

Community  
Legal Centres  
NSW

# Aboriginal Employment Strategy



**ABORIGINAL LEGAL ACCESS PROGRAM**

## TABLE OF CONTENTS

<b>Foreword</b>	<b>3</b>
<b>Goals and priorities</b>	<b>4</b>
<b>Key Principles</b>	<b>4</b>
<b>Why an Aboriginal Employment Strategy is needed</b>	<b>4</b>
<b>Issues that impact on employment</b>	<b>4</b>
<b>Aboriginal languages of NSW</b>	<b>5</b>
<b>Best Practice Guidelines</b>	<b>5</b>
<b>Objectives</b>	<b>5</b>
<b>Recruitment</b>	<b>5</b>
<b>Job descriptions</b>	<b>5</b>
<b>Selection committees</b>	<b>6</b>
<b>Orientation and Induction</b>	<b>6</b>
<b>Mentoring</b>	<b>6</b>
<b>Retainment</b>	<b>6</b>
<b>Support</b>	<b>6</b>
<b>Cultural Awareness and Respect</b>	<b>7</b>
<b>Monitoring and Evaluation</b>	<b>7</b>
<b>Sample Aboriginal Staff Exit Questionnaire</b>	<b>8-10</b>



## Acknowledgments

CLCNSW would like to acknowledge our member Community Legal Centres (CLCs), Aboriginal Advisory Group, NACLC and the Aboriginal & Torres Strait Islander Unit of NSW Industrial Relations for their assistance and resources in creating this Aboriginal Employment Strategy. Parts of this document have been sourced from the NACLC Indigenous Employment Strategy.

CLCNSW acknowledges the traditional custodians of this land and pay our respects to the elders both past, present and future for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia. CLCNSW recognises the rich and diverse Aboriginal culture.

Published in Sydney by Community Legal Centres NSW Inc.  
ABN 22 149 415 148 May 2011

© Community Legal Centres NSW Inc. 2011

You may copy, distribute, display, download and otherwise freely deal with this work for any purpose, provided that you attribute Community Legal Centres NSW Inc. as the owner. However, you must obtain permission if you wish to (1) charge others for access to the work (other than at cost), (2) include the work in advertising or a product for sale, or (3) modify the work.

Graphic design: Armedia  
Printing: Mutual Printing

This document is for general information purposes only. Community Legal Centres NSW Inc. disclaims all liability for errors or omissions of any kind whatsoever, or for any loss or damage, in whole or in part, arising from any person relying on any information in this publication.

# Foreword

**CLCNSW** recognises that Aboriginal people are the most disadvantaged group within our labour market. This Aboriginal Employment Strategy has been developed with the aim of providing our Community Legal Centres (CLCs) with a foundation to increasing Aboriginal employment. CLCNSW is committed to developing a culturally diverse, skilled and innovative CLC workforce.

This Aboriginal Employment Strategy outlines CLCNSW's commitment to significantly increase the representation of Aboriginal people in the legal sector and to contribute to improving legal access to all Aboriginal people across New South Wales. The Strategy outlines principles, issues and actions that CLCs in NSW should consider to provide best practice Aboriginal legal access programs.

We are serving our communities and are determined to become a leader, one that is known for making a difference. The employment of Aboriginal people enables us to provide more responsive services for Aboriginal people in New South Wales. The knowledge, skills and experiences of Aboriginal people provide a rich learning environment for us all and contribute to improving the design and delivery of services.

The implementation of this strategy will provide a range of recruitment, retention and development opportunities. In doing so, they will fulfil the business needs of our CLCs, while optimising the employment and development opportunities for Aboriginal people.

This is an exciting period for our communities and our workforce. I look forward to the journey ahead as we build upon the talent of our Community Legal Centres.



**Anna Cody**  
Chairperson

## GOALS AND PRIORITIES

CLCNSW is committed to providing Aboriginal people with opportunities for sustainable employment, career development, training, support and culturally sensitive work environments.

