

15 February 2026

Office of Multicultural Interests
Gordon Stephenson House
140 William Street
Perth WA 6000
Email: multiculturalact@omi.wa.gov.au

A Multicultural Act for Western Australia Discussion Paper

UnionsWA is the peak body of the trade union movement in Western Australia. We strengthen WA unions through cooperation and coordination on campaigning and common industrial matters. UnionsWA represents 29 affiliated unions, who in turn represent approximately 140,000 Western Australian workers.

UnionsWA welcomes the opportunity to provide a submission to the Office of Multicultural Interests on the discussion paper *A Multicultural Act for Western Australia*. The proposal for a Western Australian *Multicultural Act* comes at a critical time. The forces of reaction and the far-right are on the rise, pushing an agenda of nationalism, populism, xenophobia and racism. It is essential that we, as a community, affirm that our society is fundamentally a multicultural one, and that everybody deserves to be treated with fairness, dignity and respect. UnionsWA strongly supports the development of a WA *Multicultural Act* that places the rights, safety, and well-being of culturally and linguistically diverse (CaLD) communities at its core.

Background

The Australian union movement believes in a fair go for all workers. We are a proudly multicultural movement, and our diversity is our strength. Australia has been built by successive waves of immigration, which have in turn built our union movement.

Our movement sees every day that CaLD and migrant workers, particularly those from non-English speaking backgrounds, face challenges in the community and in workplaces. They are at particular risk of wage theft, harassment, bullying, discrimination and unsafe practices at work.

CaLD workers often face obstacles securing decent employment due to discrimination and unfair treatment in the labour market. This includes permanent migrants, temporary visa holders, international students, working holiday makers, refugees, humanitarian entrants, and undocumented workers. Being locked out of equal opportunities can increase the risk of workplace exploitation due to reduced bargaining power, and the fear of reprisals from employers should they report it.

Temporary migrant workers are highly vulnerable to exploitation and modern slavery due to their temporary status, which limits their bargaining power and agency. Despite employer claims that exploitation is the result of a few 'bad apple' employers, there is a strong body of evidence that

exploitative practices such as wage theft are endemic and widespread among migrant workers. There have been a range of abuses that have come to light in recent times. From 7-Eleven and Dominos to agriculture, construction, care industry, gig workers and food processing to Coles and Caltex, it is clear that the abuse occurs in a number of visa classes, whether they be students, working holiday makers or workers employed under labour mobility schemes or in sponsorship arrangements.

A 2023 national survey of migrant workers found that 58 per cent of respondents had experienced wage theft, with only 26 per cent able to successfully recover stolen wages. Half of all respondents reported feeling unsafe at work, with as many as 18 per cent always feeling unsafe at work. Migrant workers on temporary visas and in insecure work were found to be far more likely to experience workplace safety hazards.¹

Multicultural policies underscore the principles of fairness, respect and equity. It is essential that these principles are extended to migrant workers who, in many instances, may be vulnerable due to a lack of resources, understanding of rights, or social networks.

It is also critical to recognise that not addressing migrant worker exploitation serves to actively undermine the acceptance of multiculturalism in our community. It allows for narratives surrounding migrants undercutting pay standards to proliferate, due to the exploitation that these workers face, which means they are being paid less than other workers and minimum rates. Action is needed to both address the lack of understanding as to who is to blame for this, but also to ensure that migrant workers know and are able to enforce their rights, so that they receive the pay and conditions to which they are entitled.

Addressing migrant worker exploitation through multicultural policy will have benefits for Western Australian society as a whole. It will help promote social cohesion, maintain the integrity of the Western Australian labour system, and foster a cultural shift grounded in human rights, where the inherent dignity of all workers, regardless of their migration status, is celebrated and upheld.

Guiding Principles

Many of the equivalent Acts in other jurisdictions include principles around the right for all to participate and contribute to the social, cultural, economic and political life of the State. UnionsWA considers that it is critical that participating and contributing to the economic life of WA is understood to mean being free from exploitative and unsafe work conditions.

Without safety and fairness at work, a person's participation in community life and their right to participate and contribute economically are severely limited. Workplace exploitation, therefore, acts as one of the primary barriers to full participation in society for CaLD workers. Workers, regardless of their background, should be able to expect that they will be treated fairly and in a culturally respectful manner in their workplace.

¹ Migrant Workers Centre, *Insecure by Design: Australia's migration system and migrant workers' job market experience* (Report, 2023).

