



Refugee Council
of Australia

JOBACTIVE: REFUGEE COMMUNITY AND SERVICE PROVIDER CONCERNS

For many years the Refugee Council of Australia (RCOA) has raised significant concerns regarding the support and assistance that refugees receive through employment services funded by the Federal Government.¹ Despite these concerns being confirmed to the Department of Employment through its own consultation process prior to the 2015 tender round, many of them were not addressed in the development of the new Jobactive program. Refugee community members are reporting that the new program has, in fact, created additional obstacles for them. This paper summarises concerns expressed to RCOA during our annual national community consultations and other discussions with settlement service providers and refugee community members.

1. New Jobactive program

From July 1 2015 the Job Services Australia (JSA) program was changed to the new Jobactive program. Notable changes include new penalties for failing to report and for missing appointments, the removal of specialist providers, new stream levels with less support, introduction of Work for the Dole programs and an increase in the required number of job applications.

2. Lack of targeted and specialised support through Jobactive

Many refugee communities and organisations providing settlement services have expressed frustration about the lack of targeted support offered by many Jobactive providers and the poor outcomes experienced by refugee and humanitarian entrants. RCOA has received widespread negative feedback about how employment service providers, including new Jobactive providers, are responding to the needs of this group, with many participants expressing the view that employment services were ineffective in helping refugee and humanitarian entrants to find employment.

This feedback has suggested that Jobactive providers often have limited cross-cultural communication skills and that interpreters are not used in meetings with job seekers who have limited English proficiency. Miscommunication occurs frequently and can lead to job seekers being interviewed for positions that are not suited to them or being enrolled in training courses that are not relevant or suited to their aspirations and capabilities. This is especially so when Jobactive providers fail to provide interpreters, as discussed below.

Feedback has also been received suggesting that some Jobactive providers lack a basic understanding of the needs and experiences of job seekers from refugee backgrounds. Examples include people suffering from post-traumatic stress disorder and recent experience fleeing places of violent conflict being referred for inappropriate work slaughtering animals in abattoirs; and people who have recently arrived in Australia having spent many years in refugee camps being questioned by Jobactive providers as to why they have been unemployed for a prolonged period of time.

Community members from refugee backgrounds have also expressed frustration that employment services do not adequately support those who have tertiary qualifications and extensive experience. In

¹ See, for example, Job Services Australia: Refugee community and service provider views, 2012, available at <http://www.refugeecouncil.org.au/r/rpt/2012-JSA.pdf>

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addition, many reported being required to go for interviews for which they do not have the required experience or qualifications, such as sending people for positions as security guards when they don't have the required licence.

Various services providers across Australia also highlighted examples of pressure used by Jobactive providers on refugee community members. This is especially significant when Jobactive providers have the ability to impose fines and other penalties on people. As one settlement service provider in Tasmania highlighted:

I have at least one client who is terrified of going to an employment provider, just because of the level of condescension and patronisation, no privacy and open aggression in some cases.

This was reiterated by a settlement service provider in NSW:

The ones I've seen don't do any training on working with people from refugee background, don't have specialised staff, don't know how to use interpreters, I have heard of staff being blatantly rude, and being quite insulting, looking down on them.

Many service providers have expressed significant concerns about the lack of specialised services under the new Employment Services 2015-2020 Purchasing Arrangements. The new arrangements under Jobactive removed all specialist contracts which offered services specifically tailored to the needs of people from migrant and refugee backgrounds. These specialist providers offered much-needed additional support to address the specific and individual needs of people from refugee backgrounds. Those consulted believe that the loss of specialist providers will have a significant detrimental impact on refugee communities and further entrench communities' dissatisfaction with the Jobactive model. Many participants felt that the move towards mainstreaming services will create further issues for humanitarian entrants and ultimately be ineffective and more costly.

