



cries from the workplace

**20 women
20 stories**

Stories of migrant women workers in Sydney

Cries from the Workplace

20 WOMEN, 20 STORIES

Stories of migrant women workers in Sydney

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Note:

The names in this book are not the real names of the women.

Introduction: Why we wrote this booklet

We are Asian women workers. We are skilled and dedicated. We work very hard but we are never treated as we deserve. Our hard working efforts are not recognised. We are bullied and harassed. Often we are not paid even the minimum wage, or our other entitlements.

And because we are migrants and can't speak English very well, we could not tell anybody what is going on. We are scared of the boss. We fear we will lose our jobs so we always put up with whatever happens to us, and feel uncomfortable to speak out or to complain.

We didn't believe exploitation could happen in Australia. We never expected this to be part of our "new life" here until we experienced it ourselves. We feel like third class citizens. For a long time we have felt like we are not important and we are ignored.

This is why we are speaking out! Through this booklet, our stories will be told and heard by people.

We want our stories to be part of the discussions and debates on a new industrial relations system in Australia. We do not want to be forgotten.

We want bosses to listen to our stories and learn about the law. We want bosses to treat workers with respect, not as people of less value.

We want other workers to listen to our stories and speak out. We want to work together with others to learn about the law and protect our rights.

We want the general public to hear our stories and join us in our calls for change.

There is a Vietnamese saying "If a baby cries the mother will feed it". So we are calling out to the Government to help us.

We want the Government to listen to our stories and change the WorkChoices law. WorkChoices has been bad for migrant women workers. But this is about more than just "getting rid of WorkChoices". The Government says they will build a new industrial relations system. We want to make sure the new industrial relations system is truly able to protect migrant women workers like us. We want the Government to train bosses about the law and punish the bad bosses and pressure them to do the right thing.

It is time for things to change. We don't want to be ignored any more. We are speaking out!

Asian Women at Work Action Group
April 2008



Women from these stories did not feel free to have their faces photographed. Instead their hands speak for them along with their stories.

'Name': Lily
Age: 50s
Family Status:
Married with
adult children
Ethnic
Background:
Chinese
Industry:
Furniture

STORY 1: BULLYING, MENTAL DISTRESS

The nasty boss

If you ask Lily to use three words to describe her feelings about her workplace she would say: scared, hate and powerless.

Why? Because her boss can never control her temper and always gets angry at the employees. Everyday when the boss comes past, all the workers are scared because wherever the boss goes in the workplace she gets angry at the nearest employee.

Recently the boss came to Lily and very angrily said, "Why didn't you follow orders? Why did you do it your own way?" For fifteen minutes, the boss shouted at her. There was not any chance for Lily to tell her side of the story. Finally Lily had a chance to say that the customer was very happy with her work and liked it that way. After Lily finished explaining the boss said, "Okay, okay" and left. After five minutes, she heard the boss getting angry with another employee.

Some workers even cry after the boss had shouted at them. Every worker is under pressure in the workplace. The only way to escape is to put on earphones and listen to soft music to get rid of the boss's noise. The boss even rings them at home on Saturday and Sunday and continues to get angry at the employees.

Lily does not understand who gave the boss the right to treat employees this way. Employees and employers are all human beings. They should have equal rights. So that's why Lily feels scared, hatred and seems powerless. This stress is not good for anyone's health. Just thinking about going to work tomorrow and getting shouted at by the boss makes the employees feel unhappy. This stress also affects their family life. Lily has a cute cat and she realised that sometimes she lets the anger out on the cat.

Lily asked herself what can she do in this situation and who can help her. The only path she feels she has left is to quit the job but if she quits this job it is very hard to find another job and who can guarantee that another boss would be better than this one.

We want:

A "Workplace Standard" which articulates what is acceptable and unacceptable in Australian Workplaces.

STORY 2: INTIMIDATION AND FEAR, STRESS

Why do we have to suffer every day in our workplace?

My name is Amei. I am a packing worker in a food factory. There are 80 workers in this factory. The relationship between workmates is not bad, but everyone feels pressure in the factory and the main reason is the supervisors. We can say every worker feels sick of their supervisor. They are verbally abusive towards us without any reason. Why do they do this to another person? It is not because of anything we do at work. The supervisors can lose their temper at anytime. Workers are worried because they don't know when the storm will come to them.

The other reason workers feel depressed is because there is poor occupational health and safety safeguards in this factory. Workers here are mostly middle-aged women. To meet the production quotas they have to suffer enormous work pressure. Occupational illness frequently develops after just a few years work in this factory. I have injured my back, and my hands and fingers are sore as well. My smallest finger is numb all the time. Some of my workmates cannot sleep comfortably because of their back pain.

The lowest rate of pay for our industry is \$13.80 per hour. Our payment rate is lower than this and we receive no other entitlements at all, no holiday pay, no sick leave and no penalty rates for overtime.

On the subject of overtime, I have a story that makes me so depressed whenever I hear the word "OVERTIME". One day, the manager asked me to do an overtime shift. I could not do it because my daughter was sick that day. I explained to the manager and did not do the overtime. A few days later, the manager informed 19 workers they were to do overtime - everyone in my section except me. When the time came to leave work, I left my seat and slowly passed my workmates' – they were all working. It really hurt my heart. Every step I moved that day was like a knife stabbed into my heart.

Most of the workers have to suffer in this factory because they need their wages to pay their mortgages and support their families financially. To earn more wages workers are keen to do overtime.

