

MAY 2026

Welcome to Workplace Horizon's May 2026 update for SA Dairyfarmers members. We trust you find this month's newsletter informative and useful. If you have any topic suggestions for future updates, please contact us. Your feedback is also welcome!

All updates are also now accessible on our website via [SA Dairyfarmers' Association - May 2026 Update](#).



WORKPLACE HEALTH & SAFETY

Quad Bike Safety - Public Consultation

March's update included an article "*Farm Safety - Quad Bikes and Motorbikes*".

Coincidentally, on 20 April 2026, Safe Work Australia is seeking feedback on a range of regulatory and non-regulatory options to manage the risks when operating quad bikes in the workplace and ultimately improve quad bike safety. Public consultation opened on 20 April 2026.

Since 2011, 245 people have died in quad bike related incidents in Australia. The majority of fatalities were the result of a collision or rollover; 43 of these fatalities were aged 19 or under. Ten quad bike fatalities have been recorded so far in 2026 (as at 9 April).

Regulatory options for consideration during the public consultation process include:

- requiring operator protective devices (OPDs) to be fitted on all quad bikes when used in the workplace;
- mandating helmets are worn on all quad bikes when used in the workplace;
- passenger restrictions on operator-only (type 1) quad bikes when used in the workplace; and
- restricting the use of all quad bikes in the workplace to riders aged 16 years and over.

Safe Work Australia is particularly interested in feedback on the practical impacts of these options, including benefits and costs, and any unintended consequences.

Non-regulatory options include:

- improving quad bike data collection processes; and
- conducting targeted quad bike safety communication activities.

It is also seeking stakeholders' views on other options that could improve quad bike safety in the workplace.

Stakeholders, industry representatives, WHS regulators and members of the public with an interest in quad bike safety in the workplace, are encouraged to have their say.

Given the extensive use of quad bikes within the farming community, this review provides you with the opportunity to share your views regarding this important issue. Further details regarding the options outlined above and associated questions can be accessed via Safe Work Australia's [Discussion Paper](#).

Information gathered via the consultation process will be considered by Safe Work Australia Members.

Consultation closes on 11.59 pm (AEST) on Monday 1 June 2026.

Additional information about quad bikes is available on [Safe Work Australia's](#) website and its [Interactive Quad Bike Data Dashboard](#).

SafeWork SA Launches Safety Campaign

Between 2022 and 2025, SafeWork SA received:

- 300 notifications of serious falls
- 196 slip-and-trip notifications
- 42 for roll-away vehicles

Twelve people died and 288 people were seriously injured during the same period.

SafeWorkSA has launched a major safety campaign, '*Safety at work is a serious job*' across all forms of media and social media.

To obtain free resources, the campaign hub can be accessed via [Safety at work is a serious job](#).

You are encouraged to familiarise yourself with the campaign and resources. Preventative actions that support reducing risks are always worthwhile.

Middle East Conflict

The ongoing middle east conflict Iran is affecting Australian primary producers through higher input and operating costs. Disruptions to shipping through the Strait of Hormuz have pushed fuel prices higher, increasing costs associated with on-farm machinery use, livestock transport and freight movements.

Higher fertiliser prices are also flowing through to pasture improvement and fodder production, placing upward pressure on supplementary feed and hay costs.

Beyond the economic disruption, it is important to keep a close eye on wellbeing. Prolonged uncertainty and constant news updates can take a psychological toll on you, your family and your employees, so building in practical supports now can help prevent issues escalating.

Practical wellbeing tips for you, your family and your team

The following are common-sense tips you may already know. However, in the midst of our busy day-to-day lives and our efforts to support balance with our well-being, they offer timely and valuable reminders.

- **Acknowledge the pressure**
Stress during uncertain times is normal. Naming the pressure and talking openly about challenges can reduce isolation and normalise help-seeking.
- **Focus on what you can control**
Break problems into smaller, manageable decisions and focus on the next practical step, rather than trying to solve everything at once.
- **Maintain routine where possible**
Consistent daily habits around work, meals and sleep help provide stability and support wellbeing during periods of uncertainty.
- **Watch fatigue and burnout**
Long hours compound stress and increase safety risks. Where possible, rotate demanding tasks, schedule regular breaks and prioritise rest.
- **Keep communication open at home**
Talk with family members about pressures and financial concerns in age-appropriate ways to reduce tension and misunderstandings.
- **Stay connected**
Make time to check in with neighbours, peers or trusted industry contacts, even a brief conversation can help. Where you employ employees, simple check-ins can also help identify support needs early.
- **Limit negative information overload**
Stay informed, but consider setting boundaries around news and social media. Constant exposure to distressing updates or speculation can increase anxiety.
- **Reach out early for support**
If stress, worry, irritability or sleep issues persist, speak with a trusted adviser, GP, rural counsellor or helpline. Getting support early can make a real difference for you and those around you.



