

# BULLETIN

## Industrial Relations



Reference No: Victorian Labour Hire Licensing 10/2019

Date issued: 16/10/2019

### Victorian Labour Hire Licensing is operative from 30 October 2019

As we advised members last year, the Victorian Parliament passed legislation implementing labour hire licensing requirements, in June 2018. As part of that legislation, the Labour Hire Licensing Authority has been set up to oversee and administer the compliance requirements of the *Labour Hire Licensing Act 2018*. The Act introduces a licensing scheme for providers of labour hire across all industry sectors. The Labour Hire Licensing Authority can be accessed via [home page](#).

The main purpose of labour hire licensing is to ensure that labour hire providers meet with Australian laws relating to superannuation, tax, OHS, migration laws and accommodation.

**From 30 October 2019**, labour hire providers must be licenced, and **labour hire hosts** must not use unlicensed providers unless a provider is on the Authority's website as having applied for a licence and the application has not been refused.

The Labour Hire Authority will have a team of inspectors who will promote compliance with and enforce the licensing system. Inspectors will have a variety of powers to monitor compliance with the scheme including, where there are reasonable grounds, the authority to:

- enter and search premises
- examine and seize anything suspected of being connected with a possible contravention
- inspect, copy or take extracts from documents on the premises and make images or recordings
- seek the assistance of other persons
- where necessary apply to the Magistrates' Court for a search warrant.

Hosts who enter into an arrangement after 29 October 2019 with a labour hire provider who has not applied for, or who has been refused a labour hire licence, face substantial fines ranging from a maximum in excess of \$120,000 for a natural person to in excess of \$500,000 for a corporation.

VACC understands that some members have been utilising labour hire arrangements in car detailing, tyre fitting, and office management positions. In other circumstances, members themselves provide labour in the form of agricultural equipment maintenance for farm operators.

**VACC recommends that members clarify with their labour hire providers as to whether they have a licence to operate under the new scheme. If they cannot substantiate this, then members should cease engaging with the unlicensed operator. A list of licenced providers can be found on Authority's website [home page](#).**

Members who have specific questions are encouraged to participate in one of the [information sessions](#) to be held in Melbourne on 18 and 25 October 2019 by the Labour Hire Licensing.

Further information which has been directly sourced from the Victorian Labour Hire Licensing Authority website is [attached](#) to this bulletin.

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