There is no fairness in this factory. If the manager is unhappy with you, you have to do the hardest jobs. For example, normally in this factory it is a man's task to wash the very big and dirty board, but the supervisor once

'Name': Amei**Age:** 40s**Family Status:**Married with
teenage son**Ethnic****Background:**

Chinese

Industry:

Food processing

asked an older woman to do it. She felt she was not physically able to do this hard work and consulted with the manager. The manager told her “this is your job, you stay here to do it, or you can leave”. In the end she had to accept and do this very hard task.

There are no union members in the factory. No one dares to stand up and say something like “it is unfair for us”. Everything is dominated by the manager.

Once, the manager believed the work amount was too light for one worker so he asked the supervisor to force her to do a very difficult task. She did. At 3:30 pm that day the manager’s secretary went to her and told her she would have no overtime. At 3:45 pm the manager himself went to her and informed her she would have no overtime. And again at 4 pm, the supervisor repeated that she would have no overtime. They believe no overtime for a worker is punishment for that worker, as everyone is keen to do overtime for the money.

For me the three biggest issues in this job are low pay, hard work and unreasonable management.

I wish there could be strong legal protection for lowest wage workers to ensure the workers receive all their entitlements. We wish the Union could help us and consult with our boss. Our dream is to be treated fairly, with no more suffering in our workplace.

We want:

Bosses called to account for bullying and victimisation.



STORY 3: BULLYING, FEAR OF LOSING JOB, OCCUPATIONAL HEALTH AND SAFETY

'Name': May
Age: 30s
Family Status:
 Single mother,
 victim of domestic
 violence
Ethnic
Background:
 Chinese
Industry:
 Meatwork

Using the threat of the sack

I am May. I am going to tell you some of my experiences at work.

There are 40 to 50 people in the wholesale meat factory where I work. I am a salesperson to customers in the retail room. We have a lot of bad experiences with our Manager and supervisor. They don't know how to manage and organise the work in the workplace very well. Their treatment of their workers is extremely erratic. They often abuse and swear at people without any reason.

I am very unhappy with the work environment but I have a good relationship with my workmates. I don't receive any of my entitlements from work - no overtime pay, no sick pay, no holiday pay. I do receive award wages for this industry at an hourly rate.

There are a lot of heavy items we have to carry, move and work on. Some items are over 30 kgs. It is beyond my work duties and my capability to carry that much weight. I am very worried I will develop an injury from this work. My arms, hands and back are very sore.

Nothing has changed in our workplace since WorkChoices was put into practice in March 2006. But our manager often threatens people by using the word "sacking" to push workers to work harder. We always wish that the Manager and Supervisors would change their working attitude.

The overwhelming feeling from my work place is: my physical strength is consumed all the time, we have huge pressure on us from the workload, and my mind and body are constantly stressed and tight at work as I don't know when the supervisor will pick on me in front of many clients without any reason.

I want Asian Women at Work to represent us and speak to the Government, to express our expectations, to change and improve our working situation.

We want:

Unfair dismissal laws to protect migrant women workers.

'Name': Mary
Age: 40s
Family Status:
Married with
adult children
Ethnic
Background:
Chinese
Industry:
Food packaging

STORY 4: BELOW MINIMUM WAGES AND CONDITIONS, UNFAIR TREATMENT

Impact of WorkChoices

I work for a food packaging warehouse in the western suburbs. There are about 30 people working in the warehouse. My job is packing vegetables.

I don't like my supervisor because he likes to employ overseas students and people without permanent visas so he can pay them less than the legal pay without any other entitlements.

To me the working environment is generally okay but we only have three toilets for all the workers (30 people) and sometimes that is not enough.

We have to wear gloves to do our work but the company does not even provide us with gloves. They want us to buy the gloves ourselves. We normally have to buy one pair a week, as they are normally damaged after a week. It is costing us lots of money.

My pay and conditions are very low. I only get \$11 an hour even though I start working at 3am in the morning. They are not paying the correct amount of tax for me. I don't get sick pay or sick leave and I don't get 4 weeks annual leave. I do get 9% superannuation. We don't get overtime penalty rates when we do overtime.

Since WorkChoices, our pay and conditions have gone to rock bottom. We used to get paid \$16 an hour before WorkChoices but after WorkChoices we only get paid \$11 an hour and without proper conditions or entitlements.

I am not quite sure what I am covered by as we didn't sign any agreement and we are not getting the right pay. I know a little about industrial relations law but I am not quite clear what I am entitled to. I don't think I have been treated fairly at all, and I think sometimes they don't even respect us. The supervisor once threatened me saying "Stop being annoying, I have the power to sack you anytime". This was when I asked him to pay the full tax for me. I had received my group certificate for my tax return and they had only paid tax on \$2,500 not \$19,000. I have to pay the rest of the tax for myself. From what I understand the company is not paying tax for half of the workers in the company.

They demand a lot from the workers but are not very "demanding" on themselves.

We are sometimes worried about the boss deducting a few dollars from our pay without any explanation or warning, they just do it and I don't know why.

I wish we could receive lawful wages and conditions and the boss could treat us with respect and dignity. I also wish they wouldn't take advantage of those overseas students and illegal migrants anymore. We only get 30 minutes for lunch and no tea breaks and rest breaks. We should have tea breaks and rest time. We are not machines, we can't work like robots.

I want Asian Women at Work to fight for our rights.

I feel anger, despair and stress toward my work. I don't know what I can do to make the situation better.

We have different sections in our company and we have many workers but the workers somehow are not sticking together, so it makes it very hard to fight for our rights. We are definitely being exploited and treated unfairly.

