



Australian Government
Department of Employment
and Workplace Relations

Secure Australian Jobs Code

Consultation Paper



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The document must be attributed as the Secure Australian Jobs Code Consultation Paper.

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Consultation Process

Request for feedback and comments

This consultation paper seeks stakeholder feedback to inform the development of the Secure Australian Jobs Code (Secure Jobs Code), including its application, implementation and compliance arrangements, to ensure government expenditure is driving better outcomes for Australian workers without creating unnecessary red tape for businesses.

We invite submissions on the questions raised in this consultation paper. Written submissions can be made by visiting the Department of Employment and Workplace Relations' [Consultation Hub](#) by 11.59pm Australian Eastern Daylight Time (AEDT) 20 February 2026. If you have any questions, please email SecureJobsCode@dewr.gov.au.

This paper has been prepared for consultation purposes. Decisions about the parameters and application of the Secure Jobs Code have not been taken and future decision-making will be informed by this consultation process.

Confidentiality

We retain discretion about publishing and sharing submissions. We may also redact parts of published submissions if appropriate. If you do not want to have your submission published, please indicate this when making your submission.

Please note that legal requirements, such as those imposed by the *Freedom of Information Act 1982*, may affect the confidentiality of your submission.

Introduction

The Australian Government is committed to ensuring a dynamic and inclusive labour market in which Australians have access to safe, secure and well-paid jobs, and where workers, employers and communities can adapt and thrive for a sustainable future.

Suppliers who are providing goods and services for the operation of the government must be held to high standards, contribute to the shared goals of Australia, and do the right thing by workers. Suppliers meeting these standards should be recognised.

Under the Buy Australian Plan¹ the government committed to establish the Secure Jobs Code to prioritise secure work in government contracts and ensure government purchasing power is being used to support businesses that engage in lawful, fair, equitable, ethical and sustainable practices. The Secure Australian Jobs Plan² further sets out the key requirements of the Secure Jobs Code:

- safe and secure jobs that are well-paid and have good conditions
- ethical and sustainable practices such as ensuring environmentally sustainable outcomes
- compliance with the *Workplace Gender Equality Act 2012*
- the consideration of local industry workforce capability and capacity, particularly in regional Australia.

Government actions already undertaken or underway

In developing the Secure Jobs Code, a key objective will be to avoid unnecessary duplication or overlap with existing or emerging government measures that address priority issues through public expenditure. Many of these measures already align with, and partially meet, the intended requirements of the Code. The consultation process will help ensure the Code complements these initiatives effectively.

The government has introduced a range of amendments to workplace relations laws to improve fairness, promote gender equality and job security, protect workers' entitlements and increase wages, including:

- *Fair Work Amendment (Paid Family and Domestic Violence Leave) Act 2022*
- *Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022*
- *Fair Work Legislation Amendment (Protecting Worker Entitlements) Act 2023*
- *Fair Work Legislation Amendment (Closing Loopholes) Act 2023*
- *Fair Work Legislation Amendment (Closing Loopholes No. 2) Act 2024.*

The government has also implemented other reforms and reviews in relation to the Commonwealth Procurement Framework which is underpinned by the Commonwealth Procurement Rules (CPRs).

¹ Department of Finance, [Buy Australian Plan](#), Finance, Australian Government, 2025, accessed 5 August 2025.

² The Hon Anthony Albanese PM, [Secure Australian Jobs Plan](#) [media release], 15 November 2021, accessed 5 August 2025.

In October 2025, the Government updated the CPRs to reflect the government's commitment to improving the competitive capability of Australian businesses participating in Commonwealth procurement, including changes to give effect to the government's election commitment to prioritise Australian businesses in government procurements and contracts. The revised CPRs took effect on 17 November 2025.

Key reforms include:

- implementation of the Environmentally Sustainable Procurement Policy, which encourages climate-conscious purchasing³
- strengthening the Workplace Gender Equality Procurement Principles and User Guide Procurement-Connected Policy, which mandates procuring entities' compliance with the *Workplace Gender Equality Act 2012*⁴
- updates to the Commonwealth Procurement Rules to support environmentally friendly goods and services⁵
- introduction of the Commonwealth Supplier Code of Conduct (Supplier Code), which sets expectations for suppliers around work health and safety, employee welfare, ethical behaviour and sustainable business practices in all new Commonwealth contracts.⁶

The *Future Made in Australia Act 2024* embeds Community Benefit Principles (CBPs) in relation to investments in priority industries which have a focus on building capability through investment in local communities, supply chain and skills and the promotion of diverse workforces and secure jobs.

