

# Energy Industry Jobs Plan Statutory Review

## Consultation Paper

**August 2025**

Australia's energy transition is a significant source of economic opportunity for our industries, regions and workers.



# Contents

Introduction	3
The Energy Industry Jobs Plan	5
Theme one: Operation of the EIJP to date	6
Theme two: Expected operation of the EIJP	8
Theme three: A fit-for-purpose EIJP into the future	10
Submission guidelines	12
Privacy collection notice	12
Appendix A: Glossary	15
Appendix B: The EIJP process	18



## Introduction

The Energy Industry Jobs Plan (EIJP) is an Australian Government initiative to support workers affected by the closure of coal- or gas-fired power stations to transition to new employment. The EIJP was established by Part 5 of the *Net Zero Economy Authority Act 2024* (NZEA Act), which commenced on 11 December 2024, and is administered by the Net Zero Economy Authority (the Authority).

The design of the EIJP and its application has been subject to significant consultation to date, including a Parliamentary inquiry into the legislation as well as place-based consultations in impacted regions.

On 26 June 2025, the Authority's CEO, Mr David Shankey, announced that Emeritus Professor Roy Green AM (the Reviewer) will undertake a review of the operation of Part 5 of the NZEA Act, including whether any amendments to Part 5 are desirable. The Review's terms of reference are available on the [Authority's website](#).

The Review is required under section 68 of the NZEA Act and must be delivered by 10 December 2025, which is within 12 months of commencement of the NZEA Act.<sup>1</sup>

A glossary of the terms used within the consultation paper has been provided at [Appendix A](#). The steps involved in the EIJP process are detailed in [Appendix B](#).

## The scope of the Review

The Review is considering whether the EIJP is working effectively and as intended, as well as its likely success into the future. It is focused on whether the EIJP (specifically Part 5 of the NZEA Act) could be improved to better support employees impacted by coal- and gas-fired power station closures. No power stations involved in the EIJP will have closed within the Review period and some parts of the EIJP won't have been used. Therefore, the Review will also consider the merit and timing of any future review.

The scope of the Review means it will not propose changes to the purpose of the EIJP or assess the broader operation of the NZEA Act beyond Part 5. It also will not consider the operation of other government initiatives or legislation separate to the EIJP. For example, the Review won't consider how the *Fair Work Act 2009* (Fair Work Act) is operating but may consider the components of the EIJP legislation that refer to that Act.

The EIJP has both legislated and non-legislated components. The non-legislated component includes funding assistance for employers when offering new employment to participating employees. This funding won't be available at the time of the Review – it may only become available closer to the expected closure date of a coal- or gas-fired power station involved in the EIJP. Because the funding hasn't been used, this Review won't look at its effectiveness.

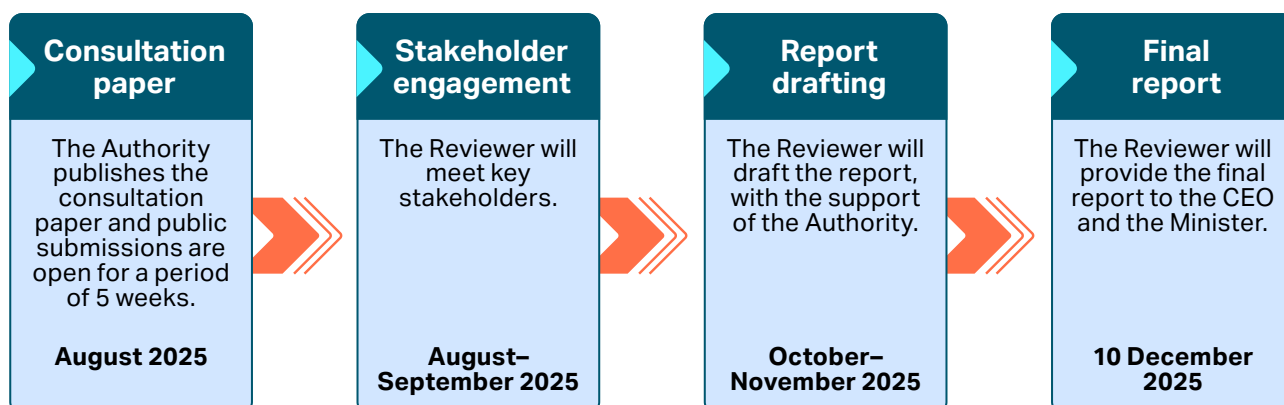
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<sup>1</sup> See provisions on conducting a review of the operation of Part 5 under subsection 68(4) of the NZEA Act.



## What is the process for the Review?

The Reviewer will consult widely so diverse perspectives inform the Review's findings and recommendations. The release of this consultation paper coincides with the start of the public engagement process. The Review process consists of four stages:



## How to participate in the Review

The Reviewer wants to hear from people, employers and organisations that could be impacted by a coal- or gas-fired power station closure, or who have a broader interest in the impact of coal- and gas-fired power station closures on workers, regional economies and communities. This could include, but is not limited to:

- ♦ workers at coal- and gas-fired power stations
- ♦ workers at businesses associated with coal- and gas-fired power stations
- ♦ unions, including unions that represent workers in coal- and gas-fired power stations and associated employers and sectors
- ♦ owners and operators of coal- and gas-fired power stations and businesses associated with coal- and gas-fired power stations, including coal mines that supply coal-fired power stations
- ♦ industry and/or employer peak bodies
- ♦ businesses in regions with coal- and gas-fired power stations that may want to employ workers who could be impacted by a power station's eventual closure
- ♦ academics, policy and legal practitioners and other people with an interest in areas including workplace relations, industry policy, structural adjustment, regional development, productivity and the net zero transition
- ♦ people and community, advocacy and business organisations with an interest in the socioeconomic impacts associated with the expected closure of coal- and gas-fired power stations and/or the economic development of the regions where coal- and gas-fired power stations are located.

