

Indigenous Employment Strategy



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Lauren Hodes wishes to record her special thanks to Traci Harris from the ACT Women's Legal Centre and Liz O'Brien, National Convener, NACLC, for their guidance and support.

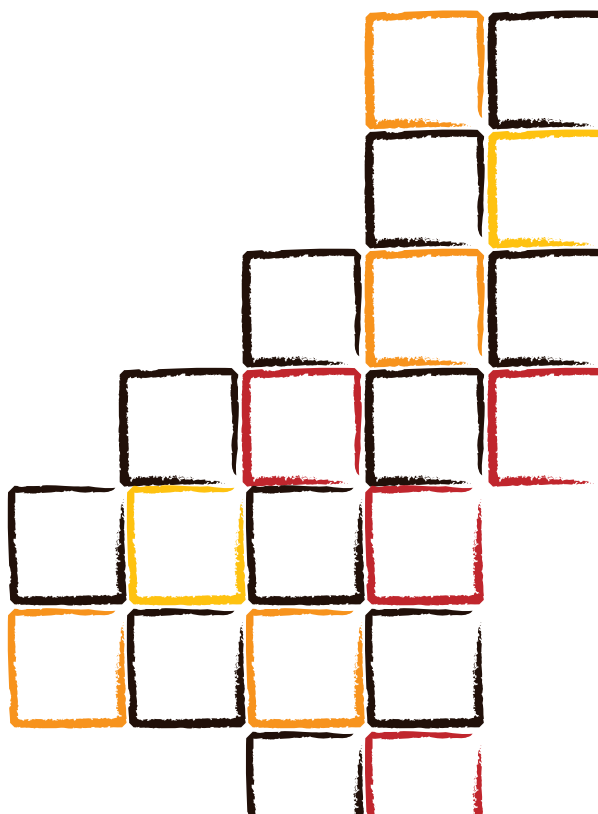
NACLC thanks Lauren for her excellent work and many skills and also thanks the Aurora Project for providing such an exceptional intern.

Choice of language

NACLCL understands that there are different views and preferences among Aboriginal and Torres Strait Islander communities about use of the words Indigenous or Aboriginal and Torres Strait Islander to describe their peoples. The NACLCL Management Committee considered this issue and decided to use both terms in this document to reflect those differing views.

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Introduction

The 2007 National Conference of Community Legal Centres (CLCs) resolved that the National Association of Community Legal Centres (NACLC) develop a strategy and programs to further facilitate the inclusion of Aboriginal and Torres Strait Islander peoples in the legal profession, particularly in CLCs. One initiative that NACLC decided to take was to develop an employment strategy for Indigenous workers in CLCs.

Although primarily intended to refer to employees and potential employees, the proposed employment strategy could also refer to volunteers, contractors/consultants and management committee members.

The strategy's aims are to improve the recruitment of Aboriginal and Torres Strait Islander staff, to create the right work environment, and to ensure the support and retention of Aboriginal and Torres Strait Islander employees in CLCs.

PART 1: Overview and Consultation

Overview

1. Why an Indigenous Employment Strategy is needed

CLCs pride themselves on being part of their communities and responding to their communities.

CLCs must be equipped to deliver programs and services that reflect the needs and aspirations of Australia's Indigenous communities. The unique skills of Aboriginal and Torres Strait Islander people are needed to ensure that CLC services and programs are delivered to Indigenous communities in culturally appropriate ways. Indigenous staff can ensure that CLCs are responding appropriately to the needs of Indigenous communities. Indigenous staff are uniquely placed to help develop strong partnerships between Indigenous communities and CLCs, ensuring that CLC program development and service delivery reflect the aspirations of local Indigenous community stakeholders.

A strategy focusing specifically on Indigenous employment issues will drive more focused action in CLCs.

Language diversity and cultural knowledge are highly valuable to CLCs. Aboriginal and Torres Strait Islander staff who possess such knowledge are expected to continually switch between cultures while in the workplace. This can be overly demanding on Indigenous employees. Support strategies are essential to ensuring employee well being and avoiding burnout.

NACLC must be proactive in encouraging Indigenous workers to engage with state representative bodies that feed into NACLC and must raise the profile of Aboriginal and Torres Strait Islander peoples' ongoing contribution to sustaining workers in the sector.

Clients often present with a multiplicity of legal and non-legal issues. Employees trying to address such complicated situations need the time and resources to build strong networks with different legal and other services providers.