The goals of the CLCNSW Employment Strategy are to:

- ▶ Be recognised as an example of best practice in Aboriginal employment by the community and wider business sectors.
- ▶ Provide a range of recruitment, retention and career development opportunities for Aboriginal people that satisfy the needs of the NSW legal sector and contribute to effective service delivery.
- ▶ Provide a culturally sound and safe work environment for Aboriginal employees.

The successful implementation of the Aboriginal Employment Strategy will contribute to the employability of Aboriginal people – both within NSW CLCs and the general community – by offering not only permanent employment opportunities, but also training and work experience.

In addition, the Strategy will support specific area initiatives relating to the targeting of Equal Employment Opportunity (EEO) groups and providing support for diversity.

## Key principles

### CLCs:

- Recognise that Aboriginal employees put their cultural integrity and community reputation at risk when working for a CLC.
- Are committed to providing access to justice for Aboriginal people.
- Recognise the unique skills and perspectives of Aboriginal employees in enabling access to justice for Aboriginal clients.
- Demonstrate respect for Aboriginal forms of knowledge and ways of learning or applying that knowledge.
- Seek to build a network of relations with local Aboriginal communities.
- Start from a position of respect for Aboriginal people.
- Employers must recognise and respect any differences in language, in cultural understanding and in life experiences. These differences are valuable to the work of CLCs.

## Why an Aboriginal 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 Aboriginal communities. The unique skills of Aboriginal people are needed to ensure that CLC services and programs are delivered to Aboriginal communities in culturally appropriate ways.
- Aboriginal staff can ensure that CLCs are responding appropriately to the needs of Aboriginal communities. Aboriginal staff are uniquely placed to help develop strong partnerships between Aboriginal communities and CLCs, ensuring that CLC program development and service delivery reflect the aspirations of local Aboriginal community stakeholders.
- A strategy focusing specifically on Aboriginal employment issues will drive more focused action in CLCs.
- Language diversity and cultural knowledge are highly valuable to CLCs. Aboriginal staff who possess such knowledge are expected to continually switch between cultures while in the workplace. This can be overly demanding on Aboriginal employees. Support strategies are essential to ensuring employee wellbeing and avoiding burnout.
- Clients often present with a multiplicity of legal and non-legal issues. Employees trying to address such complex situations need the time and resources to build strong networks with different legal and other services providers.

## Issues that impact on employment

Where people live has an important impact on job opportunities. The more remote a community, the more likely that fewer jobs exist. Other factors contributing to high levels of Aboriginal unemployment include:

- Limited education opportunities and lower retention rates, contributing to relatively low skill levels.
- Limited availability and access to competency based training programs.
- A decline of rural industries and the majority of Community Development Employment Programs that have traditionally been employers of Aboriginal people.
- The cycle of poor health and education status of Aboriginal people limits employment.
- Different values and practices to non-Aboriginal people. This can disadvantage Aboriginal people in a system that operates according to mainstream assumptions.

## Aboriginal languages of NSW

NSW has around seventy Aboriginal Languages Nations as the map below illustrates.



Source: NSW Area Health Services Aboriginal Nations Map. Australian Resource Centre for Healthcare Innovations. [www.archi.net.au/\\_\\_\\_data/assets/pdf\\_file/0004/59422/Aboriginal\\_Nations\\_NSW.pdf](http://www.archi.net.au/___data/assets/pdf_file/0004/59422/Aboriginal_Nations_NSW.pdf)

## Best practice guidelines

### Objectives

CLCs in NSW use recruitment processes, job descriptions and selection procedures that are culturally appropriate for Aboriginal people. We provide supportive and culturally appropriate and sensitive work environments that respect and value Aboriginal people.