Across numerous consultations, community members and settlement service providers called for a specialist employment service to be established for refugee and humanitarian entrants. Many expressed the view that successive mainstream employment services have failed refugee communities, and without a specialist service many more will fail to have the support they need to break free of unemployment. As one written submission noted:

The Job Active system is highly standardised with limited flexibility and ill equipped to meet the more complex needs of refugee communities. Locally there are countless reports of people being obligated to meet job seeking requirements when they have barely mastered a conversational level of English. The Government should consider a new employment service specifically for humanitarian entrants comprised of staff that understand the social and employment needs of people from a refugee background. This would complement current HSS services and offer a form of specialised support beyond the current five year period during which people are supposed to be settled.

Service providers also expressed concern that the lack of specialist providers will also put significant pressure on services which are not funded for employment programs, such as settlement services and refugee community organisations. Some settlement service providers expressed frustration that the work they were undertaking should be the responsibility of Jobactive providers, especially in cases where they were not funded to provide employment support. As one community member from Bhutan stated, "The MRC helps with resumes but [employment services] need to do this. [The employment services] need to have personal relationships to link jobseekers and employers. They don't get in-depth information about the client. Even people who came here without education have skills but you need to draw it out." One service provider in Victoria expressed his frustration toward Jobactive's lack of efficiency by commenting: "If job services were doing their job properly we wouldn't need to fill the gaps, and people wouldn't fall through the gaps."

Another service provider in Perth outlined their approach to establishing an internally-funded employment service because of the inadequacy of the current and former employment services model:

We recently out of absolute desperation started running our own in-house pre-employment service because it was really apparent that mainstream employment agencies simply cannot work with many clients from refugee backgrounds, particularly when they are facing a range

of barriers. People who have got good English and recognised qualifications, they're relatively easy to deal with from an employment agency's point of view. But when you're dealing with someone who may have some effects of trauma, who doesn't speak good English, who doesn't necessarily have recognised qualifications, what we're finding is that they get a 30 minute interview and then they are just completely forgotten about. The employment agencies will not work with them... We have started to do that work ourselves, with our own clients.

3. Lack of communication regarding transitions to Jobactive and new reporting arrangements

Service providers and community members have highlighted the lack of communication from Jobactive providers and the lack of support through the transition to Jobactive. In particular, people were not informed of their new reporting requirements and subsequently lost their income due to not meeting these requirements.

People who have recently arrived in Australia have two reporting obligations – to Centrelink every fortnight and to their Jobactive provider at least once a month (more for those not enrolled in English classes). However, Jobactive providers have not informed their clients of these requirements, nor sought to remind them when their reporting requirements are due. Instead, providers immediately suspend payments for people if they fail to report on time. Jobactive providers can now also reduce people's income support for missing appointments. This is especially problematic as Jobactive providers may schedule appointments without adequately informing the client or scheduling appointments during other important times, especially during English language classes, or during culturally significant events.

The suspension and reduction of payments have severe impacts on people. Often people are not aware that their payments are being delayed or suspended. Cutting off payments for those who have very little else creates significant problems with people being unable to purchase essentials such as food and pay for rent. Consequently many settlement service providers are required to provide people with emergency funds until their income support is restored. RCOA has also heard of landlords threatening eviction due to rent not being paid on time, creating a high risk of homelessness. Service providers have reported that the people they work with, many of whom are suffering from torture and trauma, often come into their offices distraught and confused as to why their payments have been cut. Often settlement service providers have to intervene directly with Jobactive providers to explain the situation and assist people to rebook appointments in order for their payments to be restored.

4. Conflicts with English language classes

RCOA continues to hear reports of people being taken out of their Adult Migrant English Program (AMEP) English classes to attend Jobactive appointments, interviews and other requirements. Many settlement service providers have reported a lack of understanding of the AMEP and its importance for supporting newly arrived people to gain adequate English in order to be job ready. Many service providers have also reported that Jobactive providers are forcing people to end their AMEP classes to undertake other activities such as applying for jobs, attending interviews and undertaking other courses. Service providers have indicated that Jobactive providers do not recognise enrolment in AMEP classes as a significant step in the settlement process and that these classes are not considered full time education like other courses are. As one service provider in Victoria noted:

In the past, while they were doing AMEP, which was 15 hours a week, they were exempt from looking for jobs, because they were enrolled in AMEP. But students have now have pressure to school, look for a job, go on a computer and apply...

