

Article Information

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Employment Relations Podcast #37 - Closing Loopholes No. 2: Considering Complexities

February 2024 has been a big month for legislative change, particularly in the contentious arena of industrial relations. Seemingly out of nowhere, the Government announced it had done a deal on the remaining areas of proposed reform that did not make it into the Closing Loopholes Act 2023. Adding to the surprise, the Closing Loopholes No. 2 Bill contained significant and substantial amendments to what had previously been proposed, including the much discussed “right to disconnect” provisions.

In this episode of Employment Law for the Time Poor, join Professor Andrew Stewart, Consultant, and Emily Haar, Partner, as they discuss five key areas of reform:

- Casual employment, including definitions and “conversion” provisions;
- The “right to disconnect”;
- The definition of employment for the purposes of the Fair Work Act 2009 (Cth);
- Increases to civil penalties, particularly for civil underpayments; and
- The impact the new intractable bargaining determination provisions may have on bargaining strategy.

Further written insights relating to the full complement of Closing Loopholes No. 2 reforms will be published in coming days, available at <https://piperalderman.com.au/insight/>. Likewise, we will be hosting a webinar on 5 March 2024 to discuss the reforms. Register via our website at:

<https://piperalderman.com.au/eventcategory/national-employment-relations-seminar-series/>.

For more analysis on the earlier iterations of “Closing Loopholes” see:

- <https://piperalderman.com.au/insight/the-closing-loopholes-bill-brings-more-challenges-for-employers/>
- <https://piperalderman.com.au/insight/closing-some-loopholes-now-and-others-later-an-update-on-the-latest-fair-work-amendments/>

For even more practical insights, on 20 February 2024, our Adelaide team will present on “wage theft” and civil underpayments. Register for the webinar here:

<https://piperalderman.com.au/event/webinar-beat-the-clock-2024-substantive-law-underpayment-or-wage-theft-understanding-compliance-with-the-fair-work-act-criminalisation-and-the-proposed-safe-harbour-provision/>

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