

## **International Student-Workers in Australia:**

### **A New Vulnerable Workforce**

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The international education market has generated a new workforce of some 300,000 international student-workers in Australia. Recent research has shown many of these workers experience severe financial problems and are consequently highly vulnerable to exploitation. In the period leading up to the 2007 federal election much attention was accorded the impact of WorkChoices on the wellbeing of vulnerable employees. The associated debate centered on specific groups including women, youth, migrants and workers on Australian Workplace Agreements. International students, by contrast, were ignored in the debate. This omission reflects the fact that though there are currently 3 million students studying outside their home country the latter have not previously made an appearance in the labour-studies literature. In this paper we begin the process of addressing this omission by offering a depiction of the work experience of 200 international students studying in Australian higher education institutions. We argue a much greater proportion of the international student community participate in the labour market than earlier research has indicated, that in many cases these students are compelled to accept very poor conditions of employment, and insist that given their number and the dire situation of many they must become part of the vulnerable-worker debate.

Over 400,000 international students were enrolled onshore in Australian education institutions at the end of 2007 this number having increased 18.8 per cent over the previous year. These visitors tend to remain for one to four years and through this period have long had the right to be employed for twenty hours per week during semester and an unlimited number of hours at other times. In September 2007 these work-time stipulations were modified to permit internationals to obtain up to eighteen months work experience on completing their studies. The large and growing number of internationals students and the 2007 extension of the time they can remain and accept employment are of significance. This is not least because research by Forbes-Mewett et al. (in press) has revealed that many internationals experience severe financial difficulties while studying in Australia with a significant proportion having a non-wage income less than half the Henderson Poverty Line. Despite their consequent vulnerability international student-workers were not included in the debate on vulnerable workers that flourished through 2006-2007 in the wake of the enactment of

a body of pro-employer under the general ambit of *WorkChoices*. A perusal of the publications that examined the impact of this body of law on vulnerable workers reveals international students were simply not part of the debate (see, for example, Pocock and Masterman-Smith 2005; Cowling et al 2006; Mathews 2006; Mitchell et al 2006; Stewart 2006; Fenwick 2006; Burgess et al 2007; Hodgkinson and Markey 2007). Indeed, this omission was manifest even in contributions that explored how *WorkChoices* impacted on the vulnerability of young workers (McDonald et al 2007). In this paper we address the paucity of knowledge on international student-workers by drawing on interviews with 200 higher education students across nine Australian universities. The paper begins by discussing the student-worker literature and how policy stratification of the employment support regime impacts on the labour market position of low-wage employees. Next we clarify the proportion of internationals employed, the nature of their employment experience, and what might be done to reduce their vulnerability. We conclude by advancing policy recommendations that can bolster the position of these workers.

### **International Student Workers**

The literature that has discussed the experience of student-workers tends to focus on quantifying the proportion of students employed, number of hours they labour, and the effect employment has on academic results and wellbeing (Curtis 2000; Tam and Morrison 2005; Manthei and Gilmore, 2005; Riggert et al 2006; Zimmer-Gembeck 2006; Bexley et al. 2007). Seven decades of investigative efforts have produced no consensus of opinion regarding the effect of working for pay on academic performance and long-term wellbeing (Riggert et al 2006). There is agreement students can benefit financially and academically from part-time employment but 15 hours per week is a critical point beyond which students' studies and wellbeing are likely to suffer (Neill et al. 2004). That there is a dark side to working while studying has been highlighted by McDonald et al (2007) in Australia and by the US Committee on the Health and Safety Implications of Child Labor (CHSICL 1998). The former notes student-workers are vulnerable to employer exploitation because of their limited work skills, high unemployment and under-employment, and poor knowledge of their rights. The CHSICL, by contrast, stresses the fact that student-workers tend to have a high rate of work-related injuries and substance abuse and commonly experience inadequate sleep and exercise. The CHSICL was established to examine how

employment impacts on the health of young workers and to provide recommendations on how these adverse consequences can be prevented. Though the Committee did not discuss international student-workers we draw on their 1998 report to advance recommendations at the end of this paper which can contain the vulnerability of these visitors.