I was working in a plastics factory in China before I came here. I came here to escape the unfair treatment of those Chinese bosses as many people said Australia has a good welfare system and they treat people equally. But I feel my situation is the same here as when I was in China.

We want:

Enforcement of existing industrial relations laws.

'Name': Si Ming**Age:** 40s**Family Status:**Married with
adult children**Ethnic****Background:**

Chinese

Industry:

Clothing

STORY 5: MONEY OWED, BOSS DISAPPEARED

A friend or a boss?

Si Ming worked in a clothing factory for 6 years. Six months ago, she drove to her workplace. She was astonished to find everything was in a mess in the factory when she walked in. It looked like someone had broken in and robbed the factory. She tried to call her boss but the phone on her desk was not working. Then she saw a note on her desk which said sorry, there was no money to pay her or other workers and that there were several sewing machines she could take as compensation.

Si Ming couldn't think. She was worried about what would happen now. Images played in her mind like a movie.

The boss is her friend and came from the same city. The boss established a clothing factory in Australia. She knew very well that Si Ming was experienced in clothing technology and she had very good professional skills. The boss flattered her and asked for her help in this factory. Si Ming is an honest person and greatly valued their friendship. She came to this factory and stimulated a lot of growth in the clothing production. Si Ming has always been the first one to come to the factory and managed to be the best performer in clothing production.

The clothing factory was growing more and more, both of them were so happy. But Si Ming and her workmates were not fully paid during these 6 years. The boss explained to them, the factory needed funds to enlarge the clothing production to earn more profits and everyone would get benefits from this. For these 6 years, the boss owes Si Ming more than \$10,000, for her over 1000 hours working in this factory.

Si Ming really needed this money for her family. She was waiting on it to pay for education fees for her child, a new wheel payment for her car, new electronic equipment to buy and travel for family. Now, with all these gone, her child said to her, "Is she your friend?"

When Si Ming's workmates came, all of them felt very angry. They agreed to send the boss to the relevant Court or ask the Union for help. The problem is the boss had disappeared. So, some of them took the sewing machines home, someone drove the poor conditioned mini bus to the front of gate. After everyone left, only 2 sewing machines were left behind. Si Ming herself had to carry the 2 sewing machines to her house. By then she was beyond tears, her mind was blank.

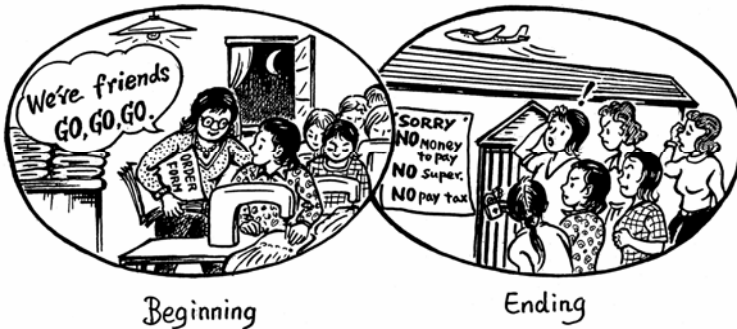
She further discovered in the next few days that the boss did not pay tax and superannuation as she had promised. The boss had deducted amounts from the pay of every worker claiming they were for these payments.

Si Ming hopes that her story will be a lesson for other migrant women. She still wishes that her friend, the boss will return the payment to all of them one day in the future.

In China, friendship and helping each other is valued very much in our culture. That does not mean it should be used. Si Ming felt bad about taking her “friend” to Court, so she did nothing about the issue. Is the boss still her friend?

We want:

Education for migrant workers about their rights and where to go for assistance.



'Name': Shirley

Age: 40s

Family Status:

Married with 3
adult children

Ethnic

Background:

Chinese

Industry:

Clothing

STORY 6: LACK OF TRAINING AT WORK

Starting new

I work in a clothing factory and I sew dresses. My supervisor is good. When I ask something she is always polite and answers my question. I am satisfied with my work environment and relationships. My wages and conditions are good. I get paid for overtime but I don't know if my wages and conditions are in accordance with the law. I just recently started work there, so I am not sure if we have a collective agreement in my workplace or if we have individual contracts.

I am mostly worried about not being able to do my job well. I feel it's not fair if no one tells you how to do a new job. I want to improve my skills and get more experience for the job. I think the government should change workers' wages and make them higher.

I like my job, but it always makes everyone very tired, nervous and bored. I would like to have a more relaxed working environment, as I am a new worker but don't have any support from my workplace, so I am feeling very stressed.

We want:

More promotion of information on industrial relations processes and where to go for help.

STORY 7: UNDER AWARD PAY AND CONDITIONS

Make the boss follow the law

I work in Campsie and I am a factory hand. My manager is kind but does not pay enough money. I'm comfortable with my workmates but my working environment is very hot in summer and cold in winter.

I am paid \$10 per hour and I receive no other entitlements. I am paid for overtime but we almost never have overtime. I know my wages are not in accordance with the law. I am not worried about my work tasks but I am not happy about my wages. I like my job but it is hard and heavy. I just want the government to change the law to make the wages higher and make the boss follow the law, because I am happy with my job but it is hard and heavy.

We want:

An active inspectorate going out to inspect workplaces and fine employers for breaches, not just waiting for complaints.