The Australian Skills Guarantee Procurement Connected Policy sets national targets for apprentices, other 'learning workers' and women working on eligible construction and ICT projects.

Outstanding policy objectives

While there are a number of measures that are relevant to the Secure Jobs Code, the government is seeking feedback to ensure the Code is focused on areas where it can have the most impact and does not create unnecessary regulatory or administrative burden on suppliers and procuring officials.

Recent reforms have strengthened legal requirements for fair treatment of workers and improved access to secure employment. Building on this foundation, the Secure Jobs Code will use the Commonwealth Procurement Framework as a strategic tool to encourage higher standards. It will support procuring entities to promote and prioritise best practice among suppliers — particularly on Commonwealth contract sites — in priority areas including workforce capability, safe and secure jobs that are well-paid and have good conditions, and meaningful consultation between employers and workers.

³ Department of Climate Change, Energy, Environment and Water, [Environmentally Sustainable Procurement Policy](#), DCCEEW, Australian Government, 2025, accessed 25 August 2025.

⁴ Workplace Gender Equality Agency, [Workplace Gender Equality Procurement Principles](#), WGEA, Australian Government, 2025, accessed 9 September 2025.

⁵ Finance, [Commonwealth Procurement Rules](#), Finance, Australian Government, 2024, accessed 18 August 2025.

⁶ Finance, [Commonwealth Supplier Code of Conduct](#), Finance, Australian Government, 2024, accessed 15 August 2025.

Issues for feedback

The government wants to hear from all impacted stakeholders, including businesses of all sizes, workers and their unions, industry groups, not-for-profit organisations and the general public, on the design of the Secure Jobs Code, including its application, implementation and compliance arrangements.

Issue 1: Key requirements of the Secure Jobs Code

The key requirements of the Secure Jobs Code should be tailored to complement and build on, rather than duplicate, existing government initiatives. The Secure Jobs Code will prioritise, through the Commonwealth resource management framework, suppliers who promote and prioritise best practice in each of the priority areas.

In addition to meeting minimum statutory obligations, the Secure Jobs Code could require contracting entities to demonstrate they:

- support safe and secure jobs that are well paid and have good conditions
- support addressing skills shortages and gender segregation in industries, for example, by complying with relevant government initiatives such as the Australian Skills Guarantee Procurement Connected Policy (for eligible Construction and ICT projects)
- support freedom of association and representation in the workplace
- ensure a safe and healthy workplace, for example, by demonstrating achievement of industry performance standards in relation to WHS
- ensure that enterprise agreements used on government-funded projects are genuinely agreed
- ensure that subcontractors and suppliers are paid on time and in full for work delivered.

The Secure Jobs Code should align with amendments to the *Fair Work Act 2009* (Cth) (Fair Work Act) that promote gender equality and job security, protect workers' entitlements and increase wages, as well as align with the CBPs under the *Future Made in Australia Act 2024*.

The Secure Jobs Code should also support and prioritise sustained and inclusive full employment. As noted in *Working Future: The Australian Government's White Paper on Jobs and Opportunities*, the government is working to create an economy where everyone who wants a job can find one without having to search for too long, and that these jobs should be decent, secure and fairly paid.⁷

⁷ Department of the Treasury, *Working Future – The Australian Government's White Paper on Jobs and Opportunities*, The Treasury, Australian Government, 2023, accessed 25 August 2025.

Consultation Questions on Issue 1: Key requirements of the Secure Jobs Code

- How should a Secure Jobs Code operate to promote and prioritise safe, secure and well-paid jobs?
- What requirements should (or should not) be included? Why/why not?
 - What might the minimum expectations for each of the proposed requirements be?
 - What other factors need to be considered with respect to these requirements?
 - How can the Secure Jobs Code best promote fair and harmonious workplaces, including in relation to agreement making?
- How should a Secure Jobs Code operate to promote inclusive job creation and workforce capability and capacity?
 - How might domestic capability and local supply chains be considered as part of the Secure Jobs Code?
- Are there any requirements that should be considered for inclusion?

