



Strengthening the law to tackle migrant worker exploitation

Summary

The Australian Government is strengthening the law to address migrant worker exploitation. Reforms passed by Parliament are part of a broader package of reforms to improve employer compliance and employee safeguards.

New laws will commence on 1 July 2024 and will apply to both direct employers, and others in the employment chain, like labour hire companies. Measures under the Strengthening Employer Compliance Act will:

- strengthen laws to protect temporary migrants from worker exploitation
- improve employer compliance using both deterrence and remediation
- help ensure law-abiding employers are not undercut by dishonest competitors.

Measures

Key measures included under changes to migration law are:

- new criminal offences and fines for using a person's migration status to exploit them in the workplace. These offences carry criminal penalties of 2 years' jail and/or 360 penalty units (currently \$112,680), or a civil penalty involving 240 penalty units (currently \$75,120).
- a new prohibition measure - employers engaged in serious, deliberate or repeated exploitation of temporary migrant workers will be prohibited from employing additional migrant workers for a period of time depending on the nature and severity of the breach.
- new tools - compliance notices and an ability to engage enforceable undertakings will help employers to understand and meet their obligations without penalty (where appropriate).
- better protections for temporary migrant workers to encourage reporting.

Employer responsibilities

Employers are responsible for ensuring temporary visa holders hold a valid visa and are not breaching their visa work conditions. Check workers' visa conditions at [Visa Entitlement Verification Online](#).

They must also abide by all workplace laws including [minimum pay rates](#), [superannuation rules](#) and [health and safety conditions](#).



[Migrant worker rights](#)



[Visa Entitlement Verification Online](#)



[Fair Work Ombudsman](#)