If it is accepted that student-workers are susceptible to exploitation and injury it is reasonable to assume internationals are even more vulnerable given their relative deficiency of language skills, lack of local kin support and cultural knowledge, and in many cases inadequate non-wage income support. They are also likely to be more vulnerable because their bargaining capacity is not strengthened by the supports that underpin the position of domestic workers. At the very least, these buttresses include social security benefits, the enforcement of legal minimum conditions of employment by state agencies, and a cultural awareness of what is deemed a work right and reasonable behaviour on the part of employers. When discussing the props that underpin workers' bargaining capacity, Haley-Lock and Shah (2007) note that often the workers in greatest need of these social, legal and cultural supports are least able to access them. Examples of such workers in Australia include newly arrived migrants/refugees whose market position is not underpinned by a capacity to access social security benefits and newly employed and casual workers not protected by unfair dismissal laws. Though more vulnerable than their domestic peers, international student-workers similarly suffer from a relative deficiency of supports. They cannot, for example, access Austudy, Medicare, HECS, rental subsidies, and in some states subsidised public transport.

Whether internationals are subjected to greater exploitation in practice, however, is not known because these workers are under-researched and the few studies undertaken on their employment experience have seldom gone beyond clarifying their numbers and work hours. In Britain, for example, the UK Council for International Student Affairs (UKCISA) undertook a pioneering effort when in 2004 it surveyed students across twenty UK universities and elected to distinguish between domestics and internationals. By so doing UKCISA was able to report just over fifty per cent of internationals undertake employment, postgraduates are more likely to be employed than are undergraduates, the proportion of internationals enrolled in new universities

is higher than in long established institutions, and there is a degree of differentiation with 53 per cent of non-EU internationals being employed compared to 46 per cent of EU-internationals and 47 per cent of domestics. UKCISA's 2004 report did not clarify the number of hours internationals work for remuneration but a 2006 UKCISA study of further education students reported the latter work more hours than domestic students:

International students currently in paid employment earn on average £112 pw before tax which is a little more than the £92pw that UK students earn on average. Nearly half (46 per cent) of those international students in paid jobs are working 16 or more hours a week which is a little more than UK students (where 36 per cent do) (UKCISA 2006).

The UKCISA participation and working hours data must be treated with caution given non-EU student visa holders in the UK are permitted to work only 20 hours per week in term time. It is reasonable to assume therefore that internationals subject to this provision would be wary of admitting to working beyond this limit for fear of deportation. One study circumvented this concern by surveying internationals employed at a time when the twenty hour visa limit remained on the statutes but it was highly unlikely it would be enforced against them. This study, by Anderson et al. (2006), surveyed Eastern European student-workers studying in the UK shortly before their country of origin became a member state of the European Union. Given the context, these students were able to admit if they were working beyond the legal limit without fear of deportation. In this context it was found that a large proportion of students worked more hours than their visa permitted. In brief, seventy-five per cent of these internationals admitted they worked more than twenty hours per week in term time and a little over two-thirds acknowledged working more than 30 hours.

While the UKCISA and Oxford research suggests UK internationals have a higher level of participation and work longer hours than domestic students the reverse has been reported by Australian researchers. On surveying first year students at a range of universities in mid term, Krause et al (2005) reported 23.3 per cent of internationals were employed and that on average they reported working only 11.62 hours per week (domestic student participation was 58.7 per cent and time employed was 12.45

hours). Rosenthal et al (2006), by contrast, found a 27.2 per cent participation rate by internationals and a number of reported hours lower than is the norm for domestic students. These results suggest internationals studying in Australia are less active in the labour market than both their domestic and UK counterparts. One factor that helps explain these divergent results is that UK researchers asked internationals if they have worked when studying while Australian researchers have asked students if they are currently employed. If conducted during term time, the latter approach clarifies which students work and study concurrently but this insight is achieved at the cost of clarity on how many students work overall. This is because the question does not capture students who only work outside of semester or who have worked in the past but are not currently employed. It is of course possible the differing results also reflect the relative rigor with which immigration officials enforce the work provisions of student visas but whether this is the case is unknown.