Issue 2: Application of the Secure Jobs Code

A key outcome of the consultation and development process will be to identify the scope and coverage of the Secure Jobs Code, including whether there should be specific requirements for the building and construction industry, and the funding mechanisms to which the Secure Jobs Code should apply to, with the aim of delivering positive outcomes for business, workers and communities while avoiding duplication and unnecessary regulatory burden.

It will be important to ensure consistent and coherent application of the Code across government financial levers to mitigate the risk of incentivizing the preferencing of certain funding sources in order to avoid obligations under the Code.

Building and construction industry

There are systemic and embedded cultural issues in the building and construction industry, and the Government has identified an opportunity to use its procurement powers to influence change and drive mutually beneficial and lawful behaviour.⁸

There is broad consensus among industry stakeholders that persistent structural and cultural issues continue to impair the industry's productivity and affect the wellbeing of its workers.⁹ These include overreliance on labour hire, low representation from women, and ongoing issues of gender-based violence, coercion, intimidation, corruption and criminality.¹⁰

The Government is committed to addressing the range of challenges in the industry and reforming the industry's culture, including through the establishment of the National Construction Industry Forum (NCIF). The NCIF is the industry's leading national tripartite forum, bringing together

⁸ The Hon Tony Burke MP, Speech at Press Conference, [Press Conference, Parliament House](#), 17 July 2024, accessed 4 September 2025.

⁹ For example, see Ashley Grogan (7 August 2025) [Construction leaders call for procurement reform at FF25](#), *Inside Construction*, accessed 25 August 2025.

¹⁰ National Construction Industry Forum, [Blueprint for the future – A building and construction industry that works for everyone](#), Department of Workplace Relations, Australian Government, 2025.

government, unions and business to provide advice to Government on a broad range of issues relating to work in the industry.

The NCIF has agreed 9 recommendations should be acted on as the first tranche of implementation of its *Blueprint for the Future*, including advising on best practice for procurement frameworks and settings with a view to developing a nationally consistent set of procurement principles.

The Secure Jobs Code would seek to complement the NCIF's Blueprint, including work that has commenced on the development of a Joint Construction Industry Charter (Charter). The Charter represents an industry-first attempt to work together to codify shared goals and expectations for all construction industry participants.

While the potential scope of the Secure Jobs Code is broad, the government also wishes to explore whether sector-specific requirements are appropriate for the building and construction industry.

Procurement contracts

The Commonwealth directly procured approximately \$105 billion worth of goods and services in 2024-25.¹¹ The Secure Jobs Code will need to complement the current rules and guidelines that govern Commonwealth procurement, which is comprised of the CPRs, Department of Finance procurement guidelines and resources, Procurement Connected Policies (PCPs), and the recently implemented Supplier Code. The Supplier Code outlines the Commonwealth's minimum expectations of suppliers and their subcontractors while under contract with the Commonwealth, and includes expectations on suppliers' health, safety and employee welfare policies.

Feedback is sought on how the Secure Jobs Code should interact with the existing Commonwealth procurement framework.

Grants

The Commonwealth awards around \$35 billion a year of grant funding to recipients, which is used for many purposes including supporting social services, community development initiatives and medical research.¹² Commonwealth grants and procurements are governed by separate frameworks, but some policies apply to both types of spending, for example the Commonwealth Australian Industry Participation (CAIP) policy, which applies to contracts, grants, payments and investments.¹³ Applying the Secure Jobs Code to grants could be achieved through the development of a policy covering both grants and procurements, or by including additional clauses in grant opportunity guidelines and agreement templates.

Careful consideration would need to be given to the types of grants that should be subject to these requirements, noting that grants are made to a wide variety of individuals and organisations. Striking an appropriate balance between the potential burden imposed on grantees and achieving the intended objectives of the grant program will be important.

Feedback is sought on whether the Code should cover grants, and if so, which types.

¹¹ AusTender, [Statistics on Australian Government Procurement Contracts](#), AusTender, Australian Government, accessed 8 September 2025.