'Name': Winnie

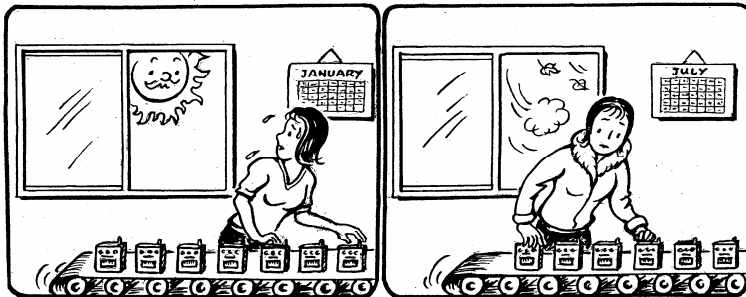
Age: 40s

Family Status:
Married with
adult children

Ethnic

Background:
Chinese

Industry:
Electrical goods



'Name': Jenny
Age: 50s
Ethnic Background:
Vietnamese
Industry:
Furniture

STORY 8: JOB INSECURITY

Make it different – change the WorkChoices law

I work at a blind making factory. My job is to cut fabric and make blinds.

My supervisor is a good man but is sometimes very demanding. I am happy enough with my workplace and my workmates. My wages are good and I have 10 sick days per year, 4 weeks holiday per year, long service leave and good conditions. I get paid overtime and I know my wages and conditions are in accordance with the law. I am covered by an award.

I am not worried about not being able to do the job. I'm most worried about losing my job. Since WorkChoices, we have had redundancies and our jobs are not secure anymore. I would like less pressure at work. I think the government should change the law to make wages higher and make bosses follow the law.

My job is sometimes heavy, sometimes okay and sometimes hard.

We want:

Job Security.

STORY 9: BULLYING, INSECURITY

Pressure at work

I work in Belmore and I sew men's shirts. My supervisor is very bad-tempered, aggressive and always picking on somebody. My workplace is acceptable, but I don't like my supervisor. My wages and conditions are average. I am covered by an award, but I feel pressured and worried about finishing the work.

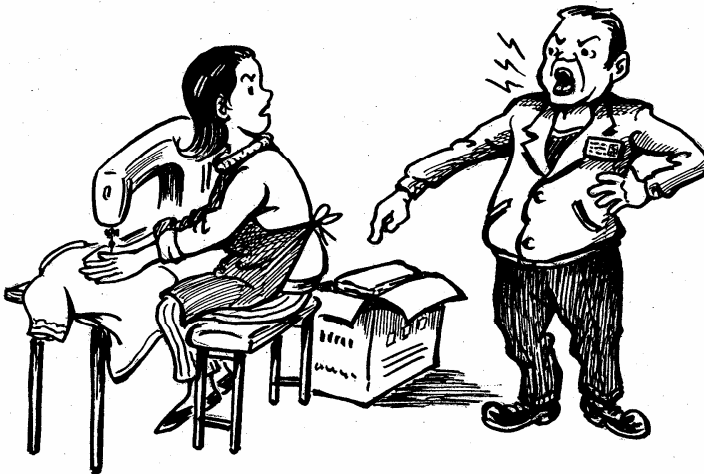
Since WorkChoices, we have had some redundancies and our jobs are not secure anymore. I would like less pressure at work and to have morning tea. I think the government should change the law to make wages higher and make the boss follow the law.

My job is busy and tiring and sometimes fun.

We want:

Less pressure and stress at work.

'Name': Emily
Age: 40s
Family Status:
 Married with two
 adult children
Ethnic
Background:
 Chinese
Industry:
 Clothing



'Name': Victoria
Ethnic
Background:
Chinese
Industry:
Metalwork

STORY 10: INSECURITY

What happens when the agreement ends?

I'm working in a factory in Redfern. I'm an assembly worker. My supervisor is a rude woman and is never polite to us. I am happy enough with my workplace, workmates and my wages. I have 4 weeks holiday and 8 sick days per year and I get paid for overtime. These conditions are in a collective workplace agreement from 3 years ago. The Australian Manufacturing Workers Union helped us get it. I thank my Union very much. I don't know if these wages and conditions are in accordance with the law, but I believe in my Union. I'm covered by a collective workplace agreement.

At the workplace we have some unfair treatment, e.g. my supervisor always gives hard work to the workers from the same country as her. We get the same wages, but we always do the harder jobs. It's unfair.

At work I'm most worried about changing to a new job or task because in my current job we need to count how many items we do per hour. If I'm not experienced in a new job or task I can't work very fast, although I would try to do my best. I would like less pressure at work.

Now the agreement protects us, but in January, the agreement finishes. I don't know what will happen at the workplace. I hope the government changes the law to protect us more.

We want:

Broad minimum legal protections in the workplace to ensure our wages and conditions are secure.

STORY 11: DISMISSAL FOR INJURY

From camp to factory

Lan and her family left Vietnam in 1980 by boat. When her boat crossed the Thai border it was attacked by Thai pirates. She and other people lost everything including money and jewellery they brought to help them start a new life.

She and her family then stayed in a refugee camp in the Philippines for 20 years. With support from the community and other organisations, Lan and her family arrived to Australia in 2000.

She got a job in a factory and worked very hard. After five years of working she felt very tired and became numb from her right hand to her shoulder. She decided to take sick leave for treatment. She told her boss and hoped that he would understand her situation. After all, she worked at the factory for all those years, and she had always been a good worker. She and others were working hard to bring profit to the boss's company. Unfortunately for her, it was at that time WorkChoices was introduced. Her boss asked her to leave the job immediately without paying her anything she was entitled to.

'Name': Lan
Age: 50's
Family Status:
Married
Ethnic Background:
Vietnamese
Industry:
Clothing

We want:

Unfair dismissal laws to protect migrant women workers.