By speaking about your experience with the EIJP (such as the 'community of interest' processes), you can help the Reviewer understand what has worked well or needs improvement. At the time of publication, the EIJP has been operationalised in Adelaide (in relation to the expected closure of Torrens Island B Power Station) and the Hunter region (in relation to the expected closure of Eraring Power Station). More broadly, your knowledge and understanding of the EIJP's operation can help the Reviewer contextualise its effectiveness as a critical lever in supporting an orderly and positive economic transformation for Australia's regions, communities and workers.

Your input will support findings and recommendations to government, including whether any amendments to the legislation (specifically, Part 5 of the NZEA Act) are desirable, feasible and practical. Using specific examples, data or case studies to support your views and suggestions will help the Reviewer to develop these findings and recommendations.

The Consultation Paper has three themes:

1. Operation of the EIJP to date
2. Expected operation of the EIJP
3. A fit-for-purpose EIJP into the future

Discussion questions have been provided under each of the 3 themes to help you provide input. The discussion questions are a guide only and we welcome any feedback in the scope of the Review's [terms of reference](#). You can respond by providing a written submission (or alternatively answer the discussion questions via a survey) at the [Authority's Consultation Hub](#).

Submissions close on 5 September 2025. Late submissions will be accepted at the discretion of the Reviewer. The Authority will publish information on the outcome of the consultation on the Authority's website. The outcomes of the Review and final report will also be published after completion.

For general enquiries on the consultation process, including alternative ways to make a submission or contribute to the Review, please contact [EIJPReview@pmc.gov.au](mailto:EIJPReview@pmc.gov.au).

## The Energy Industry Jobs Plan

Where needed, the EIJP will support employees of closing coal- and gas-fired power stations<sup>2</sup> as well as employees of some employers with a commercial relationship with the closing power station ('dependent employers'). Dependent employers<sup>3</sup> may be involved in the EIJP if their business operations in the same geographical region as the power station will be substantially impacted by its closure.

A number of Australia's coal-fired power stations have retired in the last 15 years and over half of the remaining coal-fired power stations have announced expected closure dates over the next 10 years. Some gas-fired power stations, including Torrens Island B Power Station, have also announced they expect to close in the coming years.

The government established the EIJP to respond to the phase out of ageing energy assets in an orderly, predictable and safe way and to mitigate the negative socioeconomic impacts of power station closures on local communities. In introducing the legislation, the government described its purpose as "supporting workers on the front line of the energy transition and ... businesses to access the skills and experience they value."<sup>4</sup> The EIJP is underpinned by several policy objectives, including:

- ♦ minimising involuntary unemployment when facilities close
- ♦ maximising opportunities for affected workers to transition into similar employment
- ♦ providing appropriate supports, training and skills to impacted employees
- ♦ enabling the skills and experience of employees, which will support them to be redeployed within their communities.<sup>5</sup>

The EIJP has been designed to give participating employees sufficient time to effectively plan and prepare for their next career move, including undertaking training and seeking new jobs. This is why the CEO is generally required to consider whether to apply the EIJP several years before the power station's expected closure date.<sup>6</sup> This is enabled by the fact that coal- and gas- fired power stations are separately required to provide notice of their expected closure. Specifically, the majority of power stations in Australia must provide notice to the Australian Energy Market Operator (AEMO) of a closure several years in advance under the National Electricity Rules (NER) and Western Australian Wholesale Energy Market rules.<sup>7</sup> These notices can 'trigger' the consultation processes under the NZEA Act, but the CEO can also use a range of other notices (such as an announcement to the Australian Stock Exchange or a media release) provided they are satisfied that a power station is closing.<sup>8</sup>

<sup>2</sup> See the definition of 'closing employer' under subsections 6(1) and 6(2) of the NZEA Act and the glossary in Appendix A.

<sup>3</sup> See the definition of 'dependent employer' under subsections 6(3) and 6(4) of the NZEA Act and the glossary in Appendix A.

<sup>4</sup> Second Reading Speech, delivered by the Hon Patrick Gorman MP, Assistant Minister to the Prime Minister, on Wednesday, 27 March 2024.

<sup>5</sup> Revised Explanatory Memorandum, p. 108.

<sup>6</sup> See provisions on the timing of an application under subsection 56(2) of the NZEA Act.

<sup>7</sup> Under National Electricity Rules clause 2.10.1(a)(2) and Wholesale Electricity Market Rules.

<sup>8</sup> Revised Explanatory Memorandum, p.19.

Even once a power station has given a formal notice of its expected closure, this does not prevent the closure date from changing – either by being accelerated or delayed. For example, while the NZEA Act was being considered by the Parliament, Origin Energy and the New South Wales Government reached agreement to extend the closure of Eraring Power Station from August 2025 to at least August 2027.

### Why focus on power stations?

Negative employment and other socioeconomic impacts can be exacerbated where power station closures are poorly planned or executed with a short lead time. Some facilities in Australia have previously closed at short notice. For example, the owner of the Hazelwood power station in Victoria announced in November 2016 the station would close in March 2017, providing less than 5 months' transition time prior to closure. This led to significant impacts on workers, the local community and the Australian electricity market, which may have been mitigated with additional lead time and preparation.

Following the Hazelwood closure, additional market rules have been put in place to reduce the risk of sudden power station closures. National Electricity Market (NEM) generators are now required to provide AEMO at least 42 months advance notice of their intention to close, unless granted an exemption by the Australian Energy Regulator. AEMO also publishes longer-term expected closure dates for NEM generators. The Western Australian Electricity Market has similar arrangements under the Wholesale Electricity Market Rules. Relevant companies are required to inform AEMO of an expected generator closure date no less than 3 years before closure.