Refugee community members also expressed frustration with the increase of reporting requirements which many find difficult to complete, especially for those with limited English and those who are not computer literate.

As one young community member in NSW noted:

They told me you have 15 hours per week. I have to work. My language is not very well. He told me, you need more practice, your English to get a job, to be with us. It's a big problem. Every time I go to [Jobactive provider] I didn't find a job. It's too hard, too much pressure for us. If you don't do that, then your money will be cut off. Every two weeks I have to report. It was every three months, before it was two months, then one month, now it's every two weeks.

Further, many Jobactive providers are not referring people to the Skills for Education and Employment (SEE) program which can provide up to an additional 800 hours of English and employment training. The SEE program requires referral by a Jobactive provider, yet many providers are unaware and misinformed of the program and its importance in the settlement process.

There is also a lack of awareness from Jobactive providers regarding the low level of English many people arrive with and its impact on job seeking and employment outcomes. Many providers do not seem to value the importance of English classes or understand the significant barriers low level knowledge of English can present in seeking employment. Many people who are new to Australia do not have adequate English to write a resume, participate in a job interview or understand the significant reporting and application requirements.

5. Use of technology

Jobactive is also moving towards greater reliance on technology for people to complete reporting requirements, view appointments and apply for jobs. Again, providers seem ignorant of the lack of experience many refugees have with technology. Many refugees have been living in refugee camps for many years and have never used technology such as phones, computers and other devices. Jobactive requires online reporting on computers and smartphones, making it especially difficult for people unfamiliar with technology to meet their requirements. In addition, as refugee and humanitarian entrants typically with few or no financial assets, new arrivals may be unable to afford the necessary technology to complete online reporting. Moreover, the lack of online services available in other languages makes it even harder for refugees to complete these requirements. One settlement service provider in Victoria highlighted the lack of experience with technology that some community refugee members have:

In the last couple of weeks I have enrolled 20 mothers into a computer class, and for every single one of them I have to use an interpreter. If it is their first time seeing a computer, you can only imagine how hard it is for them to apply for 20-odd jobs that they have to in two weeks' time.

6. Lack of interpreters and translated information

Service providers have also noted that almost all Jobactive providers are not using interpreters in their communication and meeting with clients. Many seem unaware of the free interpreting service available to them and how to use it. Refugee community members have reported Jobactive providers refuse to use an interpreter. There is also very little information provided to Jobactive providers on how to use interpreters and there is no specific requirement to use this service in their contracts.

RCOA notes the lack of translated factsheets on how to report to Jobactive and how to meet other requirements. The move to using technology such as smartphones also presents a barrier to providing information in other languages. Service providers expressed frustration that Jobactive providers can suspend a person's pay without properly informing them in their first language of the issue and the requirements of the Jobactive program.

RCOA notes the disappointing lack of recognition and support for translating and interpreting services. Previously under JSA funding there was an additional Employment Pathway Fund credit of \$1,000 per participant provided specially for interpreting costs for non-English speaking clients. However, there is no provision for this under the new arrangements. RCOA emphasises the need for additional support to cover the cost of vital translating and interpreting services and for Jobactive providers to receive appropriate training in how to use interpreting services.

7. Concerns regarding the Job Seeker Classification Instrument and Jobactive Steams

Under the new Jobactive model, people seeking work will be referred to one of three employment streams – A, B or C – with various levels of support. The levels of support are assigned based on the Job Seeker Classification Instrument (JSCI), which is designed by the Department of Employment and usually administered by Centrelink.

Settlement service providers have expressed significant concern about refugee and humanitarian entrants being incorrectly assessed through this current system. Service providers have informed RCOA that the JSCI does not adequately assess the unique and specialist needs face by refugee community members, especially those who are new to Australia. In particular, the assessment does not adequately consider English language proficiency, torture or trauma concerns, previous experience and understanding of the Australian workforce and other specific issues that many community members face. Further, RCOA has heard from settlement service providers that many officers who administer the JSCI are not trained in cultural competency and do not have an understanding of the refugee experience and its impact on jobseekers. Further, the assessment of a person's refugee background is optional and, when provided, is not given sufficient weight in the assessment. RCOA is concerned that, without improvement to assessment procedures, those from refugee backgrounds will continue to be misidentified and will be streamed into lower levels of support than which they require.