That internationals studying in Australia understate their involvement in the labour market has been suggested by McInnis and Hartley (2002). The latter surveyed 1563 domestic and international students at Melbourne University and concluded that internationals were unwilling to admit working more than twenty hours per week. McInnis and Hartley gained the distinct impression this was because internationals fear possible repercussions should they confess to strangers they are breaking the law:

Our consultations suggested that there is a strong financial imperative for some full fee-paying overseas students to work their allowed 20 hours and sometimes more. .... Given the limits placed on the number of hours these students can work we suspect that we did not reach many international students in this position or that, despite our reassurances, they did not feel free to divulge the full extent of their paid work (2002, p. 76).

### **The Interviews**

Though the visa limitations placed on the labour market freedoms of international students provide them with reason to be cautious when discussing their workforce participation we managed to circumvent this caution to a limited extent. We were able to do so because we chose to interview rather than survey our research population. This method of gathering data was chosen because it has the capacity to generate

more depth of understanding, particularly through follow-up questions and because separated issues can be connected and synthesized. Being less pre-emptive of the possible data and interpretations, interviews also allow new issues or slants on issues to be identified and issues not foreseen by the researcher to come onto the agenda. In short, interviews allow greater scope for deeper knowledge to be created than surveys permit, though at the price of some loss of representation.

The interviews were conducted in 2005 and involved face-to-face semi-structured conversations with 200 international higher-education students (101 females and 99 males). Students were drawn from nine universities representing the geographic, urban-rural, and status diversity that characterises Australia's higher education sector. The conversations were of 30-50 minutes duration and were taped and subsequently transcribed. This approach enabled the data to be 'mined' for evidence relating to delicate issues not directly approached during the interviews, which covered a range of areas including finances, accommodation, paid work, and networks. In order to determine if international student-workers are a segregated and vulnerable workforce and to cast light on the character of their vulnerability in the following section of this paper we address the key issues of participation, occupation, remuneration, discrimination and crowding.

### ***Workforce Participation***

One third of interviewees revealed paid employment was their main source of income while 57 per cent indicated they were employed at time. A further 13 per cent indicated they had worked at some time while studying in Australia, meaning 70 per cent worked at some stage. This level of participation is close to that undertaken by domestic and UK students and much higher than revealed by survey data.

While not specifically asked, 37 per cent of those employed offered information about the number of hours they worked. Similar numbers indicated they worked between 1-5, 6-10 and 11-15 hours per week (22.7 per cent, 21.3 per cent, and 18.7 per cent respectively), while a third (33.3 per cent) indicated they worked between 16-20 hours. These results need to be contextualised in light of McInnis and Hartley's (2002) impression that international students were unwilling to admit to working more than 20 hours per week and the consequence for working beyond this limit in

Australia involves mandatory withdrawal of visa. From this perspective, it is reasonable to assume that some interviewees in the current study were not prepared to admit they worked more than 20 hours. Indeed while it is understandable that only four acknowledged working more than the permitted 20 hours per week it was somewhat surprising that these four had no qualms about giving specific details:

I'm working at two jobs. I work five days in a real estate company as office administrator but I work from 9 a.m. to 1.30 p.m. and in the evening ... in the Indian restaurant I work only on Thursdays and Fridays. That's from 5.00 – 12 in the night. (P36 female, aged 25, India, Media and Communication)

Another student working an illegal number of hours presents a similar case:

I'm working as a tutor in the Faculty ... and I'm also working at the lab, at the help desk. These two jobs and a job in a Sydney café - I am working at a part-time job as a café barrista - I basically make coffees. Making some good money there. You work 3 days and you make two to three hundred bucks, everything's free, snacks, coffee, everything's free! I work 3 days there, and 2 days here [at university]. (S96 male, 24, India, Information Technology)

The above example presents circumstances where the student is happy about earning 'good money' and enjoying fringe benefits. It is apparent he is working hours equivalent to full-time employment, as was another who indicated he had suffered stress and depression from work commitments:

I had to work a lot, I mean in my first two years when I was studying I had to work a lot to support myself so staying like 30 – 40 hours of work, and I was also trying to achieve high marks in my studies (P 132 male, aged 27, India, Music Therapy)

The above account supports the findings of CHSICL (1998) and Neill et al (2004) who have drawn attention to the negative aspects of working while studying. While these views are not representative of the majority of interview responses they may be more representative of the international student community than the data reveals.