## Theme one: Operation of the EIJP to date

At the time of the Consultation Paper's release, the Authority's CEO has applied provisions in Part 5 of the Act to two power station closures:

1. Torrens Island B Power Station in Adelaide
2. Eraring Power Station in the Hunter Valley.

This process started with the CEO issuing 'trigger notices'<sup>9</sup> based on notices given to AEMO under the NER. Once a trigger notice is in place, the CEO must conduct a 'community of interest' process<sup>10</sup> and decide whether to make an application to the Fair Work Commission (FWC) for a 'community of interest determination'.<sup>11</sup> Part of the community of interest process requires the CEO to determine the closing and dependent employers to be included in any such application.<sup>12</sup> This approach reflects Parliament's intent to "target the [EIJP] to closures where it is most needed, and not set up redeployment plans where the number of employees is small, pre-existing redeployment measures are in place or where the local labour market can effectively transition those employees without additional government intervention."<sup>13</sup>

The community of interest consultation processes underway for Torrens Island B and Eraring power stations have been supported by online discussion papers, in-person consultations and visits to affected power stations, as well as one-on-one meetings with a range of relevant stakeholders including unions, local chambers of commerce, local employers, councils and state governments.

Noting businesses of varying sizes and sectors could be included in a community of interest application or determination (provided they are constitutional corporations and meet the other definitional criteria of a 'dependent employer'), employer consultation under community of interest processes can be broad and aims to support Parliament's intent to focus the EIJP to where it is most needed. It is anticipated the CEO will carry out community of interest processes for Collie Power Station in Western Australia in the second half of 2025 and Yallourn Power Station in Victoria in 2026, with notifications already made to AEMO.

<sup>9</sup> See provisions on the 'trigger notice' under section 9 of the NZEA Act and the glossary in Appendix A.

<sup>10</sup> See provisions on the 'community of interest process' under section 55 of the NZEA Act and the glossary in Appendix A.

<sup>11</sup> See provisions under sections 56 and 57 of the NZEA Act and in the glossary in Appendix A.

<sup>12</sup> See provisions on the matters to which the CEO must have regard under subsections 56(4) and 56(5) of the NZEA Act.

<sup>13</sup> Revised Explanatory Memorandum, p.42.

The EIJP is intended to focus on the immediate region where the closing power station is located and minimise the impact by supporting participating employees to find other employment where they live. The CEO does this by defining a 'geographic area', which sets parameters for which employers in the closing power station's supply chain could be involved in the EIJP.<sup>14</sup> While the NZEA Act does not require receiving employers to be located in the geographic area, the Authority will consider their geographic proximity to the closing power station. The geographic areas for both the Torrens Island B and Eraring power stations consist of a number of Statistical Area Level 3.<sup>15</sup>

As part of the community of interest consultations, the CEO is required to seek expressions of interest from local businesses interested in becoming 'receiving employers', which are businesses interested in offering jobs to suitable participating employees.<sup>16</sup> This process is underway for the Torrens Island B and Eraring power station closures. The CEO has issued guidelines setting out factors that will be considered in the selection of receiving employers, including that the employer:

- ◆ has the ability to provide ongoing employment in roles that are an appropriate match for the identified skills, competencies and career aspirations of participating employees
- ◆ is in geographic proximity of participating employees' current workplaces
- ◆ has a safe workplace
- ◆ has a record of meeting workplace relations and work health and safety legislation obligations.<sup>17</sup>

Becoming a receiving employer is voluntary. Receiving employers may be eligible for redeployment grants (separately managed by the Authority) as a way to smooth the transition of affected employees into new jobs. A range of additional eligibility requirements will apply to any receiving employer that accepts redeployment funding. The Authority is consulting separately to settle these requirements.

For the Muja C Unit 6 generator in Collie, which closed in April 2025, the CEO did not issue a trigger notice. This meant no further action could be taken by the Authority under the EIJP, since the operation of other sections of Part 5 of the NZEA Act require a trigger notice to be in place. The decision was informed by consultation and considered that the closure of Muja C Unit 6 would not result in any involuntary redundancies in the broader Muja Power Station or within its supply chain.

## Discussion questions

### General questions

1. Is the process for identifying when and where the EIJP should apply, and which employers it could be applied to, operating as intended? Are there any aspects which could be improved so the EIJP is better aligned with Parliament's intent?
2. Given power station closure dates can change, what other feasible options could be considered to ensure the EIJP, and its subsequent consultation processes, commence at the most appropriate time?

### Questions for people and organisations consulted under a community of interest process

3. What was your experience of the community of interest process? What worked well and what could be improved?

<sup>14</sup> See provisions on the 'geographic area' under section 8 of the NZEA Act and in the glossary in Appendix A.

<sup>15</sup> Statistical Area Level 3 are geographic areas recognised by the Australian Bureau of Statistics. The geographic area for Torrens Island B Power Station includes Adelaide City; Burnside; Campbelltown (SA); Norwood – Payneham – St Peters; Prospect – Walkerville; Unley; Gawler – Two Wells; Playford; Port Adelaide – East; Salisbury; Tea Tree Gully; Holdfast Bay; Marion; Mitcham; Charles Sturt; and Port Adelaide – West; West Torrens. The geographic area for Eraring Power Station includes Lake Macquarie – East; Lake Macquarie – West; Lower Hunter; Maitland; Newcastle; Port Stephens; and Wyong.

<sup>16</sup> See the definition of 'receiving employer' under subsection 6(5) of the NZEA Act and the glossary in Appendix A.

<sup>17</sup> See provisions on guidelines for determining 'receiving employers' under subsection 6(10) of the NZEA Act.

## Theme two: Expected operation of the EIJP

At the time of this consultation paper's publication, the Authority's CEO is yet to decide whether to apply to the FWC for community of interest determinations in relation to the Torrens Island B and Eraring power station closures.

Key parts of the EIJP will only operate if the FWC makes a community of interest determination. Specifically, obligations on closing and dependent employers to support their employees only commence once specified in a FWC determination. Practically, this means many aspects of the EIJP are yet to be applied, however the Review provides an opportunity to test whether there are any potential issues which may prevent the legislation from operating as intended, and seek evidence to support any desired changes.

