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Cultivating Fair Work: HR & Contractor Compliance in Australia's Agricultural Sector

Supporting a Sustainable Agricultural Workforce through Compliance with the Fair Work Act & Closing Loophole Laws

Australia's Agricultural industry is arguably the backbone of our economy and the heart of our communities, providing essential food and raw materials. It contributes to over 10.8% of the nation's goods and services exports, valued at over \$71.5 billion in 2023-24. The sector continues to remain resilient amidst fluctuating global markets and environmental challenges. Additionally, agricultural producers employ over 315,000 people in Australia, representing 2.2% of national employment, up from 274,900 people in 2022 (Snapshot of Australian Agriculture 2025 - DAFF).

Complying with Legislation and the Closing Loophole Laws

The recently introduced Closing Loophole laws impose new and significant obligations on agricultural producers that aim to close gaps in relation to the unfair treatment of workers and Contractors in Australia. These new laws include criminalising wage underpayments, granting employees the right to disconnect from work outside of hours, and redefining casual employment and independent contractor terms. Compliance with these new regulations is essential for agricultural businesses to avoid legal repercussions and ensure fair treatment of their workforce.

Whilst maintaining compliance with HR, Safety & Contractor legislation can be daunting for producers, this can be offset by engaging expert professionals who specialise in establishing processes and systems to enable producers to meet their obligations and empower their workforces to thrive, develop, and grow. Companies like AtOne HR Solutions, along with other HR compliance experts, can help agricultural businesses meet their obligations through the delivery of expert advice, resolving complex people situations, establishing 'best fit' employment contracts, onboarding new employees and contractors, and managing all record-keeping in line with regulations.

HR compliance software is also available to help agricultural producers meet their compliance obligations through standardising processes like employee onboarding, safety, performance management, and employee engagement. Such software helps businesses maintain compliance and meet the demands of external auditors and regulators.

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Key Tip - Look for a software system that offers a wholistic solution, rather than multiple systems that will only promote further complexity in your business.

By partnering with experts and utilising contemporary compliance and software tools, you can cultivate a fair and compliant workplace and help contribute to the long-term success and sustainability of Australia's agricultural industry.

Benefits of Compliance

1. Ensuring Fair Employment Practices

The Fair Work Act 2009 lays down the law for workplace relations in Australia, offering a safety net of minimum entitlements for employees. In the agricultural sector, compliance with this legislation ensures that workers receive fair wages, reasonable working hours, and appropriate leave entitlements. This is particularly important in an industry that often relies on seasonal and casual labour, where workers may be more vulnerable to exploitation.

2. Protecting Workers' Rights

Compliance with the Fair Work Act helps protect the rights of agricultural workers, including their right to a safe and healthy work environment. The Act includes provisions to prevent discrimination, harassment, and unfair dismissal. By adhering to these regulations, agricultural employers can create a more inclusive and respectful workplace, which can improve employee morale and productivity.

3. Avoiding Legal and Financial Penalties

Non-compliance with the Fair Work Act can result in significant legal and financial penalties for agricultural businesses. Fair Work Inspectors have the authority to conduct spot checks and investigations to ensure compliance. Businesses found to be in violation of the Act may face fines, back-payment orders, and legal action. Ensuring compliance helps avoid these costly consequences and protects the business's reputation.

4. Enhancing Recruitment and Retention

Diligent and considered HR compliance practices can positively impact the recruitment and retention of skilled staff in the agricultural sector. By providing fair and lawful employment conditions, businesses can attract and retain a motivated and capable workforce. This is crucial in an industry that often faces labour shortages and high turnover rates. Compliance with the Fair Work Act can make agricultural businesses more attractive to potential employees, helping to secure the talent needed for growth and sustainability.

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5. Promoting Economic Stability and Growth

HR compliance with the Fair Work Act supports economic stability within the agricultural sector. By ensuring fair treatment of workers, agri businesses can foster a more stable and productive workforce. This, in turn, contributes to the overall growth and sustainability of the industry. Compliance also helps maintain a level playing field, ensuring that all businesses adhere to the same standards and practices, which can enhance competitiveness and innovation.

Conclusion

In conclusion, HR compliance with the Fair Work Act 2009 and the new Closing Loophole laws, is not just a legal obligation but a cornerstone for building a fair, safe, and productive agricultural workforce.

While the unique challenges of the agricultural industry can make compliance seem daunting, the benefits far outweigh the difficulties. By ensuring fair employment practices, protecting workers' rights, and fostering a stable, safe and motivated workforce, agricultural businesses can thrive and contribute to the long-term sustainability of the sector.

Call to Action

To all Australian Agri business owners, it's time to prioritise compliance with the Fair Work Act and Closing Loophole laws. Start by educating yourself and your team about your legal obligations. Seek advice from HR compliance experts to ensure your practices align with the law. Their expertise will ensure your business remains compliant with both existing and new legislation, safeguarding your operations and workforce.

By taking these steps, you not only safeguard your workforce but also strengthen the integrity and sustainability of the agricultural industry.

As Thomas Jefferson wisely said, "**Agriculture is our wisest pursuit, because it will in the end contribute most to real wealth, good morals, and happiness.**" Let's work together to build a fairer, more prosperous future for Australian agriculture.