LANDMARK FAIR WORK COMMISSION RULING

A Fair Work Commission (FWC) ruling on 31 March 2026 will, for the first time, require workers aged 18 to 20 to be paid the same award wage as adults.

The decision applies to the retail, fast food and pharmacy industries. Under the existing framework, 18-year-olds receive 70% of the applicable award rate, rising incrementally to 80% at 19 and 90% at 20 years of age.

The decision abolishes this longstanding system of age-discounted pay rates and is currently limited to three awards: the General Retail Industry Award, the Fast Food Industry Award, and the Pharmacy Industry Award, which cover employees at some of Australia's largest employers, including major supermarket chains and fast food restaurant operators.

Approximately half a million workers are expected to benefit from the decision, based on Australian Bureau of Statistics (ABS) labour force data.

Wider Implications

The decision indicates the FWC no longer regards age, by itself, as a sufficient justification for paying adult employees less than the award minimum. It is therefore more than a pay rise currently confined to particular industries and is likely to flow through to other awards over time. We will continue to monitor any similar amendments to other awards, including the Pastoral Award and advise accordingly.



TIMING OF FINAL PAY RULES TIGHTEN FOR EMPLOYERS

Recent court decisions have confirmed that employers who fail to pay employee entitlements on the final day of employment expose themselves to financial penalties. Importantly, these decisions emphasise that penalties may arise from technical breaches of the Fair Work Act, even where the breach is inadvertent or arises from longstanding payroll practices.

Historically, many employers have paid termination entitlements either within seven (7) days of termination or in the next payroll cycle. This approach largely stems from modern award provisions requiring outstanding wages and other award-based entitlements to be paid no later than seven (7) days after termination.

While this may appear inconsistent with current case law, most awards also include guidance that payment in lieu of notice must be paid at termination. In relation to accrued leave and redundancy pay, awards operate subject to the National Employment Standards (NES). Accordingly, where there is any inconsistency between a modern award and the NES, the NES prevails.

Case law now makes it clear that employers are required to pay all termination entitlements on an employee's last day of employment, regardless of past practice or any modern award wording suggesting later payment.

Practical steps for employers

Irrespective of their employment status, when preparing for an employee's final day of employment, you should:

- Ensure termination payments are calculated and ready to be paid on the employee's final day.
- Where payroll or banking processes restrict same-day payment, consider aligning the termination date with a payroll processing date.
- If payment cannot be made on the intended termination date, consider using partial notice or 'garden leave' so that the employment end date aligns with the next payroll run, ensuring statutory entitlements are paid on the termination date.

When preparing for an employee's final day of employment we recommend that you:

- Ensure that your employee's termination payments are ready to be made on their last day of employment.

- If there are restrictions on when payments can be made, consider aligning your employee's termination date with a date on which their termination entitlements can be paid.
- If payments cannot be made on the termination date, consider the use of partial notice or 'garden leave' for part of the notice period so that the termination date can align with the next payroll run to ensure that statutory entitlements are paid on the termination date.

Why does this matter?

Late payment of termination entitlements can attract civil penalties, even where underpayments are minor or unintentional. Courts have made it clear that payroll timing issues or longstanding practices do not excuse non-compliance. Late payment is now a high-risk breach, not an administrative oversight.

The case law is now clear that employers must pay employees termination entitlements on their last day of employment, irrespective of any prior practice or modern award provisions.



2026 ANNUAL WAGE REVIEW

The Fair Work Commission (FWC) is conducting the annual wage review (AWR) of the national minimum and award wages. Submissions are received from interested parties and, unsurprisingly, the submissions and opinions vary.

Last year the FWC granted a 3.5% rise for all award rates and the national minimum wage. This year the ACTU is seeking a 5% rise in award rates and the minimum wage, to keep pace with cost-of-living pressures including the fuel price rises from the Middle East conflict and interest rate hikes.

The ACTU's claim would lift the national minimum wage from \$948/week (\$24.95/hour; \$49,296 per annum), to \$995.40/week (\$26.19/hour; \$51,761 per annum).

Peak employer body the Australian Industry Group (AIG), will seek a 3.5% rise, as both economically responsible and on the basis that it considers the current inflation rate, within the range of the Reserve Bank's target band of between 2 and 3%.

The latest CPI for the year to January, increased by 3.8% annually.

In its submission to the AWR, the federal government is recommending that the FWC award an economically sustainable real wage increase to Australia's nearly three million minimum wage and award-reliant workers, particularly in view of the ongoing effects of higher fuel prices. The government's submission does not recommend a specific wage increase, given the FWC's role as an independent arbiter.

We note that these submissions were made either before, or very shortly after, the Middle East conflict commenced and fuel prices spiked, which is expected to substantially increase cost-of-living pressures. How the FWC addresses the impact of these developments in the AWR remains to be seen. However, it is reasonable to expect that these issues will be considered and addressed in its decision.

