

Changes to general protections

Family and domestic violence


From 15 December 2023, an employer **cannot take adverse action** against an employee or potential employee **because** they have been, or are being, subjected to **family and domestic violence**.

The Fair Work Act prohibits an employer from taking **adverse action** against an employee, or potential employee, because of their **protected attribute**. These laws cover most employees and businesses.

Examples of protected attributes include a person's:


- age, gender, race and religion
- pregnancy and family or carer responsibilities

From 15 December 2023, 'subjection to family and domestic violence' is also a protected attribute.

 See section 351(1) and section 772(1)(f) of the [Fair Work Act 2009](#) for a full list of protected attributes.

Examples of adverse action include:

- dismissing an employee
- treating them differently
- demoting them to a lower job
- not hiring someone
- cutting their shifts or hours
- offering a potential employee different (unfair) terms and conditions compared to other employees

 Visit our website to learn more about [adverse action](#) and [prohibited reasons](#).

What is family and domestic violence?


Family and domestic violence is violent, threatening or other abusive behaviour that seeks to coerce or control a person, or causes them harm or to be fearful. The behaviour may be by a close relative of the person, or a member of the person's household, or the person's current or former intimate partner.

Family and domestic violence may include, but isn't limited to:

- controlling behaviour
- physical violence
- sexual assault
- emotional abuse
- stalking
- technology facilitated abuse
- financial abuse.

How we can help

You may be able to apply to start a case at the Commission if you think that an employer took adverse action against you because you have been, or are being, subjected to family and domestic violence.

 Visit our website to learn more about starting a case:

- if you have been dismissed – [dismissal under general protections](#)
- if you have not been dismissed – [disputes about general protections](#)


Find out more

About the general protections

Visit our website to learn more [about the general protections](#) including [who the general protections laws cover](#)

Where to get help

You can ask your union or employer organisation, or seek independent legal advice, about the new protections. You can find out [where to find legal help](#) on our website.



If you, or someone you know, is experiencing family and domestic violence, support is available.

The Services Australia website has a list of links to support services and tools, as well as information about staying safe online. Visit www.servicesaustralia.gov.au/help-from-other-places-for-family-and-domestic-violence