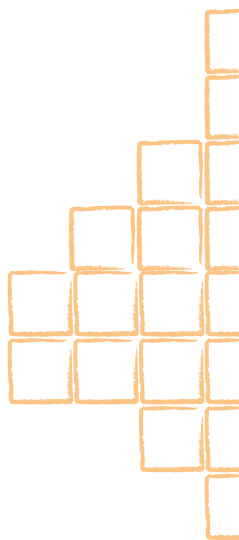
2. How the Strategy was developed

A confidential consultative process has been conducted to identify key issues in attracting, recruiting and retaining Indigenous employees in CLCs.

A sample of CLC managers was consulted through online questionnaires and a sample of CLC Aboriginal and Torres Strait Islander managers and other staff were also consulted through telephone conversations.

The Indigenous Employment Strategy principles and best practice guidelines primarily reflect questionnaire responses. The principles and guidelines have also been influenced by researching successful strategies developed in other fields.

Observations have been compiled into recommended practice guidelines for CLCs.





PART 2:

NACLC Indigenous Employment Strategy

Key Principles

CLCs:

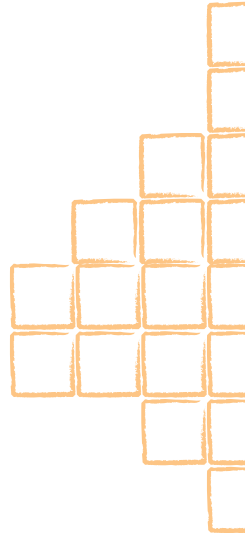
- Recognize that Indigenous employees put their cultural integrity and community reputation at risk when working for a CLC.
- Are committed to providing access to justice for Indigenous Australians.
- Recognize the unique skills and perspectives of Indigenous employees in enabling access to justice for Indigenous clients.
- Demonstrate respect for Indigenous forms of knowledge and ways of learning or applying that knowledge.
- Seek to build a network of relations with local Indigenous communities.

Employers must start from a position of respect for Aboriginal and Torres Strait Islanders. Employers must recognize and respect any differences in language, in cultural understanding and in life experiences. These differences are valuable to the work of CLCs.

Best Practice Guidelines

1. Creating a Good Work Environment

- Orientation and induction processes
 - * If possible, it is most useful to conduct these from an Indigenous perspective.
 - * Orientation and induction is the appropriate opportunity for managers to provide a clear outline of job expectations and goals to new employees.
 - * Orientation and induction is also the best time for managers to discuss the employment strategy principles with new employees and discuss possible best practice guidelines for upholding the principles (these principles are flexible and new principles should be added if necessary).
 - As part of the induction process, managers must make a time to have regular chats to discuss whether the principles are being met to the satisfaction of employees.
 - Induction discussions are the best time for managers to formally convey to staff that they recognize that the work of Indigenous employees does not always fall neatly within the hours of 9 to 5; that CLCs offer flexible working hours and conditions
 - Employment contracts for Indigenous employees should formally ensure that cultural and family leave days are available and that taking these is supported and encouraged. It is also the best opportunity to formally convey to new employees that CLCs recognize that Aboriginal and Torres Strait Islander people are experts in their communities and strive to remunerate these unique qualities accordingly.



- Employers should discuss remuneration policies and the particular funding and resource environment, including constraints, on the CLC's operations.
- Offer a culturally sensitive and supportive workplace
 - * Managers should strive to offer a culturally sensitive and supportive workplace and ensure all employees understand the importance and value of doing this.
 - * Regularly provide positive and constructive feedback.
 - * Demonstrate an understanding of the unique pressures felt by Indigenous employees.
 - Establish a working relationship based on individual respect and understanding.
 - Promote an open door policy and a safe and encouraging environment for one-on-one discussions.
 - Engage in clear and direct, open communication.
 - * Promote a healthy balance approach to wellbeing in the workplace to ensure that professional, cultural and family responsibilities can be met without employees over-extending themselves.
 - * Managers need to be flexible, while still respecting professional boundaries.
- Create a comfortable working space:
 - * Consider office image and accessibility. Be open to allowing Indigenous employees to alter the work space if necessary, recognising that outside or open meetings are much more culturally accessible to Indigenous people.
 - * Consider creating an outside space to give the employee an option to meet clients in an open place.

