



# 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.

The Migration Amendment (Strengthening Employer Compliance Act) 2024 amends the Migration Act 1958 to bring in new laws that protect migrant workers from exploitation starting on 1 July 2024. The new laws will apply to both direct employers, and others in the employment chain. The changes 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 a 360 penalty unit (currently \$118,800) fine, or a civil penalty involving 240 penalty unit (currently \$79,200) fine.
- a new prohibition measure - employers who engage 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. Prohibited employers will be listed on the Australian Border Force website and will be subject to extra reporting after the prohibition ends. You may face prosecution if you breach the prohibition, for example by hiring more temporary visa holders during the period of the prohibition.
- 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](#)



[New migrant worker protections](#)



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