



# New workplace justice measures for migrants

Under Australian workplace laws, workers have the same basic workplace rights and protections, regardless of citizenship or their visa situation.

There are now new initiatives to help address migrant worker exploitation.

Learn more about [workplace justice measures for migrant workers](#).

## Workplace exploitation

Workplace exploitation includes a range of behaviour from your employer or others in the labour chain. It is against the law for your employer to:

- underpay you
- pressure you to hand over your passport
- threaten to cancel your visa (employers cannot cancel visas)
- pressure you to work more hours than your visa conditions allow
- pressure you to engage in unwanted sexual acts
- pressure you to accept poor living conditions, like poor housing or lack of access to running water or electricity.

These are just some examples of workplace exploitation – there are many others.

The Fair Work Ombudsman has [helpful tools and resources](#) for you, including a [Pay Calculator](#) that will help you check your wages. You can also quickly and easily store your work hours using the free [Record My Hours](#) app.

## What to do if you are exploited at work

Report workplace exploitation early. This means you can get the support you need and it might also help others. You do not have to give your name to report workplace exploitation.

To make an anonymous report, you can contact the [Fair Work Ombudsman](#) or [Border Watch](#).

## Changes to help migrant workers

### Strengthening Reporting Protections

Get some advice from the Fair Work Ombudsman, a registered lawyer, union or community legal centre if you have been exploited.

Your employer cannot cancel your visa, even if you have breached your visa conditions. Only the Department of Home Affairs can grant, refuse or cancel visas.

There are new laws strengthening reporting protections to address migrant worker exploitation. Under these new laws, the Department will not cancel your visa for breaching a work-related visa condition where:

- the breach is connected to you being exploited
- a participating government agency or an accredited third party has certified the exploitation and is helping you to resolve the issue
- you promise to follow visa conditions in the future
- there are no other reasons to cancel your visa (such as fraud, character or security).

## More mobility for sponsored migrant workers

If your sponsor is exploiting you, new visa rules may help. You may now have more time to look for a new sponsor.

Check your visa conditions and see if these changes apply to you.

If you are or have been exploited at work, and you need to extend your stay to resolve the issue, you may be able to extend your stay on a [Workplace Justice visa](#).

You may be eligible for this visa if a participating government agency or accredited third party certifies that extending your stay in Australia will help you pursue workplace justice and they are providing support to help you resolve the issue.

## Avoiding employers who have exploited migrant workers

Some employers who have exploited migrant workers are not allowed to hire more temporary visa holders for a certain time. This is called a prohibition. You can find a list of prohibited employers on the [Australian Border Force](#) website.

For more information, scan the relevant QR code below.



[New migrant  
worker protections](#)



[Strengthening reporting  
protections](#)



[Fair Work Ombudman](#)



[Border Watch](#)