2. Recruitment

- Advertise a variety of positions, not only positions dealing with service delivery to Indigenous communities, through Indigenous media such as Indigenous newspapers: the Koori Mail, National Indigenous Times, The Torres News. The National Indigenous Radio Service and regional Indigenous radio stations may also be appropriate.
- Provide recruitment information to Indigenous community organisations, as well as Indigenous support units at education institutions and other Indigenous employment networks.
 - * This includes promoting employment opportunities via email networks as well as by word of mouth and through face to face chats with Aboriginal and Torres Strait Islander workers in the sector.
- Make sure all job ads are written in plain English designed to attract a wide pool of suitable applicants. Avoid jargon, bureaucratic language or terms that are not familiar to the general public. Job descriptions may attract a wider pool of applicants if they focus on abilities needed to do the job, rather than specifying education qualifications. Life skills may be a more valuable qualification than a university degree.
- Be prepared to be flexible about application periods.
- Have an Indigenous person, or a culturally appropriate person on selection panels. That is, someone who has a firm understanding of what is required

by Indigenous employees in their professional capacity, and also of the kind of challenges that Indigenous employees may face in their communities.

- Create a relaxed environment for interviews. Consider providing interview questions to applicants prior to the interview and allow a support person to attend the interview.
- Consider offering cadetships, articulated clerk positions and work experience placements to Indigenous students.
- Consider offering part-time TAFE courses or paralegal options to encourage and skill up potential staff.
 - * Encourage TAFE and other institutions to promote paralegal courses and other courses that may be relevant for all staff (including solicitors and administrative assistants) who spend some time working in remote areas.
 - * Consider contacting Tranby Aboriginal College and accessing their expertise: www.tranby.edu.au

3. Supporting Indigenous Staff

- Indigenous staff must be supported in their roles, and the importance of their work must be continually recognized.
- Be flexible to the specific needs of Indigenous employees:
 - * Adopt a positive approach: 'yes, how can we make that happen', rather than a negative, 'no that will not work' approach.
 - * Fulfilling workload responsibilities that involve Indigenous clients may be time and resource intensive.
 - Indigenous employees may need an extra kilometre allowance, or more flexible working hours. Indigenous employees who frequently work outside of the office are likely to rely more on their mobile phones and so these bills should be covered, or a separate work mobile provided.
 - * On occasions, Indigenous employees may experience cultural obligations that impact on work.
 - Trust, respect and clear communication can ensure that cultural and workplace obligations are met to the satisfaction of all employees.
- Managers should keep an open door policy and regularly check in with employees to ensure their care and well being.
- Indigenous employees, like all other employees, are valuable to CLCs and they must be continually encouraged and empowered in their roles.

4. Retaining Indigenous Staff

- Provide career and professional development opportunities. Appropriate opportunities should be worked out in conjunction between managers and individual employees. Examples may include:
 - * Part-time study leave opportunities;
 - * Flexible working arrangements; and
 - * Being sent on conference trips (this also provides opportunity to network).
- Establish/provide access to an Indigenous staff network.

- Establish informal mentoring arrangements or access to external debriefing for employees.
 - * Mentoring should be based on commonality of job type as well as Indigenous support.
 - * Mentors should be able to:
 - provide useful advice drawing on their own experience and knowledge;
 - generate respect and trust in their relationships; and
 - communicate openly and honestly about personal, and/or difficult, issues.
- Non-Indigenous managers should avail themselves of cultural training and/or a cultural mentor: an Aboriginal or Torres Strait Islander person, appropriately paid, to mentor them to ensure that they develop skills to demonstrate their respect for and commitment to working with Indigenous staff members; and to implement the suggestions in this report.



Monitoring and Evaluation and Other Resources

Monitoring and Evaluation

1. Monitoring

During the induction process, managers should discuss the strategy principles and establish possible best practice guidelines with new employees. A regular time to chat about the effectiveness of the strategy and about any changes that need to be made should be set up and continually adhered to, even when all seems well. A regular chat time will help build and maintain effective working relationships. Feedback should be openly accepted and welcomed by management and discussed with a view to upholding the strategy principles.

2. Evaluation

CLCs should annually monitor staff demographics. The success of the employment strategy may be partly gauged by an increase in recruitment and retention levels of Indigenous employees.