Regardless, these accounts are important because they highlight the fact that some students do work longer hours than permitted in order to attain financial security.

The evidence provided in the interviews demonstrates that though international student-workers are often highly qualified they frequently need to undertake employment in occupations that rank low in terms of employment stratification. Interviewees did not always specify their type of employment and some named two or three industries/occupations. According to one interviewee, international students ‘do all weird kind of jobs to sort out their financial problems’ (P109 male, aged 30, India, Dentistry). Table 1 presents the range of employment undertaken by 71 per cent of the interviewees who works.

Table 1: Number of students employed by industry

Industry	No. in industry	% totals
Health/medical	2	1.4
University	44	31.0
Education	9	6.3
Human services	4	2.8
Professional	22	15.5
Labouring	9	6.3
Hospitality	37	26.1
Retail	15	10.6
Total	142	100

### ***Remuneration***

The large proportion of international students working in the higher education sector shown in Table 1 reflects the relatively large proportion of postgraduate interviewees who participated in the study. Allowing for this fact, it is apparent many interviewees (43 per cent) work in low status occupations where remuneration is low and the rates actually paid are often illegal. Sixty-two students (31 per cent) gave information revealing the hourly rate paid as presented in Table 2.

Table 2: Amount paid per hour

\$ per hour	No of students	% of Total
\$7 -\$10	21	33.9
\$11 -\$15	15	24.2
\$16 - \$20	18	29.0
\$21 - \$25	3	4.8
\$26 - \$30	0	0
\$31 - \$40	1	1.6
\$41 +	4	6.5



Total	62	100
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Of the students who reported their hourly rate 58 per cent earned between \$7 and \$15 per hour at a time when the legal minimum for a casual waiter was \$16.08 an hour and the rate for a casual shop assistant was \$17.97 per hour. Of these students, 5 were under the age of 21 and may therefore have been paid a junior wage. Nevertheless, the data reveals many interviewees were paid well below the legal minimum. The following accounts testify:

...it's a waitressing job. You're doing everything from cleaning the cutlery ... we are paid shift wages. I am getting \$60 per shift ... like 5 pm 'til 12 midnight. (P36 female, aged 25, India, Media and Communication)

The above student has indicated she is working a 7 hour shift in a restaurant for less than \$8.60 per hour and the following account indicates an even lower rate of pay is received for similar work in another restaurant:

Its bad, just \$7 an hour before they said they gave lunch and then they didn't give me anything after I worked there she said I gave you probation so I have lunch for a week for free and then they lied to me they said when I started to work properly they didn't give anything. (P175 female, aged 33, China, Education)

Although the above is somewhat confusing, it is clear the rate of pay is well below the legal minima. It is commonly thought Chinese restaurants frequently employ internationals and pay illegal wages – a view supported by the following:

...surprisingly that's the case with lots of Asian employers. They usually pay you below standard especially in Chinatown as well, they usually pay you \$7 or even \$6. I think that is certainly too low. (P38 female, aged 20, Indonesia, Commerce)

Another commented:

I worked for one of my friends to do some paper work I worked in Chinese restaurant ... the pay is very low, like nine dollars per hour. I don't want to work in the restaurant anymore. (P177 female, aged 27, Chinese, Education)

While the latter's rate of pay is higher than the previous example it remains below the legal minimum. The contribution also brings to light the fact that students are often exploited by 'friends' or those from their own national community. One interviewee summed the majority view by saying simply:

Chinese restaurant give you very low pay. (P79 male, aged 19, Chinese, Commerce and Economics)

Although seemingly more prevalent in Chinese restaurants, the interviews indicate illegal remuneration is wide spread across low status occupations. For instance:

I'm doing part-time work ...Cashier in a grocer shop. \$8 [per hour]. (P32 female, aged 25, China, Business and Information Technology)

Very few interviewees indicated they would become assertive if they had problems in the workplace. However, the views of those that did must not be overlooked:

If I had a problem I think I would just go straight up to the boss and tell him what's going on, and say I'm not happy with this, not happy with that. (P46 male, aged 21, Malaysia, Commerce)