### Recruitment

- Develop, design and disseminate culturally appropriate job advertisements.
- Promote positions through Aboriginal and Torres Strait Islander media such as the Koori Mail and National Indigenous Times. The National Indigenous Radio Service, Koori Radio and regional Aboriginal radio stations may also be appropriate where possible.
- Advertise in Aboriginal and Torres Strait Islander media for a variety of positions, not only positions dealing with service delivery to Aboriginal communities.
- Inform and provide recruitment information to Aboriginal community organisations, Aboriginal Interagency networks as well as Aboriginal support units at education institutions and other Aboriginal employment networks.

- Promote employment opportunities via email networks as well as by word of mouth and through face-to-face chats with Aboriginal workers in the sector.
- CLCs should consider offering cadetships and work experience placements to Aboriginal 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) that spend some time working in remote areas.
- Consider contacting Tranby Aboriginal College and accessing their expertise: [www.tranby.edu.au](http://www.tranby.edu.au)

### Job Descriptions

- Ensure job descriptions 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.

### **Selection Committees**

- Provide an Aboriginal person, or a culturally appropriate person, on selection panels. That is, someone who has a firm understanding of what is required by Aboriginal employees in their professional capacity, and also of the kind of challenges that Aboriginal employees may face in their communities and workplaces.
- Create a relaxed environment for interviews:
  - Consider providing interview questions to applicants prior to the interview.
  - Allow a support person to attend the interview if required.
  - Allow the applicant extra time to become comfortable and not feel rushed through the interview.
  - Use appropriate language, which is easily understood.

### **Orientation and Induction**

- Orientation and induction is the appropriate opportunity for managers to:
  - Provide a clear outline of job expectations and goals to new employees.
  - Discuss the employment strategy principles contained in this document and possible best practice guidelines for upholding the principles (these principles are flexible and new principles should be added if necessary).
- Managers should make a time to have regular chats with new employees to discuss whether the principles are being met to the satisfaction of employees.
- Induction discussions and/or supervision are the best time for managers to formally convey to staff that they recognise that the work of Aboriginal employees does not always fall neatly within the hours of 9:00am to 5:00pm; and that CLCs offer flexible working hours and conditions.

### **Employment contracts and conditions**

- Employment contracts and conditions for Aboriginal employees should formally ensure that cultural and family leave days are available and that taking these is supported and encouraged.
- CLC management should formally convey to new employees that CLCs recognise that Aboriginal people are experts in their communities and strive to remunerate these unique qualities accordingly.
- Remuneration, policies and the particular funding and resource environment, including constraints, on the CLC's operations should also be discussed at the time of formalising the employment arrangements.

### **Mentoring**

- Establish informal mentoring arrangements or access to external debriefing for employees.
- Mentoring should be based on commonality of job type as well as Aboriginal support.

- Mentors should be able to:
  - Provide useful advice drawing on their own experience and knowledge.
  - Generate respect and trust in their relationships.
  - Communicate openly and honestly about personal, and/or difficult, issues.

### **Retention**

- Develop employment and career pathways for Aboriginal staff through training and professional learning and development.
- Provide training to suit the learning styles of Aboriginal staff in supportive learning environments.
- Appropriate opportunities should be worked out in conjunction between managers and individual employees. Examples may include:
  - Part-time study leave opportunities.
  - Flexible working arrangements.
  - Being sent on conference trips (this also provides the opportunity to network).

### **Support**

Aboriginal staff must be supported in their roles, and the importance of their work must be continually recognised. Managers need to be flexible to the specific needs of Aboriginal employees, while still respecting professional boundaries.