The FWC typically hands down its AWR decision in early June, with any increases to the national minimum wage and award wages taking effect from the first full pay period on or after 1 July. A member update will be circulated as soon as possible after the FWC releases its AWR decision.



KEY THEMES FROM NATIONAL EMPLOYMENT STANDARDS REVIEW

The Federal Government's review of the National Employment Standards (NES) is currently underway. While written submissions closed on 27 February 2026, public hearings are continuing. Although a final report is not expected until late 2026, several key themes are beginning to emerge. These developments are worth noting, as they may signal future changes affecting your obligations and workforce planning.

Annual Leave

The current four-week annual leave model was established 50 years ago and does not account for the 4½ weeks of unpaid overtime the average Australian worker now performs.

Unions and academics have argued for an increase in the current annual leave standard of 20 to 25 days.

Industry bodies including the Australian Chamber of Commerce and Industry (ACCI) argue that any increase is unnecessary, stating that existing annual leave entitlements are appropriate and sufficiently generous when compared internationally.

Extending paid leave to casual workers

Several unions and other groups have advocated for paid leave entitlements to be extended to casual workers.

Unsurprisingly, industry bodies oppose this change, arguing that “misalignment” with contemporary rostering is already driving too much litigation.

The legal definition of a casual worker remains inconsistent across the industrial relations system raises another issue that. An employee may be classified as casual in one context, but treated differently in another, making it difficult to determine who should qualify for entitlements and on what basis.

Changes to redundancy entitlements for long-serving employees

Two key issues have gained attention:

- Currently, small businesses (those with fewer than 15 employees) are exempt from redundancy pay obligations. Some submissions have proposed extending redundancy entitlements to employees of small business employers, a move that would significantly increase costs for affected businesses.
- Submissions have also questioned the current maximum redundancy framework, under which redundancy pay peaks at 16 weeks after nine (9) years' service and reduces to 12 weeks once an employee reaches ten (10) years' service.

The original rationale for this reduction was that long service leave would also become payable at that point, offsetting the decrease in redundancy pay. Groups including the ACTU and the Law Council of Australia argue this reduction is counterintuitive and unfairly penalises long-serving employees.

Consulting workers on AI adoption

The recent advent of legislation in NSW (Work Health and Safety Amendment (Digital Work Systems) Bill) places obligations on employers to manage risks associated with AI, algorithms and digital platforms. There is now a push to include consultation provisions in the NES requiring employers to consult employees before introducing AI that tracks performance or changes job descriptions.

Whilst awards currently provide a framework for consultation if there is to be major workplace change, including technology, there are no consultation requirements under the NES relating specifically to the use of AI.

Strengthening reproductive health and parental work rights

Another key theme relates to bolstering protections for parents and those trying to conceive.

- Unions and other parties argue that the definition of parental leave should be expanded to include reproductive health leave. Specifically, there are calls for twelve (12) days' paid leave for IVF treatments, endometriosis management and screenings to ensure parents don't exhaust their personal (sick)/annual leave prior to falling pregnant.
- Other submissions, including one from Monash University, argue that the 12 month continuous service requirement to access unpaid parental leave should be removed as there is currently a disconnect between workplace entitlements and government-funded parental leave pay.

Further updates will be provided as the review progresses.



UPWARD TREND IN JOB ADS ENDS IN MARCH

The latest research from ANZ-Indeed shows that the rising trend of job ads ended in March 2026; in fact most of an increase of 3.2% recorded in February was reversed.

March saw a broad-based decline across almost every state and territory, with a monthly drop of 3.1%. The conflict in the Middle East is anticipated to further reduce labour demand in the coming months, according to the research.

- Job ads fell considerably in New South Wales, Queensland, and Victoria, although opportunities remain well above their levels at the end of 2025.
- By industry, the drop in job ads was concentrated in education, nursing, personal care, and retail.

Job ads for industries highly exposed to the conflict in the Middle East, such as logistics and transport remained largely unchanged in March.

Citing the minutes of the March Reserve Bank of Australia (RBA) Monetary Policy Board meeting, the report warned that the prolonged conflict has the "potential to lead to a reduction in labour demand."

Employers across Australia have been expressing alarm over the ongoing conflict, with rising absenteeism in workplaces prompting the implementation of working from home arrangements to cushion the impact of rising fuel prices in the country.



- Milk yields per cow in SA are among the highest in Australia, averaging over 7,000 litres per cow per year, well above the national average.
- Cows have best friends and can become stressed when separated.

Do you have a 'Did You Know' or 'Fun Fact' to contribute?

Please email Robynne at robynne@wphorizons.com.au

If you have any questions regarding this newsletter or we can assist with your 'people needs', don't hesitate to contact us:

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Don't forget to check out our new website!

www.wphorizons.com.au

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