

What counts as workplace exploitation?



You may have experienced exploitation if:

- You weren't paid properly (or at all)
- You were pressured to pay for a job
- You worked in unsafe conditions
- You were sexually harassed
- Your boss threatened to cancel your visa
- You were unfairly dismissed
- You were forced to get an ABN when you should've been an employee

How to access reporting protections



1

Get advice

Contact a union, community legal centre, or accredited third party for help with your workplace exploitation matter.

2

Get certified

Your exploitation matter must be certified by a participating government agency or accredited third party.



To find an accredited third party, go to:
migrantworkers.org.au/atp

3

Notify Home Affairs

Complete the Strengthening Reporting Protection Request Process form and attach your certification.

4

Stay informed

Home Affairs will contact you if further information is needed. If you meet the criteria, your visa will not be cancelled.

IMPORTANT

- You must commit to following your visa conditions in the future.
- Certification is strong evidence that you are resolving the issue.
- Your visa breach will not affect future visa applications if you meet the criteria.

EXPLOITED AT WORK?

You may be protected from visa cancellation if you report it.

Ask about the

STRENGTHENING REPORTING PROTECTIONS



SOUTH AUSTRALIAN
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The Australian Government has introduced new protections for temporary visa holders who have experienced workplace exploitation. These protections are designed to help you report exploitation without fear of visa cancellation.



✓ You may be eligible for a guarantee against visa cancellation if you:

- Hold a temporary visa with work rights, such as:
 - Student visa (subclass 500)
 - Working Holiday visa (subclass 417)
 - Work and Holiday visa (subclass 462)
 - Temporary Work (Skilled) visa (subclass 457)
 - Temporary Skill Shortage visa (subclass 482)
 - Skills in Demand visa (subclass 482)
 - Temporary Work (International Relations) visa (subclass 403)
- Have breached a **work-related visa condition** due to workplace exploitation
- Have experienced exploitation **within the last 12 months**
- Have sought help from a **participating government agency** or **accredited third party**
- Agree in writing to **follow your visa conditions** in the future.

In these circumstances, you will be entitled to a guarantee against visa cancellation – which means that the Department must not cancel your visa even if you have breached your visa conditions.



✓ You may still be entitled to protection against visa cancellation if you:

- Hold **any temporary visa** (including a Bridging visa)
- Have breached **any condition** of the visa due to workplace exploitation
- Have sought help from a **participating government agency** or **accredited third party**
- Agree in writing to **follow your visa conditions** in the future

In these circumstances, the Department must consider the evidence of workplace exploitation when deciding whether to cancel your visa. You may still be protected against cancellation – but this won't be guaranteed.