Should the CEO decide to apply to the FWC for a determination, the FWC will hear from relevant parties including employers named in the application, relevant employee and employer organisations, and transition employees who wish to be heard. The FWC will also hear from the Energy Industry Worker Redeployment Advisory Group (EIWRAG).<sup>18</sup> Current EIWRAG members were appointed by the Minister on 26 March 2025:

- ◆ Alistair Sage, Senior National Legal Officer, Mining and Energy Union
- ◆ Ben Moxham, Director, Industrial and Policy, Australian Council of Trade Unions
- ◆ Darcy Gunning, Campaigns Organiser, Australian Manufacturing and Workers Unions
- ◆ Kat Eather, General Counsel, Business Council of Australia
- ◆ Oliver Judd, Chief Executive Officer, National Electrical and Communications Association
- ◆ Shaun Kelleher, Workplace Relations Practice Leader for Newcastle and the Hunter, Australian Industry Group.

The EIWRAG may also provide information to the FWC when it considers whether to make further determinations or an order about employer obligations once an EIJP framework is in place for a closure.<sup>19</sup>

If the FWC makes a community of interest determination, employers specified in the determination must provide a range of supports to their employees.<sup>20</sup> All 'transition employees' will have access to supports such as career planning and financial advice.<sup>21</sup> Participating employees who have notified their employer that they want to find new employment can also access training and attend recruitment related activities.<sup>22</sup> The design of the obligations set out in the legislation was informed by previous examples of power station and other industrial closures, which highlighted the importance of access to training and tailored reskilling. Training ensures workers can upskill or reskill to access future employment opportunities, and allows workers to transition into new industries.

The circumstances and size of each employer specified in a community of interest determination will be different. For this reason, the NZEA Act doesn't prescribe exactly how obligations should be fulfilled.<sup>23</sup> Instead, employers are required to provide supports to the extent it would not be unreasonable, whilst balancing a range of factors including an employer's operational requirements, workforce needs and existing industrial instruments.<sup>24</sup> This includes providing paid time off or flexible working arrangements and, where relevant, financial contributions to help their employees access supports.

<sup>18</sup> Provisions on the EIWRAG are under section 63 of the NZEA Act and the glossary in Appendix A.

<sup>19</sup> Specifically, a determination under section 60 or 61 or an order under section 62 of the NZEA Act.

<sup>20</sup> Provisions on obligations are under sections 58 and 59 of the NZEA Act.

<sup>21</sup> See the definition of 'transition employee' under section 7 of the NZEA Act and the glossary in Appendix A.

<sup>22</sup> See the definition of 'participating employee' under section 5 of the NZEA Act and the glossary in Appendix A.

<sup>23</sup> Revised Explanatory Memorandum, p.44.

<sup>24</sup> See provisions under subsection 59(1) of the NZEA Act.



Under the NZEA Act, an employer and all relevant unions can come to an agreement on the specific actions the employer will take to meet its obligations under the EIJP. Where this occurs, the employer and relevant unions can jointly apply to the FWC for a determination.<sup>25</sup> If the employer and relevant unions can't come to an agreement in three months, the employer or a relevant union can apply to the FWC individually for a determination specifying the actions that the employer will take to meet its obligations under the EIJP.<sup>26</sup> Under certain circumstances, the CEO or a relevant union or employee may apply to the FWC for an order setting out the actions the employer must take to fulfil its obligations.<sup>27</sup> These determinations and orders can be enforced through the courts.

## Relationship between the EIJP and existing industrial instruments

The EIJP is designed to operate within the existing workplace relations framework. The EIJP requires the CEO and FWC to consider existing workplace arrangements when deciding how the legislative framework applies to a particular power station closure. This means both the CEO and FWC will need to consider (among other things) whether and what supports are already available under the relevant industrial instrument, such as the applicable modern award or enterprise agreement.

The EIJP has no impact on Fair Work Act entitlements including notice of termination and redundancy, or on existing industrial instruments that set out the circumstances and amount of entitlements. Similarly, the operation of the EIJP framework does not cause enterprise agreements to be renegotiated – this can occur through the normal avenues as set out in the Fair Work Act including applications to vary agreements if the employer and employees both agree to a specific change.

The CEO is responsible for promoting and monitoring compliance with Part 5 of the NZEA Act by providing education, assistance, advice and information to the closing, dependent and receiving employers, and their employees.<sup>28</sup> The Authority has developed information materials on the EIJP, which are available on its website, including specific material about each of the community of interest processes it has commenced. The Authority is continuing to develop and amend guidance materials for employers and employees, in consultation with power station operators and unions.

Employers may be subject to civil penalties of up to 600 penalty units if they contravene a FWC determination or order.<sup>29</sup> The civil penalty provisions are enforceable under Part 4 and Part 7 of the Regulatory Powers (Standard Provisions) Act 2014 (Regulatory Powers Act). Unlike the standard approach under Part 4 of the Regulatory Powers Act, the court can order the employer to pay the whole or part of a penalty to a particular organisation or person (for example, an employee organisation or transition employee) rather than the Commonwealth,<sup>30</sup> which aligns with established processes under the Fair Work Act.

The ability for the CEO to make decisions and support the EIJP's operation relies on relevant information from closing and dependent employers. For example, information about employer's workforce and operational requirements can help the CEO make a well-informed decision about whether it is reasonable to name the employer in an application to the FWC for a community of interest determination. Under Part 5 of the NZEA Act, the CEO may require, inspect and retain information or documents from a closing or dependent employer to provide the CEO with information relevant to the operation of Part 5.<sup>31</sup> The CEO can also provide information to receiving employers to support them to consider employing participating employees.<sup>32</sup> To date, the CEO has not issued any written notices to employers, and all information has been provided voluntarily.

<sup>25</sup> See provisions under section 60 of the NZEA Act.

<sup>26</sup> See provisions under section 61 of the NZEA Act.

<sup>27</sup> See provisions under section 62 of the NZEA Act.

<sup>28</sup> See provisions on the CEO's promotion and monitoring of compliance under subsections 68(1) and 68(2) of the NZEA Act.

<sup>29</sup> See provisions under subsections 60(7), 61(9) and 62(9) of the NZEA Act.

<sup>30</sup> See provisions under subsection 67(6) of the NZEA Act.

