

## John's Story

International students have the same workplace rights as all workers in Australia. If you are having issues at work the Fair Work Ombudsman (FWO) is here to give you free help. Importantly, you can seek the FWO's assistance without fear of your visa being cancelled.

Read John's story to find out how the FWO can help you sort out workplace issues about pay and hours of work.



John Carlo Perez was an international student from the Philippines who studied engineering in Melbourne. As a requirement of his studies John had to complete a placement at an engineering firm. John then got a casual job at the firm and was paid \$18 an hour. John worked most weekends, public holidays and some afternoon and night shifts. Regardless of what day or time John worked, he got the same rate of pay.

John knew he should be paid more, but he was reluctant to complain because he didn't want to lose his job. After working for six months, John and six of his workmates decided to talk to their employer about their pay. When their employer refused to increase their pay rate, John and his colleagues quit. They contacted the Fair Work Ombudsman for help.

The Fair Work Ombudsman investigated John's employer and found the seven employees had been underpaid a total of \$70 000. John's employer paid them all the money they were owed. The employer also admitted that the underpayment was a result of poor payroll

processes and his limited knowledge of Australia's workplace laws.

As well as paying the employees, the employer entered into an Enforceable Undertaking (EU) with the Fair Work Ombudsman. An EU is a legal document committing a business to following Australian workplace laws and undertaking a range of activities to make sure it's doing this. An EU also sees affected employees back paid their outstanding entitlements and processes set up within a business to make sure underpayment doesn't happen again.

Under the EU, John's employer provided written apologies to the underpaid employees and published an apology on his business' website. The EU also required him to participate in workplace training, undertake regular audits, and make a donation to a not-for-profit organisation promoting the workplace rights of migrant workers.

*Editor's notes: This is based on a true story.*

The FWO helps international students like John every day.

Visit [www.fairwork.gov.au/internationalstudents](http://www.fairwork.gov.au/internationalstudents), call the Fair Work Infoline on 13 13 94 or call 13 14 50 for the Translating and Interpreting Service.

The FWO recently updated our website [www.fairwork.gov.au](http://www.fairwork.gov.au) to include a web translator that allows you to translate our entire website into 40 languages other than English.

You can also tell us about a workplace issue anonymously in English or in one of 16 other languages.