- Regular positive and constructive feedback should be provided. Adopting a positive approach: 'yes, how can we make that happen', rather than a negative, 'no, that will not work' approach.
- Promote a healthy balanced approach to wellbeing in the workplace to ensure that professional, cultural and family responsibilities can be met without employees over-extending themselves.
- Create a comfortable working space:
  - Consider office image and accessibility.
  - Be open to allowing Aboriginal employees to alter the workspace if necessary, recognising that outside or open meetings are much more culturally accessible to Aboriginal people.
  - Consider creating an outside space to give the employee an option to meet clients in an open place.
- Provide support mechanisms that are culturally appropriate for Aboriginal staff such as meeting cultural obligations to attend significant community events and gatherings.
- Recognise that fulfilling workload responsibilities that involve Aboriginal clients may be time and resource intensive:
  - Aboriginal employees may need an extra kilometre allowance, or more flexible working hours.
  - Aboriginal employees who frequently work outside of the office are likely to rely more on their mobile phones; these costs should be covered, either through reimbursement of work-related calls or a separate work mobile provided.
- On occasions, Aboriginal 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 a safe and encouraging environment for one-on-one discussions and regularly check in with employees to ensure their care and wellbeing.
- Aboriginal employees, like all other employees, are valuable to CLCs and they must be continually encouraged and empowered in their roles.
- Networking and peer support is important to the wellbeing and morale of many Aboriginal employees. Establishing and/or providing access to an Aboriginal network is a positive way for our CLCs to show support to Aboriginal employees.
- The Aboriginal staff network can provide opportunities for Aboriginal employees to share experiences, provide support, and be a sounding board. They can also help identify areas where employees need or wish to increase their skills. They can also decrease isolation. Network meetings can be either formal or informal.

### Cultural Awareness and Respect

- In order to provide an inclusive work environment which respects and values its Aboriginal staff, and supports equity in employment, NSW CLCs should continue to facilitate and sponsor cultural awareness and respect activities for all staff.
- NSW CLCs should equip staff with knowledge, skills and attitudes to understand Aboriginal language, culture, values, history and contemporary issues and the unique pressures affecting Aboriginal people today. Managers should strive to ensure all employees understand the importance and value of participating.
- Staff should use inclusive language and avoid terms that are offensive to Aboriginal people. Encourage respectful, voluntary, two-way discussions between Aboriginal and non-Aboriginal employees about their cultural backgrounds and expectations.
- Observe cultural protocols that recognise the position of Aboriginal Australians as the traditional owners of the land. This might include acknowledging the traditional owners of the land at the opening of key meetings, including at staff meetings. Invite a traditional elder to do a welcome to country at the beginning of a major function, such as a conference.
- It is important to recognise cultural days of significance, such as National Reconciliation and NAIDOC Weeks, and celebrate these in the workplace. In regional, rural and remote areas, there may be other days of cultural significance that employees can recognise and observe.

## Monitoring and evaluation

### Monitoring

- During the induction process, managers should discuss the principles in this Strategy and establish possible best practice guidelines with new employees. A regular time should be set up to chat about the effectiveness of the principles and any changes that need to be made 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 CLC management and discussed with a view to upholding the strategy principles.

### Evaluation

- CLCs should annually monitor staff demographics. The success of the CLC's Aboriginal employment strategy may be partly gauged by an increase in recruitment and retention levels of Aboriginal employees.
- Aboriginal staff exiting a CLC 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.
  - Exit questionnaires can be used to monitor and evaluate progress on implementing the Aboriginal Employment Strategy and will highlight outstanding deficiencies. Exit questionnaires should be conducted by individual CLCs.
  - A sample exit questionnaire is at the end of this document.

### Further information

If you would like more information about the CLCNSW Aboriginal Employment Strategy, please contact:

CLCNSW State Office  
C17, 99 Jones Street  
ULTIMO NSW 2007

**T** (02) 9212 7333  
**E** [clcnsw@clc.net.au](mailto:clcnsw@clc.net.au)

**F** (02) 9212 7332  
**W** [www.clcnsw.org.au](http://www.clcnsw.org.au)

---

# Sample Aboriginal Staff Exit Questionnaire

## 1. INTRODUCTION

Our CLC has developed an Employment Strategy for Aboriginal employees in the CLC.