The current principles within the WA Charter of Multiculturalism, which underpins the Western Australian Multicultural Policy Framework, are a strong starting point. In particular, UnionsWA notes the principle of ‘Equality – equality of opportunity for all members of society to achieve their full potential in a free and democratic society where every individual is equal before, and under, the law.’

The guiding principles of the Act should reflect that all workers, regardless of their visa or citizenship status, or their cultural background, are entitled to the same basic workplace rights and protections. UnionsWA proposes that the guiding principles for the Act should include, therefore, a statement, or words that reflect its intent, that ‘all workers in Western Australia have a right to workplaces that are free from exploitation, discrimination and unsafe conditions.’

The Act must adopt an inclusive approach that recognises the vulnerability of all migrant workers, regardless of cultural background, language proficiency, visa type, or length of residence in Australia. Workplace exploitation is a reality for many CaLD and migrant workers, and not only for those whose visa arrangements are used as a tool for abuse by employers. Exploitation occurs across sectors and visa categories and is driven by structural power imbalances. To be effective, the *Multicultural Act* must, therefore, address migrant worker exploitation as a whole-of-system issue, not one limited to language barriers alone.

UnionsWA also strongly supports the inclusion of principles within the Act that recognise Aboriginal peoples as the First Peoples of Western Australia. This is essential in recognising that their ancient and enduring cultures are a foundational part of Western Australia.

The principles of the Act should further establish that mutual respect for cultural diversity includes actively combating racism. This approach should align with the Australian Human Rights Commission’s National Anti-Racism Framework (2024), which recognises racism as systemic and structural, and identifies workplaces as key settings for preventing racism and promoting cultural safety, fairness and accountability.

The Framework calls for coordinated action across governments, employers, unions and community organisations to address racism effectively. Workplace racism contributes to unsafe and discriminatory conditions, under-reporting of exploitation, barriers to career progression, psychosocial harm, and increased vulnerability for First Nations, migrant and CaLD workers.

The Act should promote equitable access to government and community services that reflect the linguistic, religious and ancestral diversity of Western Australians. Culturally appropriate communication, access to interpreters, and the translation of essential information about rights and entitlements are critical to achieving equitable access.

Independent multicultural advisory body

For the reasons established above, it is critical for the success of multicultural policies and programs within Western Australia, that the perspective and experiences of CaLD workers are heard throughout the development of policies that seek to address the needs of CaLD communities. As such, UnionsWA recommends that any multicultural advisory body established under this legislation should be required to include a representative nominated by

the union movement for appointment as a member. It is essential that CaLD workers, communities, unions, and representative organisations are formally involved in policy design and review.

For multicultural policy to be effective, decision-making structures must be grounded in lived experience. As such, the members of this body should identify as culturally and linguistically diverse. Without explicit CALD representation requirements, advisory bodies risk being dominated by professionals speaking about communities, rather than from them. Genuine representation ensures accountability, relevance and policies that respond to real workplace and community conditions.

Public sector responsibilities

For this Act to drive change, it is essential that mechanisms are established within it that require WA Government agencies to embed multicultural perspectives into their policies, programs and services to ensure that they are responsive to diverse needs. It should be a basic expectation that all government-run and funded programs operate on the basis of cultural competency, anti-racism, and accessibility, in line with national best practice. This should include ensuring that essential information and services are accessible in relevant languages and that interpreters are available where needed.

Reporting obligations should be placed on government authorities outlining how their policies and services reflect and support cultural and linguistic diversity, and how they give effect to the principles under the Act. In line with the Victorian model, this should extend to annual reporting to the relevant Minister on:

- Use of interpreting and translating services
- Communications in languages other than English, including in multicultural media
- Initiatives that promote multiculturalism
- Improvements made to address the needs of diverse communities
- Representation of people from diverse backgrounds on boards and committees
- Engagement with youth, seniors, and women from CaLD backgrounds
- Initiatives targeting the needs of diverse communities in regional and rural Western Australia

Consistent with the Australian Human Rights Commission's National Anti-Racism Framework (2024), government agencies should also be required to actively prevent and address systemic racism in workplaces and service delivery, and to promote cultural safety, fairness and accountability across all public sector functions. This should include the implementation of the following measures:

1. *Workplace Anti-Racism Strategies*

Employers to develop, implement and regularly review internal anti-racism strategies aligned with national best practice.