And another:

Like \$9... I wasn't happy with the rate. I went back to the boss, I said I'm not happy with the salary, I think I deserve more and he was happy to increase it by \$1. (P63 male, aged 27, Sri Lanka, Technology)

These examples are indicative of Haley-Lock and Shah's (2007) contention that often those in greatest need of bargaining support are least able to access the support they

need. The examples are also in line with the views of Takeda (2005), an international student who worked as a waitress for the legal minimum. She described how her hours were reduced once her employer found it was possible to employ internationals who would work for less and observes that internationals are willing to work for these illegal rates because they are restricted to a small range of occupations. As a result, large numbers of student job seekers are crowded into a limited market and subjected to exploitation. Takeda rejected the notion that her difficulties were a consequence of racism insisting it was simply the operation of the market. Many interviewees shared her view with only a minority believing their difficulties were due to discrimination.

### ***Discrimination***

Most references to discrimination related to the inability to find decent work though a small number of students reported experiencing overt discrimination:

She was a bit racist (laughs). The boss. She was a particularly nasty old woman. ... She often she'd make remarks sort of leading to the fact like, ... you people, you don't know how to cleanup, or sweep the floor, this is how you sweep the floor and things like that. Basically it just meant I'm not doing things her way but she makes generalizations that her way was the right way, culturally but she's not representative of her culture. She was a nasty piece of job. (P116 female, aged 26, Malaysia, Medicine)

An example of racist behaviour was offered by another student who insisted he had been subjected to discrimination 'plenty of times':

Yeah, plenty of times it's happened. I got the experience from my faculty itself because of one lady working in our department and she's very discriminatory. When you go and talk to her, she really looks at your colour ... (P96 male, aged 24 Indian, Information Technology).

However, the majority of interviewees did not believe they had experienced discrimination and often suggested other dimensions to explain unfriendliness:

In the working place some people are not so friendly you can't really guarantee that everyone is as friendly as you are so I don't think its discrimination just depending on the different personality. (P174 female, aged 28, China)

Clearly, individual characteristics play a role in perceptions of discrimination. But, this does not diminish the fact that discrimination exists. Fortunately, many students found their workplaces friendly and management and supervisory staff helpful and approachable. Reports such as, 'I can learn English there and the people are nice' were not uncommon (P178 female, aged 30, Japan, Interpreting). Also, there was very little comment on discriminatory behaviour of customers or clients in workplace settings. There was, however, numerous comments associating difficulties at work with language. The following example shows how difficulties associated with language can become discriminatory:

.... the problem is because language one time I work for an Indonesian shop and they all speak Indonesian I can't understand anything they just communicate with me in English and sometimes like they make a joke of me so I don't really like it. (P124 female, aged 21, Vietnam, Commerce)

Both the latter and the following example provide understanding of why international students who are qualified in their field often seek low level employment:

I was applying for a lot of part-time jobs and I don't want to name the company. I had gone there and may be just because of my way of speaking – it was a sales job – ... whatever they had asked me I had done very well, but I just don't get any reply from them, but they had a second interview of two hours, but they did not reply to me ... I have good sales experience back in India but they never took me. I don't know why. (P36, female, aged 25, Indian, Media and Communication)

The student above indicates she doesn't know why she didn't get the job, however, like many others she suggests the reason may be related to her manner of speaking.

While English language deficit is clearly a great hindrance for international students seeking work, others attribute their difficulty to their appearance. For example:

people are not very willing to give me a job because of my appearance, because I can't do most of the jobs, you know I can't be an accountant, they don't want me there, they don't want me to be anywhere where I'm visible, and with other jobs I'm not too comfortable doing them.(P109 male, aged 30, Indian, Dentistry)

The student has not specified what he thinks it is about his appearance that makes him not acceptable in a 'visible' occupation. Given he is a Sikh his headgear may be what he thinks sets him aside from others when applying for work. Despite his difficulties, it is notable that he appears to insinuate that, unlike many other international students, he is not prepared to be segmented into a lower status job. His approach both supports and contrasts with the following perspective. It supports the notion that Indian students often do not gain employment in their preferred or qualified profession and suggests they recognise they have to be prepared to undertake lower status jobs:

