

I Rights as a worker in Australia: International Students

This fact sheet is about your rights and obligations as an international student worker in Australia.

Work rights

International students can work up to 48 hours per fortnight during semester and unlimited hours during any holiday break provided by their education provider.

Casual

Casual employees are not employed on a permanent or fixed-term contract, do not have set hours, and do not receive any benefits such as sick leave or annual leave. Casual employees are entitled to a higher rate of pay than permanent staff, usually around 25% more.

Part-Time

Part-time employees are employed on a permanent or fixed-term contract. Part-time employees work the same hours every week, generally in the same location. Part-time employees are entitled to benefits such as sick leave and annual leave.

Minimum Terms and Conditions of Employment

The *Fair Work Act 2009* (Cth) is a law that sets out the rights of workers in Australia.

Minimum Wage

The minimum pay rate provided by the *Fair Work Act 2009* is reviewed each year. As of 1 July 2023, it is \$24.10 per hour.

Employees covered by an award or registered agreement are entitled to the minimum pay rate, including penalty rates and allowances, in their award or agreement. These pay rates may be higher than the minimum pay rate.

Pay Slip

All workers must receive a payslip at the end of each pay cycle. If you are not given a payslip, it is your right to ask for one, and you are entitled to receive it. Payslips are important for keeping track of whether you have been paid correctly, for taxation purposes, and as evidence if you have been underpaid. You should always keep your pay slips.

Industry Award

Many types of employment come under an industry award, which has specific legal entitlements and requirements for workers covered.

For example, specific rights for construction workers are in the Building and Construction Award. You should consult the fairwork.gov.au website to find out which, if any, industry award applies to your employment:
services.fairwork.gov.au/find-my-award

Superannuation

If you are working as a casual, part-time or full-time employee, your employer must make superannuation payments for you. You can claim this money back when you leave Australia. To do this, you need to fill out a form. Call your super provider for more information, or download the form from the Australian Taxation Office:

www.ato.gov.au/Individuals/Super/In-detail/Temporary-residents-and-super/Super-information-for-temporary-residents-departing-Australia/

Legal Advice

You can obtain information, advice and assistance from:

- Redfern Legal Centre
www.rlc.org.au/contact
9698 7277
- LawAccess NSW
www.lawaccess.nsw.gov.au
1300 888 528
- Fair Work Ombudsman:
www.fairwork.gov.au/contact-us
13 13 94

If you need an interpreter, call 131 450.

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This factsheet is not a substitute for legal advice.