



Stronger protections against discrimination, adverse action and harassment

The *Fair Work Legislation Amendment (Closing Loopholes) Act 2023* amends the *Fair Work Act 2009* (the Act) to benefit employees who have been, or are, subjected to family and domestic violence.

What has changed?

The changes amend the Act to include 'subjection to family and domestic violence' in the list of protected attributes.

What do these changes mean?

This change strengthens the Act's anti-discrimination framework to protect employees who have been, or are being, subjected to family and domestic violence from discrimination in the workplace.

It is now unlawful for an employer to take adverse action against an employee or potential employee (for example, by dismissing them or refusing to hire them) because they have been, or are being, subjected to family and domestic violence.

It is also prohibited to include any terms in enterprise agreements and modern awards that discriminate against a person on the basis of subjection to family and domestic violence.

The Fair Work Commission must also consider the need to prevent and eliminate discrimination on the basis of subjection to family and domestic violence when performing functions or exercising its powers under the Act. These changes complement the Australian Government's introduction of 10 days of paid family and domestic violence leave in the Act.

When will these changes come into effect?

These changes commenced on 15 December 2023.

For more information on the Closing Loopholes legislation, visit: <https://www.dewr.gov.au/workplace-relations>