

**UNITED FIREFIGHTERS UNION
OF AUSTRALIA**



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President Leigh Hills
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23 April 2026

Committee Secretary
Education and Employment References Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

By Email: eec.sen@aph.gov.au

Dear Committee Members,

RE: Senate Education and Employment References Committee Inquiry into Wage Theft

I respectfully write to you today as the National Secretary of the United Firefighters Union of Australia (UFUA) to provide a submission to the *Senate Education and Employment References Committee Inquiry into Wage Theft*.

Introduction

1. The United Firefighters Union of Australia ("**UFUA**") is the registered federal union of career firefighters and related occupations employed by fire services in Australia.
2. The UFUA represents thousands of firefighters across Australia, employed on a permanent full-time, and part-time basis by urban, aviation and defence fire services. In addition, the UFUA also represents other fire service employees including, but not limited to, emergency call centres, fire safety officers, mechanics, trainers, administrative, professional and technical support and hospitality.
3. Our Union welcomes this inquiry, in light of the significant incidence of wage theft that happens year on year in Australia. The entitlements that all people receive when working in Australia are only as strong as the mechanisms that exist to ensure that workers are receiving them. As years of research has indicated, wage theft continues to be a prominent threat to the rights of workers in Australia.
4. The UFUA is unwavering in our view that all workers, be it firefighters or otherwise, deserve to be paid what they are entitled to.

Background

5. The Wage Theft Inquiry concerns the operation of the *Fair Work Act 2009* (Act) insofar as it relates to wage theft. Specifically, this inquiry aims to interrogate subsection 327A(1) of the Act, which details what is considered a wage theft offence under section 327A of the Act.¹
6. This provision was introduced as part of the *Fair Work Legislation Amendment (Closing Loopholes) Act 2023* (Closing Loopholes Act), passed by Parliament in December 2023, coming into force at the start of 2025.²
7. The UFUA supports the principles that underpinned this amendment and strongly supports offence provisions in the Act to address wage theft in Australia. However, the subject of this submission is to raise concern over the effectiveness of this provision in the year it has been in effect.

The Closing Loopholes Review

8. The UFUA first wishes to acknowledge the ongoing “Closing Loopholes Review” being conducted by Ms Susan Booth, having commenced in December 2025.³
9. We acknowledge the importance the ongoing review, and eagerly await the findings, due to be tabled in Parliament in September 2026.
10. However, noting the current impact of wage theft in Australia, we note the importance of this inquiry, and the opportunity it will provide a forum for cross-party discussion, and public submissions and hearings.

Effectiveness of subsection 327A(1)

11. Since 2024, the reporting suggests that despite the intentions of this law, it has only led to a handful of investigations and no prosecution of wage theft offences.
12. This is demonstrated by the Fair Work Ombudsman’s (FWO) evidence during the most recent Senate estimates hearings in 2026, in response to questions by Independent Senator Fatima Payman. It follows⁴:

¹ *Fair Work Act 2009* (Cmth) Section 327A. https://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s327a.html.

² Fair Work Ombudsman. 2025. “Criminal prosecution”. Fair Work Ombudsman. <https://www.fairwork.gov.au/about-us/compliance-and-enforcement/criminal-prosecution>

³ The Hon Amanda Rishworth MP. 2025. “Media Release: Closing Loopholes Review”. 5 December 2025. Minister’s Media Centre: Minister for Employment and Workplace Relations. <https://ministers.dewr.gov.au/rishworth/closing-loopholes-review>.

⁴ Australia. Senate Education and Employment Legislation Committee. 2026. *Estimates - Employment and Workplace Relations Portfolio - Australian Skills*. 11 February 2026. Senator Fatima Payman & Ms Michelle Carey, Fair Work Ombudsman. https://parlinfo.aph.gov.au/parlInfo/download/committees/estimate/29367/toc_pdf/Education%20and%20Employment%20Legislation%20Committee_2026_02_11.pdf;fileType=application%2Fpdf. Page 75.

Senator PAYMAN: ...Since the criminalisation of wage theft commenced, could you please outline how many allegations relating to wage theft have been reported to the Fair Work Ombudsman?

...

Ms Carey: As Ms Booth just said, we have two active investigations at the moment.

13. Of the former and active investigations conducted by the FWO, no referrals had been made to the AFP or the Commonwealth Director of Public Prosecutions.⁵ It is the UFUA's understanding that as of April 2026, no referrals have been made.
14. The lack of active investigations, and prosecution resulting from these laws do not reflect a monumental reduction in wage theft in Australia. Data from the FWO in 2025, cited by the Australian Council of Trade Unions (ACTU), estimated "the figure is between \$850 million to \$1.55 billion in stolen wages each year."⁶ This data is consistent with findings from a 2025 survey of workers under 30, conducted by the University of Melbourne, which found one third of respondents reported wage theft.⁷
15. In the context of the wage theft laws, these figures not only demonstrate the significance of the issue, but how the current laws need reform to ensure they are effective in prosecution the thousands of instances of wage theft that we know to be occurring in Australia year on year.
16. The UFUA therefore recommends this inquiry consider possible reforms to the wage theft provisions in the Act. Specific focus should be applied to whether the high standard for prosecution is a determinative factor in limiting the law's effectiveness.

Conclusion

17. The UFUA thanks the Committee for the opportunity to provide a submission to support this valuable inquiry.

Yours faithfully,


Peter Marshall
National Secretary
United Firefighters Union of Australia

⁵ Ibid.

⁶ ACTU Media. 2025. "Media Release: New year, new powers to tackle wage theft affecting one million workers". 1 January 2025. ACTU. <https://www.actu.org.au/media-release/new-year-new-powers-to-tackle-wage-theft-affecting-one-million-workers/>.

⁷ Melbourne Law School. 2025. "A third of young people ripped off by employers, study shows". 16 July 2025. University of Melbourne. <https://www.unimelb.edu.au/newsroom/news/2025/july/a-third-of-young-people-ripped-off-by-employers,-study-shows>.