



TOPIC: RIGHTS & TIPS FOR APPROACHING EMPLOYERS

As an international student, performing work for a business or organisation can be a good way to gain experience and networking opportunities whilst in Australia and also to earn some money while studying.

This fact sheet sets out the basic rights and protections of employees under Australia's workplace laws, and provides some tips for students approaching employers during and post-study.

✓ YOUR RIGHTS

Most international students will be able to be employed on a casual or part-time basis, depending on the specific conditions of their student visa.

PART TIME EMPLOYEE Part-time employees will have regular hours that they work each week which are agreed when they commence employment. They are generally paid the same amount each week (or pay period).

CASUAL EMPLOYEE Casual employees do not have regular hours and will work as needed. Casual employees are generally paid on an hourly basis.

Employees who are employed in Australia's national workplace relations system have **10 BASIC EMPLOYMENT ENTITLEMENTS** known as the National Employment Standards (NES). The NES include:






-  Maximum weekly hours of work
-  Requests for flexible working arrangements
-  Parental leave and related entitlements
-  Annual leave
-  Personal/carer's leave, compassionate leave and family and domestic violence leave
-  Community service leave
-  Long service leave
-  Public holidays
-  Notice of termination and redundancy pay
-  Provision of a Fair Work Information Statement

The exact entitlement will depend on the status of your employment.

You might also have additional rights under an industrial instrument. Industrial instruments such as a modern award, are specific to the industry or occupation in which you work and will set out things such as minimum rates of pay and ordinary hours of work.

Your employer should tell you whether an industrial instrument applies to your employment at the commencement of your employment.

TIPS ON APPROACHING EMPLOYERS

-  **TIP 1** At the outset, you should review the terms and conditions of your visa in relation to seeking employment in Australia. This will guide you in relation to the type of work you are able to perform whilst in Australia. You should ensure that any potential employers are aware of the terms and conditions of your visa before agreeing to any working arrangements.
-  **TIP 2** If you are looking for work while studying, ask your course or education provider whether they have any support avenues or programs available for students seeking work or employment.
-  **TIP 3** Make sure that you have all necessary documentation ready to provide to potential employers, such as an up-to-date resume, confirmation of your visa status and passport as well as any course transcripts (if you are applying for an internship or work experience).
-  **TIP 4** If you have finished studying and would like to continue to work in Australia, make sure that your visa status is updated and allows you to be employed in Australia, as there are different visas for students and graduates.
-  **TIP 5** Don't be afraid of asking for a reference which talks to the work experience you have had while studying. References from your tutors or instructors may also be of assistance when applying for a post-graduate job.

FURTHER INFORMATION

If you have any questions about your rights and protections in the workplace, or are concerned about your employment, you can contact the Fair Work Ombudsman who can provide further information and advice. <https://www.fairwork.gov.au/>

If you are unsure about the work that you are permitted to perform under your visa, you can contact the Department of Home Affairs. <https://www.homeaffairs.gov.au/>