It's just like the labour kind of work and we Indians we don't get any professional work. I have got another friend in my house, he is 33 years old and he has been working for 12 years I guess in India .... He is so capable of doing so many things but all he can do now is clean dishes in restaurants or manage the till in 7-11. Things like wash cars or waiter. (P8 male, aged 23, India, MBA)

In a similar vein, the following two perceptions attribute the lack of success in obtaining employment to residential status. In the first instance, the student refers to experiencing hostility and prejudice in Australia:

Not directly, but I feel now, because I am hunting for jobs, I feel most of them don't want to give jobs to those from other countries, especially when they hear our voice and they understand our accent are different, they know that we are from other countries, ... they try to give excuse that we need people with PR only, or this is a full-time job, or they say something but they don't give

the job to us. I keep trying of course. (P65 female, aged 34, Sri Lanka, International Business)

The perception that permanent residence (PR) in Australia is a determining element for obtaining employment is not uncommon, as illustrated by the following example:

...there is too much discrimination between the international and national students, or the Australian and non-Australian residents, especially for getting work ...For example getting a job - if you apply may be they have an interview which you are doing the steps, but finally they decide to ... give the work to a nominated person that they have from previous, and it's very hard to accept, because in this ... instance, you couldn't do any legal action against them. (P37 male, aged 40, Iran, Physiotherapy)

Apart from the perceived discrimination relating to residential status expressed by the student, it appears there is a paucity of awareness of workplace recruitment practices. Specifically, the perspective above is based on a lack of understanding that there is a legal requirement to advertise some jobs even when the incumbent is reapplying and likely to retain the position. Another interviewee believed that work tasks were assigned in accordance to residential status:

... sometimes they see you're a foreigner so they assign you to some hard job. They separate to different groups and maybe some easy job, good job for the local, but if you're a foreigner they give you a hard job. (P28 male, aged 25, China, Information Technology)

This example suggests employers unfairly assign tasks in relation to difficulty and residential status – meaning those without residential status are given the more difficult tasks without additional remuneration. This claim not only supports the notion of segmentation of international students in relation to different types of work, it raises the issue of segmentation within the workplace. Despite this unfortunate observation, the student wished to maintain the employment because he had a good relationship with other workers and an 'okay' relationship with the boss.

Even when students gain employment they often experience difficulties because they lack language and cultural capacities that are given amongst domestic students. This phenomenon is likely to exacerbate a downward spiral for internationals who find they must accept work that is much lower in the student-worker strata than they expected. One student summed this up by commenting:

...the problem out here is the international students are not informed of everything. We are coming from different cultures and the work ethics from the countries we come from are very different. (P190 male, aged 25, Bangladesh, Engineering Telecommunication)

The above influences were manifest in specific difficulties as illustrated by the following example where a student was employed in a call centre where she had to have sophisticated language skills and a capacity to relate to Australians with problems that may be culturally specific:

I have many problems. I don't know how to handle the calls and everything ... when you get a very nasty customer and they've got difficulties...(P154 female, aged 21, China, Commerce)

Unable to gain employment in what they deem decent jobs students occasionally expressed feelings of shame. The following student indicated she not only had to deal with circumstances that were not in accordance with her expectations, but also had to consider the shame expressed by her family:

Because I see a lot of Indian students coming and they're working in some situations that they would have never imagined to work back in their country, but yes, whatever your work..... I would have never imagined working as a waitress in India. My parents would have never, never, allowed me in my entire life to work as a waitress...[and] they have told me never to tell to other people of my family that I'm working as a waitress. (P36 female, aged 25, Indian, Media and Communication)

This perspective may attract little sympathy in some circles but it does raise the need for prospective students to be given a realistic picture of the likely employment circumstances they will encounter when studying in a foreign country. Some students were more accepting and less shameful of the lowering of their employment status:

Main difference is back home I am an officer. I'm doing my job. There actually I'm a government officer there and I'm a magistrate there so I have a designation and have another status there, and here I'm a student without any money. It's totally different.'(P20 male, aged 33, Bangladesh, Environment Management)

This student appeared more accepting about shifting from a position of power and influence to being a student without money. The fact that he seems less surprised than others about his new status gives the impression his experience was in line with his expectations.

