

- 1) **The submission from Interns Australia states that the *Fair Work Act 2009* outlines the necessary conditions for internships to be lawful, for example that they benefit the intern rather than the employer and that the intern does not undertake “productive work” which contributes to the business (p.6). In your view, are there any changes that could be made to the Act that would better protect interns from exploitation by employers?**

We have now evolved in our position on this since the parliamentary submission earlier this year.

We believe internships should be:

- A well-structured learning experience that is tied with an educational institution for genuine development.
- In a safe environment
- Remunerated

We believe the Act should reflect these standards. The reason for this are:

- An internship should be an opportunity for genuine professional development for someone entering industry.
- Individuals should be suitably rewarded for their contribution to a working environment. Many do feel compelled to have to take extra jobs along with their internships which can make it more challenging in managing their work-life balance.
- Internships should be accessible to those of all socio-economic backgrounds. Even an internship that includes an opportunity to get quality training and experience would be inaccessible to those of lower socio-economic backgrounds or are living away from their parents without their support.

These reasons are not just for based on moral standards. It is also for the long-term productive needs of industry. An internship that is an experience for genuine opportunity will ensure that intern could gain the skills and development necessary to be an effective contribution to the workforce. When accessible to all socio-economic backgrounds, it would ensure a larger pool of talent available for the employer to identify the most suitable individual.

In regards to remuneration, a minimum standard should be set that reflects an individual’s living needs. It also must reflect the reality that many interns are contributing to a business as a student or graduate and doing so based on the education they have received from their educational institutions such as universities. Standards must be set that reflect the skilled work many interns provide to their employers from their highly developed educational backgrounds.

- 2) **A number of submissions to this inquiry, including the submission from Interns Australia, recommended that a code of conduct or a charter of ethical processes be established to promote lawful internships. What provisions would you like to see in such a code of conduct?**

Provisions we would like to see in such a code of conduct would be:

- The employer ensuring the intern’s educational needs is a priority
- The internship is no substitution for work that is done or could be done by a paid employee
- Involves flexible hours where possible for the intern so he/she can manage other activities, e.g. work, study, etc
- Includes suitable remuneration to provide reward for the genuine contribution an intern provides to the organisation

3) **What would encourage employers to ensure that internships and other unpaid work placements are lawful and constitute a genuine work experience opportunity that benefits participants with skills and knowledge?**

It would involve the following:

- Work that involves an education on the benefits of ensuring genuine and rewarding opportunities for the business and industry in the long run.

Ethical and effective internships are not just good for interns, they are good for business too. A business would be better off ensuring quality professional development of its new staff. This is in contrast with the situation at hand in where it is no longer unusual for some firms to have as part of their business model new unpaid interns on a recurring basis contributing to the organisation. The individuals who enter the firm and gain training and experience, merely use these new skills in a different organisation. Additionally, people are naturally more likely to be motivated to contribute when being reasonable rewarded.

- Enforcement on the part of the government of current laws so that internship opportunities that are exploitative by law can be cracked down on. If well publicised, it would set a strong example to other companies.

4) **Given that younger workers are particularly vulnerable to being exploited through arrangements such as unpaid work trials, what can be done to educate young workers about their rights in the workplace and what can be done to ensure that employers comply with their legal obligations?**

Young workers can be educated by:

- Programs set in schools, TAFEs, universities and other educational institutions on their rights in the workplace. Not just in regards to internships, but other aspects of the workplace as well. They should also be made aware of support networks and where they can go for quality legal assistance and advice on how to negotiate with an employer so they could have the confidence to ensure they are not being treated unfairly
- Within a school environment, the above information should be placed in the syllabus. Currently in Year 10, students take up work experience and learn how to form a resume and operate within a job interview. But schools do need to be more proactive on education on their rights in the workplace and where to go for quality support and assistance.

Employers can be made to comply through:

- The NSW Government taking steps to ensure a greater understanding is generate within the community and amongst younger Australians of the issue of unpaid internships and the laws surrounding it. As mentioned in previous sections of this document, this could be through programs within education institutions.
- It could also involve the government communicating with the older generations who may have children going through unpaid internships of the laws surrounding it and circumstances it would be illegal

Additional questions from The Hon. Greg Donnelly MLC:

- 1) **From any research that you have conducted or are aware of, can you nominate third party bodies that operate to link up those looking for internship opportunities and those organisations seeking to offer such opportunities?**

We haven't conducted any formal research on third party bodies. I do believe other organisations that have provided input to this community may be able to inform you of research they may have done on these bodies

- 2) **If you are aware of any fees, charges or payments levied by third party bodies, can you list them?**

We unfortunately do not have a list on fees, charges or payments levied by third party bodies. However, it is clear from a google search, a company such as AIFS Australia, charges program fees as high as \$2175, mainly targeting those from overseas. This cost does not include meals, accommodation and insurance.