



INFORMATION FOR PRIVATE DOMESTIC WORKERS WORKING FOR HEADS OF DIPLOMATIC MISSIONS OR CONSULAR POSTS IN AUSTRALIA

What are my workplace rights and conditions?

Information about current minimum award wages (reviewed annually), working hours and other award conditions is available from the Fair Work Ombudsman (FWO) on **13 13 94** or www.fairwork.gov.au

Your visa requires you to be employed in accordance with Australian workplace conditions.

- Your employer cannot cancel your visa. Only the Department of Home Affairs can grant, refuse or cancel visas.
- You are allowed to leave your place of work outside working hours.
- Your employer must provide you with at least the minimum entitlements under the [National Employment Standards](#).
- Your employer should ensure your contract is consistent with the wages and conditions of employment in the applicable Award
 - the [Miscellaneous Award](#) can cover employees who do the following work: driving, cooking or catering, cleaning, gardening or maintenance, clerical work, or nanny work.
- You must be employed on a full-time basis, noting that the standard maximum work week in Australia for full-time employees is 38 hours.
- Your employer must pay you in full at least every month and give you a pay slip within one working day of being paid
 - 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.
- You cannot be paid in something other than money (for example: food or clothing).
- Your employer cannot generally take money from your wages without your written agreement, and unless the deduction principally benefits you. For example, deductions for food or accommodation cannot be made without your written authorisation and must principally benefit you
- You must be paid at least the national minimum superannuation contribution into a complying super fund or retirement savings account, unless you show you are covered by an equivalent social security provision in another country.

The minimum superannuation contribution will increase every July until 2025. More information is available from the Australian Tax Office (ATO) on **13 10 20** or www.ato.gov.au/Individuals/Super

You may also have other additional employment terms and conditions under your employment contract or any workplace policies.

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 myaccounts@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 <https://www.dfat.gov.au/about-us/foreign-embassies/pages/foreign-embassies-and-consulates-in-australia>.

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**.