



Immigration Advice
and Rights Centre

**HELPING
PEOPLE
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| AUSTRALIAN
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MEDIA RELEASE

25 July 2024

New Workplace Justice Visa and reporting protections a crucial step towards ending exploitation of migrant workers

The Immigration Advice and Rights Centre welcomes reforms introduced by the Federal Government that will significantly improve migrant worker rights in Australia.

The changes include two new pilots which launched this week – a Workplace Justice Visa and regulations to strengthen protections against visa cancellation for workers who report exploitation.

“Every day we speak to clients who’ve been exploited by their employers but are too afraid to take any action because they fear their employer will report them to the Department of Home Affairs,” Principal Solicitor Joshua Strutt said.

“The migration system can effectively trap visa holders and give power to employers to exploit workers and let them get away with it. These reforms are a crucial step towards giving that power back to migrant workers,” he said.

The Workplace Justice Visa would allow eligible migrant workers to remain in Australia while they take action against an employer, if their rights have been breached.

Under the new reporting protections, the Department of Home Affairs must consider whether exploitation has occurred when deciding whether to cancel a person’s visa, if a breach of visa conditions (like number of hours worked) has occurred.

“These changes are aimed at giving people the freedom to leave unsafe workplaces and find a new employer while they wait for an outcome,” Mr Strutt said.

“Migrant workers have been forced to accept horrific conditions, to work unreasonable hours, and accept unfair pay for too long.

“Together, these pilots, which were co-designed with advocates, will make it easier for migrant workers to speak up about exploitation and harder for employers to do the wrong thing and get away with it,” he said.

Last year, IARC, Unions NSW, the Human Rights Law Centre, Migrant Justice Institute and the Migrant Workers Centre released a joint report that highlighted the crisis of exploitation in Australia and recommended the introduction of better safeguards for migrant workers, including the Workplace Justice Visa. These changes are the result of years of hard work by migrant workers and advocates who have been working tirelessly to put an end to exploitation in Australia.

IARC will continue advocating to strengthen migrant worker rights and looks forward to working with the Federal Government to ensure these protections are accessible to migrant workers. We are hopeful the pilots will be expanded to include other vulnerable workers in the future.

“Everyone deserves to be safe in their workplace, and everyone should be safe to speak up if their employer is breaking the law,” Mr Strutt said.

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For more information or an interview please contact Communications Manager Sarah Sinclair on 0419 170 535 or sarah.sinclair@iarc.org.au.



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Background

About IARC

IARC is a community legal centre (**CLC**). We are a non-profit organisation based in New South Wales (**NSW**) that specialises in immigration law. Our team provides free legal advice, information and casework services to people who need assistance navigating Australia's immigration system and are experiencing vulnerability. Our clients are migrants, refugees and people seeking asylum.

Visa Assist

IARC and Unions NSW provide a free immigration service dedicated to assisting migrant workers. Visa Assist provides free immigration and legal advice to migrant workers who are union members. Together we have assisted thousands of migrant workers to enforce their rights in the workplace and stand up to exploitation. Since the service started 5 years ago, IARC and Unions NSW have been advocating for changes to the migration system to improve protections for migrant workers that have experienced exploitation.