In addition, people seeking asylum are eligible only for Stream A, placing them with the lowest level of support despite their often high needs. This level of support only provides access to a computer and the internet in order to apply for jobs online independently – an insufficient level of support to ensure adequate job outcomes. This severely impacts on a person's ability to find work, especially considering that asylum seekers are some of the most vulnerable members of the community. Over 90% of asylum seekers on Bridging Visa E now have work rights, and are likely to remain in the community for a number of years while they wait for their claims to be assessed. However, many people seeking asylum have expressed concern to RCOA that employers are unaware of their work rights and have concerns with hiring people on Bridging Visas, as they do not understand the rights and obligations of the visa.

When asylum seekers are found to be refugees they will be granted a Temporary Protection Visa or Safe Haven Enterprise Visa, for at least three or five years, respectively. Ensuring that people seeking asylum are able to find sustainable and secure employment as soon as possible ensures they are able to settle successfully in the community and also helps address numerous other social issues such as isolation, mental health and community connections. RCOA believes that people seeking asylum should automatically be granted the highest level of support, in recognition of their particularly vulnerable situation.

8. Concerns regarding Work for the Dole

For a number of years RCOA has expressed concerns about the move towards Work for the Dole programs. While work experience programs and volunteer work are especially important for newly arrived people to get experience in Australia, RCOA believes that Work for the Dole programs do not adequately provide the experience and skills needed for a person to transition to paid employment.

Settlement service providers again highlighted concerns that people would be taken out of English language classes to participate in the Work for the Dole program. There is also a concern that those programs may not be culturally appropriate or meet the specific needs of refugee communities. The lack of language-appropriate programs or the use of interpreters has also been raised as a concern with Work for the Dole programs. As one settlement service provider in Victoria noted:

Work for the Dole has really impacted on people being able to stay in classes as well. There is broad understanding of the types of programs that are seen to be equal to the usual obligation, and the SEE program is supposed to be. But there is confusion out there, people seem to be taking people out of SEE classes, and sending them into Work for the Dole. Unless they come and tell us, and we can fight that battle for them, they just compliantly go. It does seem to be a policy conflict. I think it is worse with the new Jobactive program.

RCOA believes that, if Work for the Dole programs are adopted, they need to be linked to career building and work experience. The absence of supported work experience and volunteering possibilities in the Jobactive model fails to cater for the importance that Australian employers place on prior experience in a given field. As such, it is important that Work for the Dole is designed to enhance the participant's skills and provide valuable experience. In addition, if mutual obligations policies are implemented, RCOA recommends that these programs are culturally appropriate and adequately cater for various skill and English language levels.

9. Recommendations

Recommendation 1

RCOA recommends that the Australian Government consider developing a national specialist employment service for people of refugee backgrounds and asylum seekers, in partnership with existing settlement service providers.

Recommendation 2

RCOA recommends that the Australian Government review the effectiveness of employment services in meeting the needs of refugee and humanitarian entrants, including evaluating how Jobactive providers are working with other local employment initiatives targeting these groups.

Recommendation 3

RCOA recommends that adequate support and funding be allocated for the use of interpreters and bilingual caseworkers to facilitate communication with Jobactive clients from non-English speaking backgrounds.

Recommendation 4

RCOA recommends that all Jobactive providers, and other officers who come in contact with people from refugee backgrounds, be required to undertake cultural competency training, including training in the use of interpreters and cross-cultural communication.

Recommendation 5

RCOA recommends that an independent body undertake a cultural competency audit of Jobactive services as part of the Australian Government's commitment to Access and Equity.

Recommendation 6

RCOA recommends that a comprehensive review of the Job Seeker Classification Instrument and the Jobactive streams be undertaken to ensure that employment disadvantages for refugee and humanitarian entrants are appropriately identified and weighted when streaming clients for Jobactive services.

Recommendation 7

RCOA recommends that the Federal Government investigate ways in which Jobactive providers can be encouraged to improve employment outcomes for asylum seekers and people from refugee backgrounds, such as through revised incentives and benchmarks.