'Name': Anh
Age: 20's
Family Status:
 Single
Ethnic
Background:
 Vietnamese
Industry:
 Various

STORY 12: BELOW LEGAL WAGES AND CONDITIONS

All bosses are the same to me

I have been living in Australia for five years. I left Vietnam to reunite with my family in 2002. I thought when I am here I could do lot of things. I will study again and I can have my dream career in Optometry. But it seems that I don't have a lucky star shining on me.

My father became sick and passed away two years ago. My mother was very depressed, and her health was getting worse. In these 5 years I had to work and change jobs many times. I don't have any skills since I just finished high school in Vietnam. My English is not good enough to get better jobs and I don't have the opportunity to learn English much.

My first job in Australia was one my sister's friend introduced to me. I worked at Flemington market. I woke up at 4 am and caught the train to work. I worked from 5 am to 9 am and sometimes I have worked more hours on weekends. My task is packing fruit. It is heavy for me to lift up 3 to 4 kilos of packed oranges and put them on the scale repeatedly. It wasn't good pay either. So I just worked there for almost 4 months and then I quit that job.

A few months later I found another job. I worked as a casual worker in a small clothing factory. At first they gave me a garment to try making but I couldn't do it. I was scared of the overlock machine as it runs so quickly and made me very nervous to sit in front of it. So the boss let me do a bit of everything in the factory. I had to clean up the floor, cut thread on finished clothes, count garments, label tagging and so on. The working times were always changed and I kept doing that for six months and got paid at \$5.00 per hour. One day the boss told me, "From now on you take other tasks and I will pay you \$5.50 per hour". Then my job was ironing the linen. One day I set the iron a little bit too hot so the linen shrunk. My boss came and saw it. He screamed and threw an object at me, and called me 'a stupid clumsy girl'.

That boss was always pushing people, finding mistakes and yelling at people's faces. He never showed respect to anybody even though there were some workers older than him. When this happened to me no one dared to say a thing. I was shaking and couldn't stand still, and for that moment I didn't care about myself and if I got hurt or not. I was just afraid that he will force me to pay for the damaged linen because it was my fault. The boss then let me go and when he walked away, I just took

my things and went home. I didn't come back to work any more and of course I didn't got my payment for that week.

I stopped working for a year after that. Now I am working part time in a printing company. What I do is insert free gifts into the magazine, packing and so on. The job is easy but you have to do it very fast. My wrists and my fingers are getting stiff and painful because I have to do that job everyday. I am happy that I get paid \$12.00 per hour. But the supervisor always has his eyes around on people working. I hate to work with the bosses' eyes behind my back and I am scared to lose this job. Before I started work the boss said, "If you accept this job, you have to follow instructions. If you complain and try to outsmart, don't come to work".

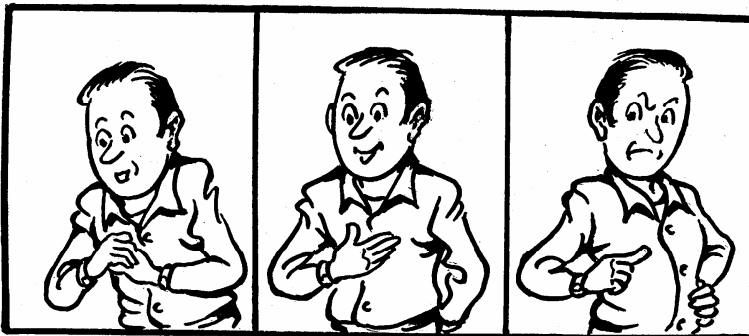
So I think that the big bosses everywhere are the same. I need the job and money, and I have to be quiet and work hard. I don't know much about the working conditions and rates of pay. To ask for the worker's rights seems to be extravagant for the class of workers like me, isn't it?

"Before I started work the boss said, "If you accept this job, you have to follow instructions. If you complain and try to outsmart, don't come to work".

We want:

A "Workplace Standard" outlining acceptable and unacceptable workplace culture in Australia.

The foreman's different faces



To boss

To manager

To workers

'Name': Kim
Age: 20's
Family Status:
Single
Ethnic
Background:
Vietnamese
Industry:
Food processing

STORY 13: UNFAIR TREATMENT

Who cares about Kim's feelings?

I write this story about my friend or I could call her my little sister or my youngest sister (she is just five years older than my daughter).

Kim has been in Australia for many years. She has always been shy and lacked courage to go out and mix with the society. She feels so lonely and has lived in isolation all those years.

Kim lives by herself and she has been sick for a long time. So she did not have much of a chance to go and learn English and have a good job when she arrived in Australia when she was still a teenager.

After recovering from her sickness, she tried to catch up on what she was missing out on. Kim went to learn English and hoped that she could learn new skills in TAFE, but she was forced to look for a job by Centrelink. She was sent to a food factory where it was not quite suitable for her health, because it was cold and wet. On top of that, in the workplace she has been treated unfairly by her boss.

She explained that one day she came to work late, but no more than five minutes. The boss was angry and told her that she will not have the 15-minute break because she was late. So all the workers left for a short break and watched her sit alone and cry. She felt ashamed and asked herself what she had done to be treated like, and feel like, a criminal.

Kim catches public transport to work every day. She is not allowed to drive because of her health. That means she must rely on public transport and she cannot control the timetable and get the bus or train to always come on time.

The boss doesn't pay for public holiday working hours for the workers but asked them to take the day off on another day instead.

