

Increased penalties

Protecting migrant workers from exploitation

Increased penalties for employers

The Australian government has introduced higher penalties and stronger tools to deter exploitation.



Learn more about workplace rights in Australia.

Protecting workplace rights

Everyone working in Australia has basic rights and protections in the workplace, including minimum pay and conditions. No employment contract can take away these rights, regardless of what the worker has agreed to.

New criminal offences

The Australian government has introduced new laws to crack down on employers who exploit migrant workers.

From 1 July 2024, there are new criminal offences where employers, labour hire providers and others in an employment chain:



1

Coerce or pressure a temporary visa holder to breach their work-related visa condition.

2

Coerce or pressure a non-citizen without a valid visa to accept or agree to an arrangement in relation to work.

3

Use a worker's temporary visa status to exploit them in the workplace. This includes coercing or pressuring a temporary visa holder in relation to existing visa conditions or requirements to support future applications.

From 1 January 2025, intentional underpayment of wages or entitlements can be a criminal offence. The Fair Work Ombudsman can now investigate suspected criminal underpayment offences and refer matters to the Commonwealth Director of Public Prosecutions or the Australian Federal Police for possible criminal prosecution.

Prohibition declarations

Employers who repeatedly violate the law or fail to comply with compliance notices can be prohibited from employing migrant workers.

Increased penalties

Penalties for employers engaging workers without work rights have also been significantly increased.

- Infringement Notices can now reach **\$79,200 for companies per worker.**
- Civil penalties can now reach **\$396,000 per worker.**
- In serious criminal cases, an employer could face up to **2 years imprisonment and a fine of up to \$594,000 per worker.**



Businesses sponsoring workers can face additional penalties, including the cancellation of sponsorship approval and being barred from future sponsorship.

Protections for migrant workers who report exploitation

Migrant workers in Australia have the same basic workplace rights and protections as all other employees, regardless of their visa status. This includes the right to be paid correctly, safe working conditions and protection from discrimination and harassment.



The Fair Work Ombudsman can assist any migrant worker in Australia with their workplace issues.

From 1 July 2024, the Australian Government introduced new laws to strengthen reporting protections to give temporary visa holders confidence to report exploitation early and resolve their workplace issues. These new laws permit migrant workers to report exploitation or support an investigation into their employer without fear of visa cancellation.