2. *Mandatory Cultural Safety and Anti-Racism Training*
Ongoing, evidence-based training for public sector workers, employers, government contractors and service providers, including First Nations-led cultural safety content.
3. *Safe and Culturally Appropriate Reporting Mechanisms*
Confidential, accessible pathways for workers to report racism without fear of retaliation, particularly for migrant and temporary visa workers.
4. *Leadership Accountability*
Clear responsibility for organisational leaders to drive anti-racism reform.
5. *Workforce Representation*
Strategies to improve recruitment, retention and promotion of First Nations and CaLD workers into leadership roles across WA workplaces.
6. *Union and Community Partnerships*
Formal recognition of unions and community organisations in delivering anti-racism education, supporting workers experiencing racism, and advocating for systemic reform.

In addition, reporting should include how government authorities are preventing workplace exploitation and unfair treatment of workers from CaLD backgrounds, and how they are actively combating racism. This should cover the implementation of operational anti-racism measures, in line with the National Anti-Racism Framework, including actions to prevent racism, discrimination, and workplace exploitation.

These measures should include cultural safety standards, accessible complaint pathways, and clear accountability processes. Mandatory cultural safety and anti-racism training should also be linked to government funding and procurement requirements.

This reporting should include disaggregated data collection relating to migrant workers to ensure inequities are visible, measurable, and addressable under the Act. It is critical that this reporting not be treated as simply a 'box-ticking' exercise, with accountability measures established that ensure systemic issues and failures are addressed.

A clear mechanism that government authorities would have to support action that addresses workplace exploitation and unfair treatment would be to partner with unions, as worker-led industrial relations organisations, to provide multilingual industrial advice to migrant workers and in multicultural communities. As the organised expression of collective worker power, unions are uniquely positioned to not only support workers with individual matters but also to address the systemic causes of migrant work exploitation. As unions are constituted by workers themselves, it means that we have deep connections with a range of different communities, including those that are culturally and linguistically diverse.

The experience in Victoria and New South Wales demonstrates that Migrant Workers Centres, operating in conjunction with unions, are an effective, proven model for addressing migrant

worker exploitation. These centres provide trusted, in-language advice, workplace rights education and collective organising pathways, while leveraging union expertise in industrial advocacy and enforcement.

The Victorian Migrant Workers Centre, which is funded by the Department of Premier and Cabinet, has been operating since 2018 and is co-located with Victoria's peak union body at Victorian Trades Hall. Originally operated by the Victorian Trades Hall Council, it now runs independently, though by including union representation on its board and due to its location, maintains strong links with the union movement.² In the 2024/25 financial year, it also became an accredited community legal centre.³ Unions NSW was selected and funded in 2025 by Multicultural NSW to establish that state's Migrant Workers Centre. The centre will provide workplace, work health and safety, and immigration advice to workers across NSW.⁴

The direct involvement of the union movement in the operations of these centres is critical to their success. By partnering with unions, effective support and advocacy for temporary visa workers through outreach, education, direct assistance and other programs can be delivered. As organisations built on worker empowerment, the involvement of the union movement means that these models not only involve providing support for individual workers but also include building the capacity of migrant workers and their communities to both understand and enforce their workplace rights.

In addition, in order to be empowered to enforce their rights, workers must be provided with culturally appropriate, in-language information about the role of trade unions in Western Australia, their rights to join and collectively organise in unions, and the opportunity to join their relevant union. This is the only way we can ensure genuine equality between all workers.

The responsibility to provide that information should also be directly placed on public sector agencies and government authorities as employers. The government should take the lead by ensuring that all of its employees, regardless of background, are not only provided information about joining their trade unions but are also encouraged to do so, as well as facilitating union access to their worksites. Government agencies should also ensure that all temporary migrant workers that they employ receive an on-arrival induction from a representative of the relevant unions and/or peak union body to provide them with information about their workplace rights and provide them with the opportunity to join their union.

*

If you wish to discuss any matters raised in this submission further, please contact me at (08) 6313 6000 or rikki.hendon@unionswa.com.au.

² Migrant Workers Centre (Website, Jan 2026) < <https://www.migrantworkers.org.au> >.

³ Migrant Workers Centre, *Annual Report 2024/25* (Report, December 2025).

⁴ Minister Steve Kamper, 'Operator for the state's first Migrant Workers Centre locked-in', NSW Government (Media Release, 21 March 2025) <<https://www.nsw.gov.au/media-releases/nsw-government-set-to-deliver-states-first-migrant-workers-centre>>.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rikki Hendon', with a stylized flourish at the end.

Rikki Hendon
Secretary