Kim said that she doesn't want to work in the workplace that doesn't have a friendly atmosphere, a place where everyone is always suspicious of other workmates, being scared of the boss and the supervisor. Oh how hard her heart beats every time she arrives at work! My poor young friend! Who cares about her feelings!

We want:

Education for employers and migrant workers about the proposed "Workplace Standard", so they understand what is appropriate workplace culture in Australia.

STORY 14: NO PENALTY RATES

I don't know my rights, but it seems unfair

'Name': Louise
Age: 20's
Family Status:
 Recently married
Ethnic Background:
 Filipino
Industry:
 Food packaging

If you ask me how I feel about my workplace, I will tell you that I feel deprived (of my rights), like I have no choice (I cannot find other work) but happy because I have developed friendships with my fellow workers.

Since April last year I've been employed as a process worker in one of Australia's leading suppliers of pre-packaged food that are commonly found in convenience stores, service stations, schools and universities, hospitals, airlines and snack bars.

Every Saturday, I wake up very early to go to work. I live in Blacktown and it takes me over an hour to get to my workplace.

In my workplace, the workers are all Asians – Filipinos, Chinese, Indonesians and Vietnamese. I get along very well with them. My workplace is okay and the machines we use are safe.

My manager is very work-focused and approachable though sometimes inconsiderate.

As far as I am concerned, I am receiving the minimum wage. However penalty rates for weekend work are not applicable to us.

Sure, I get paid for any overtime work but I do not think that I am really getting wages and conditions in accordance with the law. I know this because when I work on Saturdays I am paid the normal, ordinary day rate and Sunday is 150% of the ordinary rate. To my knowledge, Saturday work should be paid 150% and Sunday should be 200%.

I do not have any idea if I am covered by an award, or under an individual contract.

I believe that I and the other workers are being treated unfairly at work. We usually work 7-8 hours a day, and within those working hours we don't have a lunch break though we have morning tea for 10 minutes. I do not think it is enough to have just a one break for the whole day. I consider this to be unfair treatment.

While I am quite happy to work, I also worry. I worry about the possibility of illness in the long run like having arthritis because of the cold; varicose veins because we are standing up the whole day; and ulcers for not eating.

I am not sure if there have been changes in my workplace since the WorkChoices laws started. I only started working in April last year but what I know is that our employer can change our wages anytime he/she wants. There was a time when our Saturdays were paid 125% penalty rate but from July, we were only paid the normal ordinary day rate.

I hope that in the future, we can get the right penalty rate for weekend work as well as have proper break times.

I think that if the government and Asian Women at Work educate us about our rights at work, we will be well informed about our rights and will not be afraid to fight for it.

We want:

Bosses to be made to follow the law.



WONDERFUL DREAM

STORY 15: DANGEROUS CONDITIONS

Worker injured but clothes can't get dirty

I used to work in a clothing factory that specialized in clothing packaging. The factory I worked in was extremely dirty and wet. I have a story about the conditions in the factory.

There was a man who was working in the steaming section of the factory. The floor around the steaming machine was extremely wet and dirty. The machine was surrounded by many heavy racks of clothes. The wheels on the racks of the clothes were crammed with thread so it could not move.

The man tried to move the rack so he could steam the clothes. Because the wheels were tangled the rack fell over on top of him. The man lay on the floor with the heavy rack across his body. The boss saw the clothes on the floor and immediately rushed over. Instead of comforting the man or asking if he was okay the boss started yelling at him. She didn't care that the man was injured and couldn't move because of the pain in his tailbone and back. She only cared about how the clothes were dirty and crinkled. Another worker had to assist him up and take him home as he was not capable of doing so himself.

The boss was extremely mean and harsh to all the workers. She stayed in the corner and watched to make sure that they didn't talk to their neighbouring workers. If the boss saw you talking to anyone she would yell at you. People were even afraid to go to the toilet because the boss would shout at them. As a result they would wait many hours before they had a chance to go to the toilet. The boss was extremely unfair to everyone around. I believe this is because of the industrial relations laws.

We want:

Bosses made to follow the law.

'Name': Minnie
Age: 50's
Family Status:
 Married with
 teenage children
Ethnic
Background:
 Vietnamese
Industry:
 Clothing

"She didn't care that the man was injured and couldn't move because of the pain in his tailbone and back."

'Name': Thu
Age: 40's
Family Status:
Single parent
with teenage
children
Ethnic
Background:
Vietnamese
Industry:
Aged care,
home care

STORY 16: LACK OF INFORMATION

I don't know much about WorkChoices!

I am working as an aged care worker in home care. My boss is a good person but sometimes she is bossy to all the workers. Sometimes she does not understand me so she told me to learn English because my English is poor.

I am comfortable with my colleagues but the work environment is sometimes a problem. Sometimes I am shocked to find the client I work with is in a difficult situation because their whole family is sick.

My wages are okay and my conditions are okay as well. I am paid for any overtime I do. I am not sure if I am getting wages and conditions in accordance with the law. I think that I am covered by an individual contract. I don't know much about WorkChoices.

The main thing I worry about at work is whether my clients are happy with the way I do my job. I also wish my boss would give me the time and the day in advance before I go to my clients' home.

There are three feelings I have in relation to my work: happy - when I do my job to help the elderly; worry – when the client is not happy when I do something wrong; and less work, because there is too much work at the moment.

Before coming to Australia I worked in a sewing factory in Vietnam.

We want:

Education for migrant workers about rights, standards, responsibilities, and Occupational Health and Safety.

