



INFORMATION FOR PRIVATE DOMESTIC WORKERS WORKING FOR DIPLOMATS, CONSULAR OFFICIALS OR OTHER ELIGIBLE FOREIGN OFFICIALS IN AUSTRALIA

What are my workplace rights and conditions?

Your visa requires you to be employed in accordance with Australian workplace conditions. Under Australian law, you:

- cannot have your visa cancelled by your employer. Only the Department of Home Affairs can grant, refuse or cancel visas
- are allowed to leave your place of work outside working hours
- must be paid at least the national minimum wage

However, depending on your employer, location and type of work, you may also be covered by an award which will set out your minimum wage and conditions, noting that the maximum standard work week in Australia for full-time employees is 38 hours. Information about the current minimum wage (which is reviewed annually), working hours and awards is available from the Fair Work Ombudsman (FWO) on **13 13 94** or at www.fairwork.gov.au.

- must be paid at least every month and be given a payslip by your employer within one working day of being paid
- must be paid in full, preferably by an electronic funds transfer into your bank account

A modern award may also specify a particular method of payment which must be used.

It is a Department of Foreign Affairs and Trade requirement that your salary be paid through bank transfer into an Australian bank account. Cash payments are not acceptable.

- cannot be paid in something other than money (for example, food or clothing), and
- cannot generally have money taken from your wages without your written agreement, and unless the deduction principally benefits you. For example, deductions for food and accommodation, or if you accidentally break something, cannot be made without appropriate authorisation by you and must be of principal benefit to you.

What are my other entitlements?

As a private domestic worker, you are also entitled to:

- have the cost of your travel to and from Australia fully paid for by the diplomat, consular official or other eligible foreign official (foreign official) who is your employer
- sign an employment agreement in a language you understand and to retain a copy
- have the cost of your health insurance fully paid for by the foreign official who is your employer
- leave Australia without permission from the foreign official who is your employer, and
- keep possession of your personal property, including your passport and travel documents.

What are my obligations?

As a private domestic worker you are required to:

- be over the age of 18
- have a level of English that allows you to operate independently in Australia
- travel to Australia on your ordinary passport and not an 'official' or 'diplomatic' passport
- not be related to the foreign official (or their spouse) who is your employer
- only work in the household of the foreign official who is your employer
- only work for the foreign official (or their spouse) who is your employer
- maintain adequate arrangements for health insurance during your time in Australia
- abide by Australian laws
- work for the one employer unless the Department of Foreign Affairs and Trade approves a transfer to a different employer and a new visa application has been approved by the Department of Home Affairs
- maintain a valid passport and visa, and
- leave Australia at the conclusion of your employment, or when your employer leaves, whichever is earlier, unless you hold another valid visa.

How can I seek help or assistance?

This information is not individual advice and you should seek assistance if you have questions or concerns about your workplace rights and conditions. The FWO can provide free information and advice about your workplace rights and conditions, including if you think you are not being paid properly. You can call the Fair Work Infoline on **13 13 94**, or visit www.fairwork.gov.au, which provides information in multiple languages, or email myaccountservices@fwo.gov.au. If you need information or advice about your visa requirements you can contact the Department of Home Affairs on **13 18 81** or visit www.homeaffairs.gov.au.

Threatening or forcing someone to work, or making someone work in breach of their visa conditions are serious crimes in Australia. If you are aware of, or think someone has experienced these exploitative practices, it is important you seek help. You can contact the Australian Federal Police (AFP) for assistance by calling **131 AFP (13 12 37)** or visiting www.afp.gov.au. Contact with the AFP can be anonymous.

You can also contact your country's diplomatic mission or consular post in Australia. Contact details can be found at <http://www.dfat.gov.au/embassies.html>.

You can also contact the following specialist non-government organisations for help and advice:

Anti-Slavery Australia

Call: 02 9514 9662

Email: antislavery@uts.edu.au

Salvation Army

Phone: 02 9211 5794

Email: endslavery@aue.salvationarmy.org.au

If you need an interpreter, please call the Translating and Interpreting Service on **13 14 50**.