Additionally, exiting Aboriginal and Torres Strait Islander CLC staff should be asked to complete an exit questionnaire about job satisfaction. This can be done online or in writing, or in conversation with a person the employee trusts. Consideration should be given to ensuring that the employee is offered a way of responding with which they feel comfortable. An example exit questionnaire prepared by NACLC but which could be adapted by centres, follows.

Exit questionnaires can be used to monitor and evaluate progress on implementing the Indigenous Employment Strategy and will highlight outstanding deficiencies.

Useful Web Links

Sample Employment Strategies (from other agencies)

APS Model:

<http://www.apsc.gov.au/indigenousemployment/strategy0805.pdf>

Aboriginal Employment Strategy:

<http://www.aboriginalemploymentstrategy.com.au/Home.aspx?element=1&category=1>

Macquarie University (Indigenous Employment Strategy):

<http://www.pers.mq.edu.au/ies/index.html>

Campbell Page:

http://www.campbellpage.com.au/indigenous_services/employment.htm

University of Wollongong:

<http://staff.uow.edu.au/eed/aboriginalemploystrategyfinalmarch01.pdf>

AFP:

http://www.afp.gov.au/__data/assets/pdf_file/47850/4030_IES_Brochure_A4_single_pages.pdf

Australian Chamber of Commerce and Industry:

http://www.acci.asn.au/text_files/Discussion%20Papers/Employing%20Indigenous%20Australians%20Strategy.pdf

Example Exit Questionnaire

Aboriginal and Torres Strait Islander Staff in CLCs

1. INTRODUCTION

NACLCL has developed an Employment Strategy for Indigenous employees in CLCs. NACLCL is encouraging centres' management to consider implementing similar strategies in their centres.

NACLCL will continue to work on initiatives to include and support Aboriginal and Torres Strait Islander people in CLCs, and in the legal profession generally. Completing this questionnaire provides a valuable source of information to assist NACLCL in assessing the effectiveness of our Employment Strategy and to decide on the most useful actions for NACLCL to take in the future.

Thank you for taking the time to share your experience and offer your insights.

Your response will be treated in confidence and all questions are optional.

2. PERSONAL INFORMATION

1. CLC

2. Location

3. Sex

- Female
 Male

4. Length of service

- Under 5 years
 5 – 9 years
 10 –15 years
 Over 16+ years

5. Would you work for a CLC again in the future?

- Yes
 No

6. Would you recommend employment with a CLC to a friend?

- Yes
 No

7. Please indicate the reason/s you are leaving.

- | | |
|---|--|
| <input type="checkbox"/> Retirement | <input type="checkbox"/> End of contract |
| <input type="checkbox"/> Redundancy | <input type="checkbox"/> Work location |
| <input type="checkbox"/> Career opportunities | <input type="checkbox"/> Salary/Wage |
| <input type="checkbox"/> Flexible work practices | <input type="checkbox"/> Family reasons |
| <input type="checkbox"/> Interesting work | <input type="checkbox"/> Other (please specify:) |
| <input type="checkbox"/> Employment conditions | |
| <input type="checkbox"/> Workplace culture and values | |

<p><i>Please comment on how satisfied you were with each of the following aspects of your job:</i></p>	<p>Extremely dissatisfied</p>
<p>8. OVERALL EXPERIENCE Your overall work experience.</p>	<p><input type="checkbox"/></p>
<p>9. WORK ENVIRONMENT Office/work environment Staff amenities Hours worked Geographic location</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>10. JOB/ROLE Definition of your role and responsibilities The nature of the work required in your role Opportunities for advancement and development Performance review and development process Ability to provide input into issues that affected your job</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>11. TERMS & CONDITIONS Salary Other benefits Employment conditions Access to flexible working arrangement</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>12. INTERPERSONAL RELATIONSHIPS Relationship with immediate supervisor/manager Relationship with staff in your business area Relationship with staff in other business areas</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>13. TRAINING & DEVELOPMENT Induction Training and development opportunities Access to training programs</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>14. MANAGEMENT Communication of workplace direction and policy Feedback on your performance Communication of decisions and other issues affecting you Competence of your immediate manager</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
<p>15. WORKPLACE CULTURE Culture of supporting all staff to develop and reach their potential Culture of respecting individual differences Culture of providing a workplace free of harassment and bullying</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>

	Somewhat dissatisfied	Neutral	Somewhat satisfied	Extremely satisfied
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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