STORY 17: ACCESS TO INFORMATION AND TRAINING

Difficult integrating into Australian Society

I am a Vietnamese refugee and I have been living in Australia for 20 years. I got help from my friend to look for work. As I made new friends, I got to know what kind of work they were doing in Australia. Many of them receive the garments to sew at home. I asked my friend to introduce me to the boss.

At first, I was helping my friends to sew parts of the garment. Later, I learned how to sew and overlock the whole garment. I tried very hard during that time. My friend told me that the boss could help me buy a sewing machine and deliver the garments for me to sew at home. I am working for long hours and I didn't have time to relax.

I have been sewing for over 10 years. I have sewn so many styles and different garments. When the boss changed his business I did not sew at home anymore. My friend told me to work in the clothing factory and the manager paid me \$5.50 per hour. But a few years later, the factory closed down. I worked in another factory for a few months and then I left the job on maternity leave. Then I went back to sewing at home.

I heard on the Vietnamese radio program that Asian Women at Work had organised an English Class for outworkers. I rang up and joined the class and also the Recognition of Prior Learning class. In this class I learned about rights at work and awards based on government industry laws and Occupational Health and Safety in the workplace.

Thank you so much to Asian Women at Work for always being supportive and allowing us to have the opportunity to learn new skills, share knowledge about changing laws and many interesting activities. Now I feel more confident. I am hoping that the government and other organisations will fund Asian Women at Work so they can organise more vocational training for Asian women to help them to adapt a new life.

We want:

Funding for specialist centres as resource places for migrants to get information and assistance on issues in their workplaces.

'Name': Thanh
Age: 40's
Family Status:
 Single mother
Ethnic Background:
 Vietnamese
Industry:
 Clothing

"In this class I learned about rights at work and awards based on government industry laws and Occupational Health and Safety in the workplace."

'Name': Lan
Age: 50's
Family Status:
 Single mother
 with adult
 children
Ethnic
Background:
 Chinese
Industry:
 Clothing

STORY 18: DISCRIMINATION, UNFAIR TREATMENT

Looking for a job is so difficult

My name is Coco, a single mother and I have been an outworker for more than 10 years. I make clothing at home and also look after my daughter. I work very hard. I have no weekends and no holidays. I have never got money from social security and have never had the chance to go to school to learn English.

Nowadays more clothes are coming in from overseas and there is no more work for us, so my friend and I looked for new jobs. One day we saw an advertisement in the paper, we went there and saw that it was very busy and the boss asked us "Can you make clothes?" We said yes and the boss said "Sit down and try. Show me". We started to do this job and we saw that there were plenty of jobs to do and we thought we could stay. On the first day, the boss asked us to come the next day and the next day and so on. After one week, the boss came and gave us an envelope with some money inside and said "Thank you very much but you don't need to come tomorrow". And we asked 'why?' and the boss said "you are not good enough for this job". We felt sad and counted the money and it wasn't a lot. We asked the boss "Why so little money?" The boss said, "We were training you and you are lucky you didn't pay the training fees." We were unhappy and as we were leaving the factory, we saw other women like us and they told us the boss used us to meet a big order for a cheap label and now the order is finished, so the boss said he did not need us anymore.

"I work very hard. I have no weekends and no holidays. I have never got money from social security and have never had the chance to go to school to learn English."

We went to another clothing factory and the boss is Australian. He was very excited about our skills but he said, "If you take this position, your pay will be \$10 an hour in cash only and no other benefits". We said, "We are highly skilled workers and we should get over \$15 per hour and we should pay tax, we don't want cash." The boss said, "If you don't accept my offer, you can leave because there are plenty of workers who want this job." And we just left. We can't go back to 10 years ago and do illegal things. We wanted to ask the government and the tax office, "Do you and the tax office know that some bosses do these illegal things and how do you monitor them and stop them?"

We saw an ad in the newspaper that some nursing home is looking for some care workers and we went there. A lady from a job agency told us that if we want this job, you will have to pay \$1600 to get a certificate and you can get this job. But we told her we don't have that much money to pay and we don't trust them.

Sometimes we make phone calls to some factories and they ask "how old are you?" "When they heard we were over 50, they say "Wait for our call" but the call never comes. Who can help us?

We want:

Pro-active industrial relations inspectors going out to inspect workplaces and fine them for breaches, not just waiting for complaints.



'Name': Lisa
Age: 50's
Family Status:
 Single mother
 with adult child
**Ethnic
 Background:**
 Vietnamese
Industry:
 Clothing

STORY 19: FAMILY / WORK BALANCE, LOW PAY

I lost my favourite job

I am a woman refugee who came to Australia in 1990 with my 10 year old son. I used to look for jobs in the "Chieu Duong" Vietnamese newspaper. I found one and was accepted into a sewing factory. I worked from 7 am to 7 pm with an extra two hours a day for travel. I had no time for my son because of this. I quit my job and friends told me that I could bring clothing from the factory home to sew so I could still work without leaving my son alone.

From then on I became an outworker. I rented a garage with two rooms, one room for sewing and the other for my son and I to sleep in. That room was for cooking and everything else. Every day I found the jobs more difficult to complete and the low wages and long hours put a great deal of pressure on me. The maximum pay was \$4 an hour with no bonuses, sick leave or holidays. I worked for most of the day to survive so I had no idea of the society around me.

"I also discovered I had many illnesses from all those hours of work that I did."

Five years ago a lot of the clothing industry went off shore. And then more recently WorkChoices was officially made law. Life became harder and it was more and more difficult to get any work. I also discovered I had many illnesses from all those hours of work that I did.