<sup>31</sup> See provisions under sections 64 and 65 of the NZEA Act.

<sup>32</sup> See provisions under section 66 of the NZEA Act. It would be subject to the consent of the employee who the personal information belongs to. As per page 56 of the Revised Explanatory Memorandum, collection and disclosure of the personal information will be reasonable in the circumstances and subject to the Privacy Act, including the Australian Privacy Principles.

## Discussion questions

### General questions

4. What aspects of the EIJP could be clarified or improved to support its operation in line with Parliament's intent and/or to avoid any unintended consequences?

### Questions for people and organisations that may be impacted by the EIJP

5. What kinds of information, advice, products or activities would assist affected employers, employees and their representatives understand their rights and obligations under the EIJP?

## Theme three: A fit-for-purpose EIJP into the future

Australia's coal- and gas-fired power stations will close progressively over the coming decades, and as such the EIJP will have a long lifespan. This will see the EIJP applied in a range of different contexts, including closures of coal- and gas-fired power stations in capital cities as well as regional areas, with different operating structures and sizes of the workforce. There are several existing mechanisms to support the EIJP to remain fit-for-purpose over the long term:

- ◆ The CEO is able to evaluate the application of the EIJP at any time<sup>33</sup>
- ◆ Additionally, the NZEA Act requires the Minister to commission an independent review of the operation of the entirety of the Act, which must include Part 5, within 10 years of the NZEA Act's commencement.<sup>34</sup> This review can be triggered by a recommendation from the NZEA Board to the Minister.

One of the objects of the NZEA Act is to "promote orderly and positive economic transformation ... and ensure Australia's regions, communities and workers are supported to manage the impacts, and share in the benefits of Australia's transition to a net zero economy."<sup>35</sup> The EIJP is a critical lever the Authority can use to help achieve this object and is complemented by a multitude of Commonwealth, state and territory policies and programs that each play a role in the transition. While the EIJP provides a baseline of supports to help employees directly affected by the closure of coal- and gas-fired power stations, its effectiveness is contingent on a range of other variables, including the availability of suitable alternative employment within the local area, accessible and high quality skills and training, and the diversity and adaptability of local economies.

The EIJP cannot, and is not intended to, operate in isolation and initiatives such as the Future Made in Australia agenda will be fundamental to its success. The capacity for the EIJP to support workers affected by coal- and gas-fired power station closures depends on the availability of new jobs in Australia's regions. Broader government efforts will be critical, including to strengthen sovereign capability, diversify Australia's industrial base, and unlock private sector investment to drive the next wave of productivity growth supported by cheaper, cleaner energy.

As part of its role in supporting a better future for industrial regions, communities and workers in the net zero economy, the Authority contributes to the government's broader economic agenda by facilitating public and private sector participation and investment in greenhouse gas emissions reduction and net zero transformation initiatives in Australia. This includes referring proposals to the Commonwealth Specialist Investment Vehicles, such as the National Reconstruction Fund Corporation, Clean Energy Finance Corporation and the Australian Renewable Energy Agency. Additionally, initiatives from state, territory and local governments will be critical to the economic future of regions impacted by the transition to a net zero economy. The Authority coordinates across governments to support a complementary approach.

The EIJP can support access to a skilled and adaptable workforce and fill skills shortages in regional areas, which is critical to realising the benefits of investment in Australia's areas of emerging strength and comparative advantage. Many employees participating in the EIJP will have transferrable skills, but

<sup>33</sup> In line with the Commonwealth Evaluation Policy.

<sup>34</sup> Provisions for this review are under section 80A of the NZEA Act.

<sup>35</sup> Object ensuring regions, communities and workers are supported is prescribed under subsection 3(c) of the NZEA Act.

will benefit from either diversifying, or gaining new skills and qualifications. This is also true for other workers within regions that are transitioning, and the ability for workers to upskill will depend on broader programs and investment from governments, including through the National Skills Agreement. The Authority is collaborating closely across government to help support the coordination of cross-cutting transition policies and programs.

The economic transition away from fossil fuels to clean energy is not unique to Australia. Australia can learn from other countries that have sought to respond to the challenges of a transitioning workforce by combining worker supports with a broad range of interventions and programs. For example:

- ◆ Spain has established tripartite agreements between the government, trade unions and the companies involved in mine and power station closures to support the workforces at closing coal mines and power stations. Spain also provides funding through Just Transition Agreements which engage national, regional and local stakeholders to develop economic opportunities and promote the upskilling and reskilling of workers, among other initiatives. Funding is available to support regional transition, including business diversification, industry attraction, improving industrial estates, and protecting the natural and cultural heritage of former mining towns. Significant funding has been provided to regional and local entities to support a range of activities.<sup>36</sup>
- ◆ Scotland has established a Just Transition Fund for the North East and Moray to support projects which contribute to the region's transition to net zero and align with the government's National Just Transition Outcomes. The Just Transition Fund recognises the need to diversify the regional economy of the North East and Moray away from carbon-intensive industries, and aims to capitalise on the opportunities that the transition to net zero will bring including jobs and prosperity. This is in addition to funding for a range of other initiatives including training and career advice.<sup>37</sup>

Domestically, employers and governments have also sought to manage the impacts of large scale closures by combining worker supports with regional economic development assistance. One example is the 1999 BHP Newcastle steelworks closure. On announcement of the closure in 1997, major efforts commenced to prepare for the upcoming loss of 4,000 direct and contracting jobs. In the time leading up to the closure, negotiations between unions and management resulted in comprehensive redundancy packages and redeployment benefits for workers and the creation of a Personal Pathways program to provide individual, employee-tailored retraining, financial services, and mental health supports. An estimated 90 per cent of participants in this program found new employment within a year of the steelworker's closure.<sup>38</sup>

The New South Wales Government established the Economic Development Office, an Economic Development Strategy and the Hunter Advantage Fund for the Hunter region. These provided land for new manufacturing ventures and coordinated studies on the development of a new container port on the steelworks site. BHP, the New South Wales Government and the Australian Government pledged \$30 million towards new projects in the Hunter region. Ultimately, the Newcastle and Hunter economies were able to diversify and successfully adjust to the closure of the steelworks, with employee numbers increasing in sectors such as healthcare, education, tourism and professional services.<sup>39</sup> The coal mining industry remains a key employer for the Hunter region, with many coal mines in the region being export-driven.

