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## **IR reforms are closing loopholes, as big business tries to open them up again.**

Australian Unions have welcomed the life changing pay rises and job security that the Closing Loopholes IR reforms of early 2024 have already delivered for key groups of workers, in its submission to the two-year review of the reforms.

Unions also flagged up a range of areas where corporate tactics, especially in mining, risk creating new loopholes to let employers avoid paying their workers fairly.

The Closing Loopholes reforms made a wide range of changes to the Fair Work Act to improve pay and job security for labour hire workers, casuals, and gig workers, as well as introduce new rights for workplace delegates and the right to disconnect, among other changes.

The Same Job Same Pay laws in the Closing Loopholes reform package have already delivered significant wage rises for tens of thousands of labour hire workers engaged as flight attendants, meat workers, miners and warehouse workers.

Gig workers and transport drivers are also on the path to winning world first minimum pay, conditions and safety standards.

A new commonsense definition of casual employment has helped more workers land secure permanent jobs, contributing to a drop in casual employment from 23% in 2016 to 19% today.

However, despite the early success of the Same Job Same Pay reforms, major mining companies are trying to flout the laws by opening fresh loopholes to make it easier to pay their workforce less.

Mining companies are increasingly hiring more trainees for longer periods because trainees are exempt from the Same Job Same Pay orders that apply to other workers.

Australian Unions are calling on trainees and apprentices to get the same protections as other workers.

Unions are also calling for same job same pay orders to include backpay from the date of application, to stop the delaying tactics of major companies, that has seen applications take seven to eight months on average to resolve, according to the Mining and Energy Union (MEU).

Australian Unions are also calling for gig worker protections to be expanded to cover other low-paid contractors working in journalism, screen writing, translating and interpreting, and other creative professions – regardless of whether they are hired through a digital platform.

Workers in these fields are often paid less than the minimum wage because of their low bargaining power and lack of control over their work arrangements.

### **Quotes attributable to ACTU Secretary, Sally McManus:**

“The Closing Loopholes reforms are a clear success. Labour hire workers have been winning life changing pay rises, casual work is at 30-year lows and gig workers are on the cusp of winning world first standards on pay and conditions.

“The only failure is the prediction of the big mining companies - led by BHP – that these laws would cost investment and jobs.

“No such thing happened. Instead BHP has just posted the largest half yearly profit of any Australian company as it continues to fight same job same pay claims every step of the way.

“The mining industry is also continuing its practices of trying to find and exploit every loophole possible to avoid paying labour hire workers what they’re entitled to.

“Unions are highlighting these corporate tactics in the review of the Closing Loopholes reforms, and calling for further action to close them down.”

**ENDS**

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