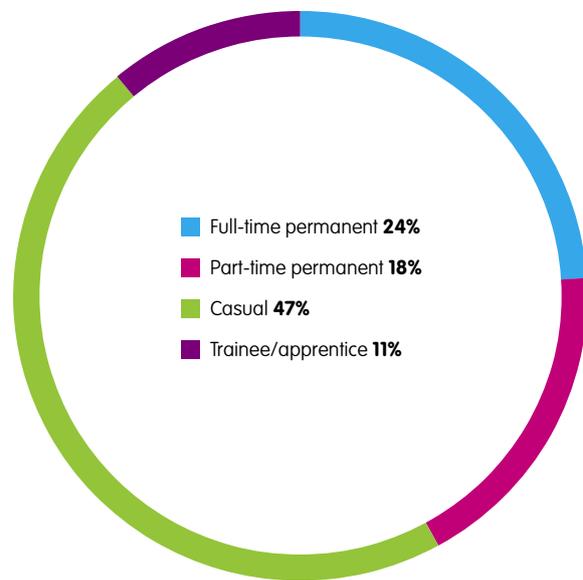
Each reporting period, the industries most frequently represented by callers remain largely the same. Between 1 July 2017 and 30 June 2018, the industries callers inquired about the most were retail and hospitality, representing over 30% of all industries. This year we had an increased number of callers from the health and community services industry.



* The 'Other' category represents callers from the industries of Information Technology, Government Administration and Defence, Cleaning Services and Cultural and Recreational services.

Employment status of young workers assisted

Of the 42 new files that were opened between 1 July 2017 and 30 June 2018, over 42% of new clients were casually employed. The second largest percentage, at 16%, were clients employed on a part time basis.



Referrals to the Service

The Young Workers Legal Service receives referrals from a range of agencies and organisations. Between July 2017 to June 2018, most referrals came from the Fair Work Ombudsman, accounting for over 35% of referrals. This reflects the fact that the service mostly deals with employees who work within the Federal employment law system. The second most common referral source was the Legal Services Commission. The Service thanks those organisations and agencies who have referred young workers to us during the past twelve months.

We continue to receive a significant number of referrals recorded as from a 'friend of family member', equating to approximately 10% of all referrals, which indicates word-of-mouth referrals continue to be strong. We attribute these referrals as stemming from the high quality of work the Young Workers Legal Service provides leading to recommendations and referrals in the community.

Client Outcomes

Between July 2017 and June 2018, the Young Workers Legal Service assisted its clients to recover \$93,071.74 in unpaid wages and compensation for a range of legal wrongs. The Young Workers Legal Service often negotiates directly with employers to resolve matters. In this reporting period the YWLS appeared on behalf of over 21% of clients in the Fair Work Commission, South Australian Employment Tribunal or other relevant jurisdictions where litigation was commenced. The YWLS often engages in the court/commission process in order to progress client files and achieve enhanced outcomes. The remaining client files either resolved before litigation or were closed for lack of merit or client contact.

The money recovered represents:

- compensation for lost wages as a result of unfair dismissal
- payment of wages and other outstanding entitlements, like annual leave and sick pay
- compensation for hurt, suffering and distress arising from discrimination and general protections claims

Payments were made to young workers in casual, permanent, full-time and part-time positions.

In the 15 years the Young Workers Legal Service has been operating, we have recovered approximately \$1.5 million for young workers in South Australia. The recovered monies are often of great significance to clients, both financially and symbolically.

In addition to monetary outcomes the Service also assisted in securing the following non-financial outcomes for clients:

- the provision of a statement of services or reference to the young worker to help them find another job
- the conversion of a worker's dismissal to a resignation
- the return of personal property
- the introduction of new policies or procedures in the workplace
- an agreement by an employer to refrain from speaking poorly of a worker in the future
- the implementation of a new workplace policy by an employer to prevent other workers from being treated badly in the future

The Young Workers Legal Service clients are also encouraged to join their relevant union to protect themselves in the future. The Service aims to provide workers with a positive experience with a union and to provide clients with information about how to join a union and what union membership entails. Throughout 2017-2018, the Young Workers Legal Service helped many young workers better understand union membership. After receiving advice, this year clients joined unions such as the Shop, Distributive & Allied Employee's Association, United Voice, the Australian Workers Union, the Australian Services Union, and the Health Services Union. Clients also joined their union through Unions Australia, which links workers with their relevant union.



Rachael Seaforth, Volunteer Advisors and participants of the Anna Stewart Memorial Project at the South Australian Employment Tribunal for the State Wage Case 2018.

Client Testimonials

“Thank you for the support in helping me with my case.”

“I could not have done this without the YWLS, thank you for the hard work.”

“You made me feel so much better about my case, thank you for taking the time to help me.”

“I appreciate your time and dedication to resolve my case.”

“Once again I would like to thank you for the great work and research that has gone into this.”

Case Studies

Unfair Dismissal

Jackson has worked in the meat industry as a qualified butcher for more than nine years. He started with the employer as a casual junior employee, then as an apprentice and once he completed his qualifications, he continued to work on a full-time permanent basis for the same employer. Throughout the duration of his employment, Jackson was subjected to bullying and harassment from not only other older staff members but also from the employer himself. Jackson was ultimately unlawfully dismissed from the workplace after he had lodged a workers compensation claim for the psychological injuries he suffered because of his treatment in the workplace. The Young Workers Legal Service were able to represent Jackson in a successful unfair dismissal claim in addition to helping him claim other entitlements. The matter ultimately settled for \$5,600.00.

Underpayment

Kate was employed by a food manufacturing business for approximately two years as a casual employee. During her employment she was not paid the correct minimum hourly rates for a casual employee and did not receive applicable penalty rates. The Young Workers Legal Service was able to complete comprehensive calculations for Kate and ultimately negotiate a settlement of \$10,142.95 on her behalf.

Underpayment

Amelia was employed by a popular franchised restaurant for approximately eighteen months. Her duties predominantly involved waitressing, however she would also assist in the kitchen and perform deliveries. Amelia was paid an hourly cash rate well below the relevant award minimums with no accompanying payslips. After enquiring about her rights, the Young Workers Legal Service made several attempts to contact the relevant franchise owner without success. We then took a different approach and wrote to the franchisor outlining their moral obligations and explaining the contraventions that had taken place by the franchisee. Ultimately the franchisor took their corporate responsibility seriously and the matter was settled in Amelia's favour for \$19,900.

Thank you

A special thank you to SafeworkSA and the Government of South Australia for supporting the Young Workers Legal Service.



Young Workers Legal Service

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www.ywls.org.au

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Government of South Australia
SafeWork SA