## Discussion questions

6. When should the EIJP be reviewed again and how should its impact be measured (for example, what metrics or outcomes should be considered)?
7. What could an "orderly and positive" transition supported by the EIJP look like? What does best practice look like for supporting the transition of affected workers to new employment under the EIJP?

<sup>36</sup> Just Transition Institute, 2023, Spain, *4 years towards a just energy transition*.

<sup>37</sup> Scottish Government, 2025, *Just Transition Fund: application form and guidance*.

<sup>38</sup> Stockholm Environment Institute, 2021, *Closure of steelworks in Newcastle Australia: Lessons from industrial transitions*.

<sup>39</sup> Stephen Jones and Chai Tee, *Experiences of Structural Change*.

## Submission guidelines

To support transparency in the Review process, generally the Authority will publish submissions on its website in accordance with our [Privacy Policy](#).

The Authority may choose not to publish submissions on our website at our discretion, or to withhold certain content in submissions from publication (for example, by removing defamatory material from the published version of submissions, or where appropriate, de-identifying personal or sensitive information).

Additionally, we will not publish confidential submissions. To claim confidentiality on behalf of a person or an organisation, the first page of a submission should clearly state that the content should be treated as confidential (for example, an individual's name, so that it is not published on the internet). Alternatively, confidential information can be placed in an attachment to a submission, with a request to keep the attachment confidential. Confidential submissions will only be considered by the Reviewer and relevant staff at the Authority and will not be released publicly. In some instances, the Authority may consider it helpful to publish de-identified summaries of confidential submissions. De-identified summaries of these submissions will not be made public without permission of the submitter.

Submissions can be made anonymously or using a pseudonym. However, as we may be unable to verify or clarify the information provided in anonymous submissions, this may impact how we consider the submissions as part of the open consultation process.

If a submission is published on the Authority website, the information in it, including the name of the person lodging the submission, can be searched for on the internet, including from overseas.

Any submission to the Review may be subject to a request under the *Freedom of Information Act 1982* (Cth).

## Privacy collection notice

### Statutory review of the Energy Industry Jobs Plan

This notice relates to consultation processes underpinning the statutory review of the EIJP under Part 5 of the NZEA Act.

Subsection 68(3) of the Act provides that the CEO of the Net Zero Economy Authority (the Authority) must conduct, or cause to be conducted, a review into the operation of Part 5, including consideration of whether any amendments to that Part are desirable.

Under the Act, the CEO must ensure a review of Part 5 of the Act is completed within 12 months of the Act commencing (by 10 December 2025). The CEO has appointed Emeritus Professor Roy Green AM, to lead the statutory review of the EIJP.

Emeritus Professor Green will consider the effectiveness of the EIJP, which has been set up to support employees impacted by the closure of closing coal-fired and gas-fired power stations to prepare for and transition to new employment.

Professor Green must provide the CEO of the Authority and the responsible Minister with a written report of the Review (subsection 68(6) refers). In line with subsection 68(7) of the Act, the Minister must table a copy of the report in each House of Parliament within 15 sitting days of that House after the report is given to the Minister.

The Authority adheres to the [Australian Privacy Principles](#) and personal information is handled in accordance with the *Privacy Act 1988* (Cth) (Privacy Act).

Participation in the Review is voluntary, however if you choose to participate, **we** (the **Authority**) may collect your personal information to inform the Reviewer's analysis and refer to non-confidential submissions in the final report where you have provided permission to do so.

We use technology by Converlens Pty Ltd to provide this consultation service and website. Our contractual arrangements require Converlens to comply with the Privacy Act and store data securely in Australia.

For more information, please refer to [our Privacy Policy](#) or [Converlens' Privacy Policy](#).



## What we collect

Through the consultation process, we will collect a range of personal information (some of which could be [sensitive information](#)), including your:

- ♦ name
- ♦ contact information
- ♦ organisation you represent and your role
- ♦ personal views about the operation or likely operation of the EIJP and the related policy and program environment the EIJP operates within.

We do not require any other personal information. If we need further personal information to clarify or verify your submission, we will seek this from you and provide a reason for requesting the information.

While we seek your opinions to inform the consultation process, we do not need (a) your [sensitive information](#) or (b) personal information about anyone else. We will deal with any unsolicited personal or sensitive information in accordance with our [Privacy Policy](#).

Sensitive information includes (but is not limited to) personal information that includes information or an opinion about an individual's trade union membership or associations.

If you need to provide information about any other person, you must obtain their consent to include their information in your submission and provide them with a copy of this notice.

## Why we collect your personal information?

The Review is an opportunity for stakeholders to have their say and assist Professor Green to consider the impact, or likely impact of the operation of Part 5 of the Act.

Your personal information is collected for the purpose of obtaining your views, or the views of the organisation you represent (if any), on the operation of the EIJP including considering matters raised and seeking further feedback where appropriate and for research and evaluation related to the Review of the EIJP.

We will collect your personal information when you choose to participate in the Review, including to inform the Reviewer to make findings and recommendations.

We will not otherwise use or disclose your personal information without your consent, except where authorised or required by law.

You may provide information anonymously or by using a pseudonym. However, if you choose to do this, we may not be able to verify or clarify the information you provide which may impact how we consider your submission as part of the consultation.

## Who we disclose personal information to

### *Publication on our website*

We may publish non-confidential submissions on our website. Submissions may be accessed by overseas recipients who are not bound by the Australian Privacy Principles.

### *Disclosure to government entities*

Where submissions are not provided in confidence, your personal information may be shared with relevant Australian Government and state government departments and agencies involved in the Review to allow them to consider your comments and feedback.

Where information is provided in confidence, this will not be shared by the Authority without your permission.