Our CLC will continue to work on initiatives to include and support Aboriginal people in the CLC, and in the legal profession generally. Completing this questionnaire provides a valuable source of information to assist us in assessing the effectiveness of our Employment Strategy and to decide on the most useful actions for us 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 1 year
- Under 5 years
- 5 – 9 years
- 10 – 15 years
- 16+ years

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

- Yes
- No

### 6. Please indicate the reason/s you are leaving.

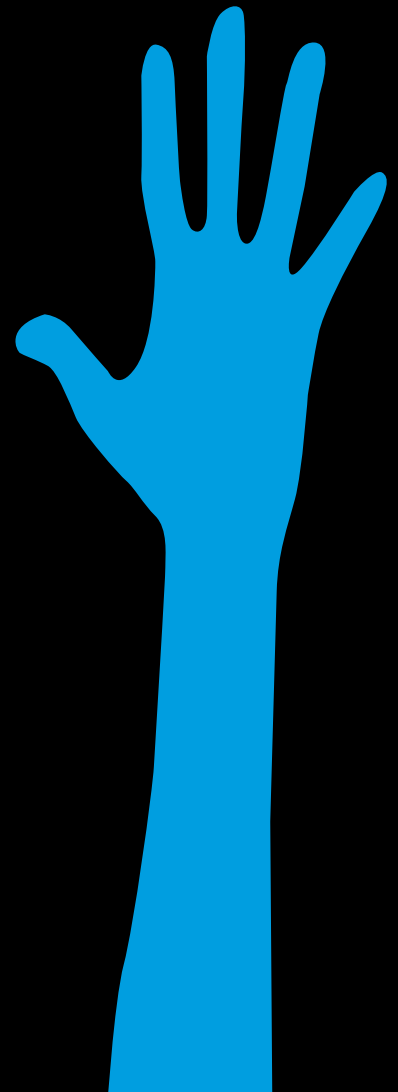
- |  |  |
|--|--|
| <input type="checkbox"/> Retirement                        | <input type="checkbox"/> End of contract         |
| <input type="checkbox"/> Redundancy                        | <input type="checkbox"/> Work location           |
| <input type="checkbox"/> Career opportunities              | <input type="checkbox"/> Salary/Wage             |
| <input type="checkbox"/> Seeking flexible/interesting work | <input type="checkbox"/> Family reasons          |
| <input type="checkbox"/> Workplace cultures & values       | <input type="checkbox"/> Other (please specify:) |
| <input type="checkbox"/> Employment Conditions             | _____  |



<b>PLEASE COMMENT ON HOW SATISFIED YOU WERE WITH EACH OF THE FOLLOWING ASPECTS OF YOUR JOB:</b>	<b>Extremely dissatisfied</b>	<b>Somewhat dissatisfied</b>	<b>Neutral</b>	<b>Somewhat satisfied</b>	<b>Extremely satisfied</b>
<b>7. OVERALL EXPERIENCE</b>					
Your overall work experience.					
<b>8. WORK ENVIRONMENT</b>					
Office/work environment					
Staff amenities					
Hours worked					
Geographic location					
<b>9. JOB/ROLE</b>					
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					
<b>10. TERMS AND CONDITIONS</b>					
Salary					
Other benefits					
Employment conditions					
Access to flexible working arrangement					
<b>11. INTERPERSONAL RELATIONSHIPS</b>					
Relationship with immediate supervisor/manager					
Relationship with staff in your section/unit/team					
Relationship with staff in other section/unit/teams					
<b>12. TRAINING AND DEVELOPMENT</b>					
Induction					
Training and development opportunities					
Access to training programs					
<b>13. MANAGEMENT</b>					
Communication of workplace direction and policy					
Feedback on your performance					
Communication of decisions and other issues affecting you					
Competence of your immediate manager					
<b>14. WORKPLACE CULTURE</b>					
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					







CLCNSW acknowledges the traditional custodians of this land and pay our respects to the elders both past, present and future for they hold the memories, the traditions, the culture and hopes of Aboriginal Australia. CLCNSW recognises the rich and diverse Aboriginal culture.