

EVALUATION OF EMPLOYMENT RIGHTS LEGAL SERVICE (ERLS)

for Inner City Legal Centre, Kingsford
Legal Centre and Redfern Legal Centre

nsfconsulting

Employment Rights
Legal Service





Executive summary

Introduction

Workers experiencing disadvantage across New South Wales are more likely than other employees to have problems at work, including wage theft (being paid incorrectly or not at all), losing their job unfairly, being bullied by their boss, sexually harassed, or discriminated against.

They tend to be migrants, women, employees with disability, international students, young workers, Aboriginal and Torres Strait Islanders, and workers in regional, rural and remote locations.

Recent studies have highlighted the prevalence of wage theft in New South Wales, whereby employers underpay their workers, pay them late, pay cash and don't provide payslips, require deposits to secure jobs, or confiscate passports. Modern slavery is also a significant issue in New South Wales. It includes exploitative practices such as debt bondage, deceptive recruiting and forced labour. Community Legal Centres provide free legal support for people experiencing disadvantage or hardship, although most do not provide specialist employment law support.

Employment Rights Legal Service

The Employment Rights Legal Service (ERLS) is a collaborative legal service that provides state-wide legal services, community education, stakeholder engagement and sector-wide capacity building in employment law issues that typically include underpayments, unfair dismissal and discrimination. ERLS is focused on protecting the employment law rights of migrant and disadvantaged workers across New South Wales.

The service is a collaboration between Redfern Legal Centre (RLC), Inner City Legal Centre (ICLC) and Kingsford Legal Centre (KLC). Each Centre has decades of experience working with marginalised and disadvantaged people and have employed specialist employment lawyers to deliver ERLS.

Purpose and design of this evaluation

This evaluation was conducted to explore how appropriate ERLS is as a support service for people experiencing disadvantage in the workplace, how efficiently it is utilising its funding and resources, how effectively it is delivering statewide services as intended, and its impact on the lives of workers experiencing disadvantage, the CLC sector and society more broadly.

Key evaluation activities include analysis of program data, desk research, and consultation with 32 people, including ERLS staff and volunteers, internal and external stakeholders, and people who have used the service ('clients').

Evaluation findings were synthesised and analysed using an evaluation rubric, aligning findings with the key areas of interest of appropriateness, efficiency, effectiveness and impact.

Evaluation findings

Between 1 July 2021 and 30 June 2024, ERLS has so far assisted more than 2000 people from 82 per cent of LGAs in New South Wales who have experienced workplace issues. The service has provided multilingual resources, education and training for generalist solicitors working in CLCs around the state. ERLS has also made a significant contribution to workplace sector debate and employment law reform.

Appropriateness

ERLS is addressing the unmet legal need of workers experiencing disadvantage across New South Wales. It utilises an appropriate collaborative service model to support and represent workers experiencing disadvantage who would otherwise face multiple barriers to knowing and asserting their legal rights.

Efficiency

ERLS provides excellent value for money. It has serviced approximately 1000 people a year through employment legal support and advice. Along with paid staff, volunteers have played a crucial role in the efficient running of the service, contributing about \$1.5million to the value of ERLS.

An Online Knowledge Hub has been an important online resource for the sector to access current resources, including brochures in multiple languages and a 'Phone a Friend' service for CLC solicitors to call ERLS specialist employment law solicitors for advice.

Education and training has been provided for community workers about employment law and the range of resources and services they can provide their clients.

Law reform activities and advocacy work have been crucial parts of the service, and as a result, ERLS has become a recognised and respected player in broader public discussions about employment rights that often lead to change.

Although offering excellent value for money, ERLS team members are working above and beyond their capacity to service as many clients as possible, with limited resources to support increasing numbers of referrals each year.

Effectiveness

ERLS has been effective in delivering legal advice, assistance and representation to workers experiencing disadvantage in the majority of local government areas in New South Wales. It has built awareness of the service amongst the community sector through collaborative activities with community organisations and the CLC sector more broadly.

Impact

ERLS has made a positive impact on individual clients, the CLC sector and wider society. Ongoing law reform work is likely to have a positive impact on the lives of thousands more disadvantaged workers into the future.

Recommendations

1. ERLS should continue to advocate for secure and increased funding for a period of at least five years, to enable it to service its increasing numbers of referrals. Funding should include wages for additional dedicated employment solicitors, associated administrative funding as well as administrative funding to support its large volunteer workforce.
2. ERLS should keep prioritising service delivery for disadvantaged workers throughout New South Wales, particularly where no generalist CLCs exist.
3. ERLS should maintain delivery of workforce training for the CLC sector. It should particularly focus on those outside the Sydney metropolitan area who are servicing clients in areas of higher rates of unemployment and underpayment and with limited access to employment support services.
4. ERLS should develop a stand-alone website as an important tool in the suite of co-branded materials, with the aim of formalising the discrete nature of the service.

Conclusion

ERLS is an established service that fills a gap in providing employment legal support and advocacy on behalf of those who are most in need, including migrants, international students, women, young people, workers living with disability, and others with unstable employment such as gig economy workers. There was overwhelming support amongst key stakeholders for ERLS to become better supported with strategic scaling of services and more stable and increased funding.



Evaluation findings

Summary

✓ Excellent

Appropriateness

Broad indicator of success

ERLS in an appropriate legal service for workers experiencing disadvantage.

Explanation

ERLS is meeting the unmet legal need of workers experiencing disadvantage across New South Wales. It utilises an appropriate collaborative service model to support and represent workers experiencing disadvantage who would otherwise face multiple barriers to knowing and asserting their legal rights.

✓ Excellent

Efficiency

Broad indicator of success

ERLS is utilising its funding and resources to deliver its service.

Explanation

ERLS provides excellent value for money. It has serviced approximately 1000 people a year through employment legal support and advice. Along with paid staff, volunteers have played a crucial role in the efficient running of the service, contributing about \$1.5million to the value of the service.

An Online Knowledge Hub has been an important online resource for the sector to access current resources, including brochures in multiple languages and a 'Phone a Friend' service for CLC solicitors to call ERLS' specialist employment law solicitors for advice.

Education and training has been delivered for community workers about employment law and the range of resources and services they can provide their clients.

Law reform activities and advocacy work have been crucial parts of the service, and as a result, ERLS has become a recognised and respected player in broader public discussions about employment rights that often lead to change.

Although offering excellent value for money, ERLS team members are working above and beyond their capacity to service as many clients as possible, with limited resources to support increasing numbers of referrals each year.

✓ Excellent

Effectiveness

Broad indicator of success

ERLS in delivering an effective statewide service.

Explanation

ERLS has been effective in delivering legal advice, assistance and representation to workers experiencing disadvantage in the majority of local government areas of New South Wales. It has built awareness of the service amongst the community sector through collaborative activities with community organisations and the CLC sector more broadly.

✓ Excellent

Impact

Broad indicator of success

ERLS having a positive impact on its client base and stakeholders.

Explanation

ERLS has made a positive impact on individual clients, the CLC sector and wider society. Ongoing law reform work is likely to have a positive impact on the lives of thousands more disadvantaged workers into the future.





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