### **Conclusions and Recommendations**

The international education market has generated a new and rapidly growing vulnerable sector of the workforce in Australia. In this initial exploration our interviews have shown the proportion of internationals active in the labour market is much higher than previously estimated and close to the proportion revealed in the UK in situations where internationals do not fear deportation. The interviews also suggest many internationals are disadvantaged by their relative deficit of language and cultural skills, they are crowded into a narrower range of jobs than is available to their domestic peers, and they commonly off-set their disadvantages by working for less than the legal minima. A discovery not expected was that few internationals believe the difficulties they experience in the workplace are a product of racism. Presumably, this latter perspective is at least partly explained by the fact that many employers who pay internationals less than the legal rate are of the same ethnic background as those they exploit. The OECD has estimated that through the coming two decades the number of students studying outside their own country at any one time will pass twenty million. As this process unfolds the problems and exploitation our interviews have highlighted will become more acute unless policies are developed and programs implemented that can contain the negative consequences of a rapidly growing



international education industry. Australian governments have shown a willingness to ease immigration and labour laws in order to assist the growth of this industry. They have, however, been decidedly disinclined to regulate in ways that will reduce the disparity that exists in the respective social, legal and cultural props that underpin the bargaining capacity of domestic and international student-workers. Reducing this disparity is an essential measure if employers' capacity to exploit the hundreds of thousands of internationals who come to Australia is to be contained.

We hold that the existing lack of balance is unacceptable and given our interviews present evidence that international student-workers are highly vulnerable we insist there is an urgent need to match the nation's effort at building the international education industry with a comparable effort designed to protect the employment rights of international students who choose to work and study in Australia. Borrowing from the CHSICL, we suggest this strategy requires the creation of a comprehensive surveillance system that can generate relevant information and that this regime should involve Federal and State departments, education suppliers, unions and employers. Information generated should at the very least be sufficient to enable these agencies to track and investigate injuries and injustices suffered by international student-workers, the number employed, where they work, and their conditions of employment. Realisation of this goal will require that effective definitions and nomenclature be agreed upon, that the data be presented in a manner that will make it possible for researchers and policy makers to utilise the information generated, and as internationals are often employed under conditions that are illegal data collection strategies will need to include periodic studies designed to document the extent and character of this form of illegality.

The health, safety and rights hazards that confront workers in the labour market and workplace, the protections to which they are entitled, and the agencies that can assist workers confront these hazards are little known or understood by international students. Consequently, a strategy needs to be developed that can provide relevant education and training. This activity will require a variety of mechanisms depending on whether the target audience is the students themselves, teachers, employers, community activists or trade unionists. A simple but necessary step in this regard would be to make it compulsory for education suppliers to provide relevant workplace health and safety and rights information during orientation periods. The Federal

Government could also play a positive role in the education effort by supporting a number of demonstration projects to assess the feasibility and effectiveness of various approaches and by formulating and publicising a set of criteria employers would need to meet in order to have their enterprises approved as venues to which state funded employment and education agencies can direct internationals seeking employment.

Along with the need for monitoring and education there is a need for regulatory agencies to enforce existing laws. Analysts at any education institution can currently identify with ease international students who have suffered exploitation within the workplace. This reflects the fact that the employers of these internationals are seldom prosecuted for exploiting those they employ. Targeted prosecutions could be particularly effective at the moment given the environment of concern that has been generated by the repeated exposure of employers who misuse 457 visas. Prosecution can and should be supplemented by the exposure of repeat violators by such bodies as Victoria's Employment Rights Advocate. Together, these efforts would provide information to international students on both their rights and the risks they face – thus enabling them to make more informed decisions about workplaces and whether they wish to risk their visas – and would serve as a deterrent to employers. Finally, to make an inspection and exposure regime viable there is a need for inter-agency cross-training of inspectors and prosecutors, and government agencies and education suppliers need to employ staff with with a sophisticated understanding of the international education sector and charge these individuals with ensuring that the safe environment education institutions claim Australia provides exists in the nation's workplaces.

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