## Storage of personal information

We store your personal information securely in accordance with the Privacy Act and government requirements.

## More information

Please read [our Privacy Policy](#) on our website for more information on how we handle your personal information, including how you can:

- ♦ access any personal information that we hold
- ♦ seek correction of personal information that we hold
- ♦ complain about a breach of the Australian Privacy Principles in the Privacy Act.

If you have any concerns or questions, you can contact us at [NZEA-Privacy@pmc.gov.au](mailto:NZEA-Privacy@pmc.gov.au).

## How will the Authority use information provided through consultation?

Written feedback will be collated and considered in development of the final report. Excerpts of non-confidential written submissions may be used in the final report and attributed to the relevant stakeholder.

If a submission is published on the NZEA website, the information within it, including the name of the person lodging the submission, may be searched for on the internet, including from overseas.

We may choose not to publish submissions on our website, or to withhold certain content in submissions from publication (e.g. by removing defamatory material or, where appropriate, de-identifying personal or sensitive information).

The Authority will not publish confidential submissions. To indicate information is provided in confidence, the first page of a submission should clearly state which content should be treated as confidential (e.g. an individual's name, so that it is not published on the internet). The option also exists to place confidential information in an attachment to a submission, with a request to keep the attachment confidential.

Confidential submissions will only be reviewed by relevant Authority staff and the Reviewer, Professor Roy Green, and will not be released on the website. De-identified summaries of these submissions will not be made public without permission of the submitter.

The Authority will collect information in face-to-face and virtual consultation sessions which will then be collated and considered in development of the final report.

Quotes attributable to individuals or organisations from any verbal consultation sessions will not be disclosed in the final report without express permission of the individual or organisation.

If you do not consent to the disclosure of verbal feedback, please notify the Authority staff and it will not be disclosed in the final report. You also have the right to:

- ♦ access your personal information
- ♦ request corrections to accurate information
- ♦ withdraw your consent for certain uses of your information
- ♦ request the deletion of your information (subject to legal requirements).

Any submission to the Authority on the Energy Industry Jobs Plan Statutory Review may be subject to a request under the *Freedom of Information Act 1982* (Cth) (**FOI Act**).

## Appendix A: Glossary

Term	Definition
<b>Authority</b>	The Net Zero Economy Authority
<b>CEO</b>	The Chief Executive Officer of the Authority
<b>Closing employer</b>	<p>Closing employers are defined in subsections 6(1) and 6(2) of the NZEA Act. Under each subsection, a closing employer must be constitutional corporation. The definitions are intended to capture the diverse corporate structures and labour supply chain arrangements that are present across the electricity generation and mining industries.</p> <p>Under subsection, 6(1) an employer is a closing employer if it owns or operates one or more parts of a coal- or gas-fired power station that is the subject of a trigger notice (section 9 of the NZEA Act). The employer could own or operate the power station alone or jointly and can be defined as a closing employer whether or not it employs employees to perform work at the power station.</p> <p>Under subsection 6(2) an employer would also be a closing employer if it is an associated entity of another constitutional corporation that either alone or jointly owns or operates one or more parts of a coal- or gas-fired power station that is the subject of a trigger notice. Additionally, the employer must meet either or both of the following criteria to be defined as closing employer:</p> <ul style="list-style-type: none"> <li>• employs employees to perform work at the coal- or gas-fired power station</li> <li>• where the power station that is subject to the trigger notice is a coal-fired power station and the employer alone or jointly operates a coal mine that supplies coal to the power station to generate electricity at that power station, the employer employs employees to perform work at the coal mine.</li> </ul>
<b>Community of interest process</b>	<p>The community of interest process described under section 55 of the NZEA Act is one of the first steps the CEO takes under the EIJP when they are aware of an expected closure date for of a coal- or gas-fired power station and have made a trigger notice (section 9 of the NZEA Act).</p> <p>Where the CEO has made a trigger notice, a 'trigger situation' (under subsection 55(2) of the NZEA Act) exists and the CEO must undertake a community of interest process of:</p> <ul style="list-style-type: none"> <li>• identifying employers as closing and dependent employers</li> <li>• seeking expressions of interest from employers that are constitutional corporations that may be interested in becoming 'receiving employers'</li> <li>• identifying the number of transition employees of the closing employers or dependent employers and the kinds of jobs performed by those employees and obtaining details relating to the employment of transition employees</li> <li>• identifying an estimate of the number of transition employees who are, or who will become, participating employees of the closing employers or dependent employers.</li> </ul> <p>The purpose of obtaining this information is to enable the CEO to make an application to the FWC for a community of interest determination under section 56 of the NZEA Act.</p> <p>The community of interest process relies on the CEO undertaking consultation. This includes consulting with employers that may be closing or dependent employers, relevant employer and employee organisations and, to the extent that the CEO considers appropriate, the community. Additionally, the CEO will seek information from employers that may become receiving employers on the number, nature and location of the jobs they could offer and the skills required. As part of the community of interest process, the CEO must consult.</p>