¹² GrantConnect, [Awards by Financial Year](#), GrantConnect, Australian Government, accessed 17 October 2025.

¹³ Department of Industry, Science and Resources, [Australian Industry Participation](#), DISR, Australian Government, accessed 25 August 2025.

Indirectly funded work

The Secure Jobs Code could be applied to indirectly funded work. A significant proportion of Commonwealth funding for projects is provided through indirect arrangements, such as providing support for state governments, councils or private companies that lead projects. Care would need to be taken to identify how best to apply the Secure Jobs Code to these initiatives, including the types of investments that would be subject to the requirements and the treatment of arrangements where the Commonwealth is not the majority investor. In addition, other frameworks guiding investment decision making must be considered, including the CBPs in the *Future Made in Australia Act 2024*.

Feedback is sought on whether the Code should cover indirectly funded work.

Financial thresholds

It is proposed that the Secure Jobs Code would apply to Commonwealth expenditure above a certain value threshold. A value threshold ensures that the realised benefits of the Secure Jobs Code are not outweighed by its regulatory burden on suppliers and administrative costs on government, noting that lower value projects are still captured by other initiatives such as the Supplier Code of Conduct.

For example, based on 2024-25 Commonwealth data, a value threshold of \$20 million would result in the Secure Jobs Code covering approximately 72% of all Commonwealth procurement spending, while applying to less than 1% of all contracts.¹⁴ Similarly, applying this value threshold to grants would capture approximately 42% of all grant money awarded while applying to only 0.3% of all grants.¹⁵

By applying the Secure Jobs Code to high value contracts, the government can minimise administrative and regulatory costs to both suppliers and the Commonwealth, while still ensuring the Code covers the majority of procurement activity by value. Consideration will also be given to aligning the value threshold with the upcoming Future Made in Australia support Rule.

Feedback is sought as to the most appropriate financial threshold for the Secure Jobs Code, and the degree to which a head contractor should be responsible for ensuring subcontractors follow these requirements.

¹⁴ AusTender, [Contracts by Threshold](#), AusTender, Australian Government, accessed 28 August 2025.

¹⁵ GrantConnect, [Grants Awarded by Agency](#), GrantConnect, Australian Government, (data extraction), accessed 17 October 2025.

Consultation Questions on Issue 2: Application of the Secure Jobs Code

- Should the Secure Jobs Code apply specific rules in the building and construction sector? If so, provide details.
- Should the Secure Jobs Code apply to subcontractors? If so, what should this threshold be?
- What types of funding processes (e.g. procurement, grants, other indirectly funded work) should the Secure Jobs Code apply to? Why/why not?
- What financial threshold should apply to the Secure Jobs Code? Should the financial threshold vary across different industries and sectors?

Issue 3: Implementation

There are a number of options for implementing the Secure Jobs Code, including changes to the CPRs, or establishing a PCP and grant connected policy (GCP).

Changes to the Commonwealth Procurement Rules

For procurement, the implementation of the Secure Jobs Code could be achieved through legislation, changes to the CPRs or the creation of a new PCP.

The CPRs are a legislative instrument under the *Public Governance, Performance and Accountability Act 2013*. The CPRs are the foundation of the Commonwealth procurement framework and contain the core rules for all Commonwealth purchases and govern how government entities buy goods and services. Australia is party to a range of free trade arrangements, and these arrangements are implemented domestically by legislation and/or Commonwealth policy. Relevant international obligations are incorporated in the CPRs.

The Supplier Code outlines the Commonwealth's minimum expectations of suppliers and their subcontractors while under contract with the Commonwealth.

Establishment of Procurement and Grants Connected Policies

PCPs and GCPs operate in concert with the Commonwealth Resource Management Framework (CPRs and Commonwealth Grants Rules and Principles (CGRPs)) to set out additional, more detailed, requirements that apply to specific procurements or grants. Section 4.9 and 4.10 of the CPRs, require non-corporate Commonwealth entities and prescribed corporate Commonwealth entities to comply with each relevant PCP. Paragraphs 4.14 and 4.15 of the CGRPs provide for grant connected policies.

