

Parliament of Australia
Fair Work Legislation Amendment (Closing Loopholes) Bill 2023
7 December 2023

On Thursday morning, the Minister for Industrial Relations, the Hon. Tony Burke MP, announced that the Closing Loopholes Bill is scheduled to be passed in the Senate during the final sitting day of the year. The Albanese Labor Government is poised to usher in a series of transformative measures aimed at fortifying workers' rights and safety.

In a significant legislative move, the government has garnered support from Senate crossbenchers Jacqui Lambie and David Pocock, securing their votes for key provisions outlined in the Closing Loopholes Bill set for parliamentary approval today.

Under this agreement, the Senate will vote to:

Closing Labor Hire Loophole: Preventing companies from exploiting labour hire arrangements to underpay workers.

Criminalizing Wage Theft: Introducing a criminal offense for employers engaged in intentional wage theft.

Industrial Manslaughter Offense: Establishing a new criminal offense to hold employers accountable for actions leading to worker fatalities.

PTSD Support for First Responders: Enhancing support mechanisms for first responders grappling with post-traumatic stress disorder (PTSD).

Protection Against Workplace Discrimination: Safeguarding workers facing family and domestic violence from discrimination in the workplace.

Expanding Asbestos Safety Agency's Scope: Broadening the responsibilities of the Asbestos Safety and Eradication Agency to include silica.

Closing Insolvency Redundancy Payment Loophole: Addressing the loophole enabling large businesses to exploit small business exemptions during insolvency to avoid redundancy payments.

Furthermore, the government has committed to specific initiatives, including increased funding for the small business advisory service within the Fair Work Ombudsman and an independent review of the Comcare scheme to enhance outcomes for injured workers. Additionally, new guidelines on independent medical assessments for workers have been agreed upon by Senators Lambie and Pocock.

Specifically addressing the issue of PTSD among first responders, the legislation will reverse the burden of proof, ensuring appropriate support for recovery and rehabilitation. This provision extends to the Australian Federal Police, ambulance officers, paramedics, emergency services communications operators, firefighters, and members of the Australian Border Force.



Additional elements of the Closing Loopholes Bill, such as minimum standards for digital platform gig workers, road transport industry reforms, and improved conditions for casual workers seeking permanency, will be deliberated in the Senate early next year.

Despite the significant strides made by the Albanese Labor Government in boosting employment, increasing wages, reducing industrial action, and narrowing the gender pay gap, the Liberals and Nationals, led by Peter Dutton, continue to oppose these legislative advancements. The government remains committed to pursuing every clause of the Bill in the coming year, further solidifying its dedication to enhancing workers' rights and economic well-being.

See all documents and transcripts [here](#).

See the Hon Tony Burke's media release [here](#).

Further information

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