Term	Definition
<b>Community of interest determination</b>	<p>The CEO will consider a range of factors in deciding whether to make an application under section 56 of the NZEA Act to the FWC for a community of interest determination and which employers to include. These factors include the object of the NZEA Act, existing supports available to transition employees to find new employment, the number of transition employees, the number of transition employees likely to become participating employees, employers' capacity to redeploy transition employees in other business operations and the capacity of other employers in the power station's geographic area to offer employment to transition employees. The CEO is not limited to considering only these factors.</p> <p>If the CEO decides to make an application to the FWC for a community of interest determination, the FWC will have regard to these same matters in deciding whether to specify a closing or dependent employer in that determination but is not limited to only having regard to those matters.</p> <p>If the CEO decides to make an application, they generally need to make that application at least 2 years before the scheduled closure of whole or part of a coal- or gas-fired power station (provided the trigger notice is given at least 42 months before the closure). Otherwise, the CEO must make the application as soon as practicable after completion of the community of interest process under section 55 of the NZEA Act.</p> <p>The FWC will hear from relevant parties in relation to any application from the CEO:</p> <ul style="list-style-type: none"> <li>• the Authority's CEO or their nominated representative</li> <li>• the EIWRAG (as defined below)</li> <li>• each employer named in the Authority's application</li> <li>• employee organisations entitled to represent the industrial interests of a transition employee of a closing or dependent employer named in the Authority's application</li> <li>• any employers nominated by a relevant employee organisation for inclusion in the community of interest determination</li> <li>• each employer organisation entitled to represent the industrial interests of an employer named in the Authority's application or nominated by a relevant employee organisation</li> <li>• transition employees who have notified the FWC that they would like to be heard.</li> </ul> <p>Where the FWC specifies an employer in a community of interest determination, that employer will have obligations under sections 58 and 59 of the NZEA Act, including to provide supports to facilitate their employees to find other employment. The CEO must inform employers that they have been specified in a determination as soon as practicable after the determination is made.</p>
<b>Dependent employer</b>	<p>Dependent employers are defined in subsections 6(3) and 6(4) of the NZEA Act. Under each subsection, a closing employer must be a constitutional corporation. The definitions are intended to capture the diverse corporate structures and supply chain arrangements that are present across the electricity generation and mining industries</p> <p>Under subsection 6(3), an employer is a dependent employer if it has a commercial relationship with a closing employer (where the closing employer meets the definition under subsection 6(1), or 6(2) where the closing employer employs employees to work at the power station concerned) and will, or will be likely to, cease a substantial part of its business operations at the power station or in the same geographic area as the power station, as a direct result of the power station's eventual closure.</p> <p>Subsection 6(4) captures outsourced workers at coal mines that are included in the EIJP. Under subsection 6(4), an employer is a dependent employer if they have a commercial relationship with another constitutional corporation that operates a coal mine (alone or jointly); or has a commercial relationship with an associated entity of another constitutional corporation, where the other constitutional corporation operates a coal mine (alone or jointly); or is an associated entity of another constitutional corporation, where the other constitutional corporation operates a coal mine (alone or jointly). Under each of these options, the coal from the coal mine must be supplied to a closing employer to generate electricity at the relevant coal-fired power station and the other constitutional corporation will, or will be likely to, cease a substantial part of the business operations in the same geographic area as the power station, as a direct result of the power station's eventual closure. Additionally, the employer must employ employees to perform work at the coal mine.</p>



Term	Definition
<b>Energy Industry Worker Redeployment Advisory Group (EIWRAG)</b>	<p>The EIWRAG is established under section 63 of the NZEA Act. It is an advisory group with the right to be heard in relation to various applications made to FWC.</p> <p>EIWRAG members are appointed by the Minister. The membership of the EIWRAG comprises persons who are members of, or who have been nominated by, employer and employee organisations entitled to represent the industrial interests of:</p> <ul style="list-style-type: none"> <li>• one or more employers, if that employer became a closing employer;</li> <li>• one or more employers, if that employer became a dependent employer;</li> <li>• one or more employees, if those employees became the transition employees of a closing employer; and</li> <li>• one or more employees, if those employees became transition employees of a dependent employer.</li> </ul>
<b>Employer organisation and employee organisation</b>	An employer organisation or employee organisation is an organisation registered under the <i>Fair Work (Registered Organisations) Act 2009</i> .
<b>Fair Work Commission (FWC)</b>	<p>The FWC is Australia's national workplace relations tribunal and registered organisations regulator.</p> <p>The FWC was established by the <i>Fair Work Act 2009</i>.</p>
<b>Geographic area</b>	<p>Provisions for the geographic area are under section 8 of the NZEA Act.</p> <p>By notifiable instrument, the CEO can specify a geographic area consisting of one or more areas. The geographic area may consist of one or more Statistical Areas level 2 (as per the Australian Bureau of Statistics). However, alternative types of area can be selected.</p>
<b>NZEA Act</b>	<i>Net Zero Economy Authority Act 2024</i>
<b>Part 5</b>	Part 5 of the <i>Net Zero Economy Authority Act 2024</i>
<b>Participating employee</b>	A participating employee is defined under section 5 of the NZEA Act. Participating employees are transition employees (defined under section 7 of the NZEA Act) of closing or dependent employers who have provided expressions of interest to their employer in finding other employment.
<b>Receiving employer</b>	<p>Receiving employers are defined under subsection 6(5) of the NZEA Act.</p> <p>A receiving employer is a constitutional corporation that has:</p> <ul style="list-style-type: none"> <li>• given an expression of interest to the CEO (as mentioned under the community of interest process described under section 55 of the NZEA Act) and has not withdrawn it; and</li> <li>• is specified in a determination by the CEO.</li> </ul>
<b>Transition employee</b>	<p>Transition employees are defined under subsections 7(1), 7(2), 7(3) and 7(4) of the NZEA Act.</p> <p>Subsections 7(1) and 7(2) define transition employees of closing employers. A transition employee is an employee employed by a closing employer (as defined under subsections 6(1) or 6(2) of the NZEA Act) to perform work at a relevant coal- or gas-fired power station or a coal mine (under subparagraph 6(2)(c)(ii) of the NZEA Act).</p> <p>Subsections 7(3) and 7(4) define transition employees of dependent employers. A transition employee is an employee employed by a dependent employer (as defined under subsections 6(3) and 6(4) of the NZEA Act) to perform work in the business operations that will, or will be likely to, cease as a direct result of the closure of the relevant power station.</p>
<b>Trigger notice</b>	<p>Provisions for trigger notices are under section 9 of the NZEA Act.</p> <p>By notifiable instrument, the CEO can specify a kind of notice or a particular notice as a trigger notice if they are satisfied that the notice relates to the closure of the whole, or part of a coal- or gas-fired power station. This could include a notice given under a provision of the National Electricity Rules or a provision under a law of Western Australia. However the CEO can specify other types of notice as a trigger notice and that notice doesn't need to be a notice under the law of the Commonwealth, a state or a territory.</p>

## Appendix B: The EIJP process

### Step-by-step process