I finally decided to quit my job in the clothing industry and learned to work in the aged care industry. Asian Women at Work helped me greatly by opening an English class I could attend. Now I have a casual job with Home Care. I'm determined to work hard to find a stable job and help me get a better life.

Nevertheless, I still enjoy sewing at home as a job, it is what I have done for many years and I have a lot of experience and skill. I still wish the government would change the laws so there was more clothing work in Australia and I could sew at home.

We want:

Broad minimum legal protections to ensure wages and conditions are secure.

STORY 20: SKILLS NOT VALUED

Standing up for ourselves

I am an Asian migrant woman with sufficient English. I am currently working in a medium-sized clothing factory as a sample machinist. In our section, we have six staff, who are all migrant women from different countries, working together. Our daily job is to make samples, from the first fitting sample to the final approved sample. But our skill has never been acknowledged with respect by our boss because he only pays us the wage for basic skilled level 2 (level 5 being the highest), \$13.50 an hour before tax, whereas other companies pay their sample machinists \$18.50 an hour minimum. This means we receive far lower wages than what we should be entitled to. In addition, we have to work 40 hours instead of the standard 38 hours per week. The extra two working hours incur no penalty rate.

We have been working under these unfair conditions for many years. Some staff have been working under these unfair conditions for over 10 years! But nobody dares to speak up because everyone is scared it will cost them their job. Unfortunately, there are not many opportunities to find other jobs in these industries.

Since the Government launched the zero excise import for the textile and clothing sector, most factories have moved overseas whereas others have closed down. Being late middle-aged immigrant women who have been in the same industry for so many years, without other skills, it is very hard for us to change to another job. I know many other women who are in the same situation as me.

In early February 2006, just one month before the Government launched the IR law, we stood up and talked to the manager about our wage being rather low compared to a basic skilled sewing machinist and that we are working two hours longer than other clothing factory employees. Our manager claimed "No, you are getting the right wages and you are getting paid for the extra working hours" to which we refuted with "No, we are sure we are not getting the right wages" and handed him an updated handbook on wages for the clothing industry. He was very angry with us and told us "If you are not happy then leave!".

'Name': Hope**Age:** 50's**Family Status:**
Married with an adult child**Ethnic Background:**
Chinese**Industry:**
Clothing

"But our skill has never been acknowledged with respect by our boss because he only pays us the wage for basic skilled level 2."

After several negotiations with our boss, we finally got our much deserved pay rise and two working hours cut weekly. Our wages are still lower than what we should be paid but at least we've made progress in achieving fairer conditions for our staff.

We want:

Unions to have the right to regularly check up on what is happening in factories and workplaces.

What we want...

Strong legal protections for workers

1. Broad minimum legal protections in the workplace to ensure migrant workers wages and conditions are secure.
2. A “Workplace Standard” outlining acceptable and unacceptable workplace culture in Australia, including practical things like expectations of being able to go to the toilet when needed, provision of toilet paper and provision of microwave in lunch room; through to the absence of bullying and racial discrimination, and having cultural and religious acceptance.
3. Unfair dismissal laws to ensure workers can raise important workplace issues without fear of consequences.
4. Stronger laws addressing bullying in the workplace and providing better systems to assist those who are bullied.

Enforcement of the Law – an active inspectorate

5. Pro-active industrial relations inspectors going out to inspect workplaces and fine employers for breaches, not just waiting for complaints.
6. Removal of restrictions on Unions right of access and inspection, as part of a regular monitoring presence in workplaces.
7. Naming and shaming of bad companies not keeping the law.

Education for employers and workers

8. Compulsory education and testing for employers to be sure they know the industrial relations laws.
9. Education for workers about rights, standards, responsibilities, Occupational Health and Safety and bullying.
10. Education for employers and migrant workers about the proposed "Workplace Standard" on acceptable workplace culture, and promotion of this standard.
11. More promotion of information on industrial relations processes and where to go for help including targeted TV advertisements.
12. More translations of information with a clear distribution system which includes places where migrant people go like libraries and Asian supermarkets.
13. Funding for specialist centres as resource places for migrants to get information and assistance on issues in their workplaces and their rights and responsibilities.
14. More access to English classes in or near the workplace.

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Asian Women at Work Inc.

Asian Women at Work is a network of Asian migrant women workers that empowers, resources and assists women to stand up, speak out and take collective action to advocate for their rights and develop strategies that improve women's lives, end exploitation in the workplace and home, obtain secure employment and enable them to understand and contribute to Australian society.

Asian Women at Work has a current membership of over 1300 migrant women workers in low paid employment.

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“All employees deserve to be treated with decency and dignity at work. The Asian women who have told us their stories in this book make it clear that this has not been their experience of Australian workplaces. They have been bullied, victimised, underpaid, harassed and humiliated. Most of the women tell us that they cannot ‘speak up’ about their treatment because they are fearful that if they do that they will be punished, because they feel that they lack the resources and knowledge to pursue redress, or because no mechanism exists to protect them. This book presents a series of modest and sensible recommendations for making life a little better for these courageous working women. I urge policy makers, employers and union staff listen to and to act upon their suggestions.”

Dr Rae Cooper
Work and Organisational Studies
University of Sydney

“The stories in this booklet will make readers feel uncomfortable because they show how many migrant women in our city are underpaid, bullied and exploited. I hope the dignified and patient voices of these women will be heard and their call for equality and a fair go is answered.”

Amanda Jackson
Uniting Church 2% for Development Fund Committee