A single policy can cover Commonwealth procurement, grants and investments. For example, the CAIP policy administered by the Department of Industry, Science and Resources applies to procurements, grants and investments. PCPs and GCPs could be used to set out obligations for the Secure Jobs Code, noting that policies must not impose a disproportionate regulatory burden.

Consultation Questions on Issue 3: Implementation

- How should the Secure Jobs Code be implemented?
- What are the merits or otherwise of using procurement and grants processes to implement a Secure Jobs Code?

Issue 4: Compliance and Enforcement

The effective implementation of the Secure Jobs Code will require organisations to demonstrate their adherence to the Code. Feedback on compliance and enforcement mechanisms will help to ensure the practical implementation of the Secure Jobs Code is achievable for different sizes and types of organisations.

Value for money related assessments

One option to assess compliance with the Secure Jobs Code is to place a requirement on procuring officials to consider the capacity of organisations to adhere to the Code when making value for money assessments during the tender process. Value for money is the core rule of the CPRs and refers to the optimal use of resources to achieve the best possible outcomes, including consideration of the relevant financial and non-financial costs and benefits.¹⁶ Value for money involves balancing cost, quality, and effectiveness to ensure that what is purchased or invested in delivers the greatest benefit for the resources used.

Under the CPRs, when officials undertake a procurement and subject to the scale, scope and risk of the procurement, they must consider a potential supplier's relevant experience and performance history when assessing value for money, among other things. This could include consideration of any unethical behaviour and/or deficiencies in performance under prior contracts, including failure to meet the requirements of the Secure Jobs Code. A supplier's performance against the Secure Jobs Code would be a relevant consideration for officials when assessing tenders.

Guidance would need to be provided to assist applicants to understand the requirements of the Secure Jobs Code in preparing a submission, during the submission evaluation process, and in the contract management stage.

Pre-assessment certification

A pre-assessment process is another option to assess compliance with the Code. Applicants would be required to demonstrate that their organisation is compliant with the Secure Jobs Code before being able to participate in a tender process. A more substantial form of pre-assessment certification would be through an accreditation scheme, where organisations must first become accredited before they are able to apply for applicable contracts.

Notification of non-compliance

An additional requirement could include that certain parties, such as the recipients of funding would have to notify the contracting Commonwealth entity of any instance of non-compliance with the

¹⁶ Finance, *Commonwealth Procurement Rules*, Finance, Australian Government, 2025, accessed 11 December 2025.

Secure Jobs Code and relevant laws. The contracting entity would then engage with the suppliers to address those instances of non-compliance. Material breaches of the law would need to be notified to the appropriate compliance body or law enforcement agency as soon as possible.

Remediation or termination

A framework for dealing with non-compliance with the Secure Jobs Code will need to be developed. Responding to non-compliance would depend on the nature of breaches and the remediation options available.

For example, for minor or isolated breaches of the Secure Jobs Code, remedial actions may be appropriate, such as undertaking specific actions by a specified date and/or undertaking additional, independent or more detailed monitoring and evaluation of activities. Where corrective action is unsuccessful, or the nature of a breach is sufficiently egregious, the most serious response could include a contract being terminated in accordance with a Termination for Cause clause.¹⁷

Consultation Questions on Issue 4: Compliance and Enforcement

- How might compliance with a Secure Jobs Code be demonstrated, assessed, monitored and measured?
- Which parties should be required to (or have standing to) notify the Commonwealth of non-compliance with the Secure Jobs Code?
- What other compliance mechanisms should be considered and why?
- How should non-compliance with the Secure Jobs Code be managed?
 - Is remedial action sufficient for minor non-compliance? Why/why not?
 - Is contract termination appropriate for egregious non-compliance? What should a penalty regime look like?
- Should additional requirements apply to businesses and other entities with a history of non-compliance with matters covered by the Secure Jobs Code or those entities that have failed to meet obligations in previous government engagements?
- Who should be responsible for assessing compliance with and enforcing the Secure Jobs Code?

Next steps

You are invited to provide a submission by 11.59pm Australian Eastern Daylight Time (AEDT), 20 February 2026. More information is available at <https://www.dewr.gov.au/secure-australian-jobs-code>

¹⁷ Finance, *Termination for Cause*, Finance, Australian Government, 2025, accessed 25 August 2025.