



THE UNIVERSITY
of ADELAIDE



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International Student Workers: the case for reform

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life
IMPACT

Temporary labour migrants in Australia

- Sub-class 457 visa holders
- Seasonal workers from the Pacific
- Working Holiday visa holders
- International students

The vulnerability of international student workers

- Migration status
- Linguistic and cultural difference
- Youth
- Inexperience
- Restricted work entitlement in their visas

Proposals for reform

- Enhanced role for education providers
- Better targeted employer sanctions
- Better protection from domestic labour laws
- More compassionate response to a breach of work conditions
 - Removing automatic cancellation;
 - Presumption against immigration detention.

Enhanced role for education providers

- Responsibilities under the *Education Services for Overseas Students Act 2000* (Cth)
 - Compliance with visa condition 8202
- Pastoral care – on-going support in relation to living in Australia and engaging in the community.
- An employment advice service

Employer sanctions

- Criminal sanctions under Migration Act ss 245AA – 245AK
- Proposal for strict liability civil offence
- The defence of checking Visa Entitlement Verification Online (VEVO)
- Alternatives to VEVO
 - Employment register
 - Obligation on education providers to collect employment information

Responses to breaches of the work condition

- Reform mandatory cancellation
- Detention as a last resort
 - The case of *Alam*
 - The case of *Cherkupalli*