



SMALL BUSINESS

PEAK

Protecting Workers Entitlements

In June 2023, the Australian Government passed the Protecting Worker Entitlements Act 2023. The legislation introduced changes to the Fair Work Act effective from 30 June 2023

We're here to help you with

- Changes to unpaid parental leave
- Interaction between enterprise agreements and workplace determinations
- Protections for migrant workers
- Employee authorised deductions
- Right to superannuation in the National Employment Standards
- Casual employees in the black coal mining industry



smallbusinesspeak.org.au



peak@cosboa.org.au



June 2024

Protecting Workers Entitlements

What is Protecting Workers Entitlements?

On **22 June 2023**, the Australian Government passed the Protecting Worker Entitlements Act 2023. The legislation introduced changes to the Fair Work Act.

These are legislative measures designed to **enhance the rights and benefits of employees**. The new laws ensure better protection and provision of workers' entitlements, such as **superannuation, leave, and fair treatment**.

Superannuation in the National Employment Standards

This aligns with existing superannuation legislation, **ensuring most employees** have an enforceable right to **superannuation**.

Unpaid Parental Leave

All **employees** in Australia are **eligible for unpaid parental leave** if they have completed at least 12 months of continuous service with their employer.

Workplace Determinations and Enterprise Agreements

This provides certainty by **ensuring an enterprise agreement ceases to apply** once the Fair Work Commission makes a replacement workplace determination for the same employment.

Protection for Migrant Workers

This amendment confirms a **breach of the Migration Act does not affect the validity of an employment contract** under the Fair Work Act.

Employee Authorised Deductions

The amendments **provide greater clarity, flexibility** for employee authorised deductions, **ensuring better compliance** and protection for workers.

Coal Mining Industry Long Service Leave

Casual employees are now **ensured equal treatment** with permanent employees.

Visit our **Resource Hub** for more **information** on specific **Protecting Workers Entitlements changes**



Protecting Workers Entitlements

Key dates

From 1 July 2023

- Unpaid parental leave changes
- Interaction between enterprise agreements and workplace determinations
- Protections for migrant workers

From 30 December 2023

- Employees can authorise their employers to make salary deductions that are recurring and are for amounts that vary from time to time

From 1 January 2024

- Right to superannuation in the National Employment Standards changes
- Casual employees in the black coal mining industry changes



Not sure where to start?

If you're struggling to navigate these changes, you don't have to tackle them alone, find more information at Small Business Peak, or visit [fairwork.gov.au](https://www.fairwork.gov.au)



SMALL BUSINESS PEAK

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