

Tuesday 28 September 2023

ACTU welcomes super theft inclusion in the Closing Loopholes Bill

The ACTU welcomes the amendments to the Closing the Loopholes Bill today, including the addition of super theft into the wage theft provisions. The amendments respond to the extensive consultation the Government has conducted and the vast majority of amendments are those proposed by employer groups.

The Greens amendment to include super theft is welcomed. Like wage theft, failure to pay superannuation is rife, with recent Super Members' Council modelling showing that on average approximately 2.8 million people are underpaid a total of \$4.7 billion in superannuation each year.

Superannuation are workers' deferred wages and consistent with the National Employment Standards, bringing superannuation theft in line with wage theft is a sensible decision.

The union movement won compulsory employer-paid superannuation through worker led campaigns. As a result, nearly every worker in Australia has the right to be paid superannuation for a dignified retirement.

Working people need support with the cost of living and measures that ensure they keep the money that they are entitled to are key elements of the Bill, alongside giving workers greater job security.

The Closing Loopholes Bill, if passed, would:

- Increase the civil penalties for wage theft by six times from 1 January 2024.
- Criminalise intentional wage theft and lift civil penalties even higher from 1 January 2025.

Quotes attributable to ACTU Secretary Sally McManus:

“Wage theft is a serious problem that successive Governments have failed to act to address. Super theft compounds this, stealing from workers today and tomorrow. Now there are measures in front of the Parliament to finally take action. The very least Peter Dutton and the cross bench could do to help ordinary people at this time and stop delaying these support measures.

“Super Members Council modelling shows that on average about 2.8 million people are underpaid a total of \$4.7 billion super in a year. Super theft is a serious problem that needs addressing and it's absolutely correct that it's covered by the wage theft provisions.

“Every day Peter Dutton delays this Bill is a day bad employers get away with stealing from their workers and good employers are disadvantaged. Every day employers can push these laws back is day workers are missing out.

“Big business wants Peter Dutton and the crossbench to block this legislation because they are happy to keep wages low and profits sky high. Anything that gets in the way of money-making is labelled ‘red tape’ or ‘complicated’. If companies like Qantas and BHP can get their head around introducing complex labour hire agreements to drive down pay, they are certainly capable of understanding legislation that will make work safer and get wages moving in a cost-of-living crisis”.

ENDS

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