

Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

Ms Suzanne Orr MLA Minister for Employment and Workplace Safety GPO Box 1020 CANBERRA ACT 2601

Dear Ministel Smane

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion. Consistent with this, on 24 July 2019, Ms Rachel Stephen-Smith MLA wrote to me expressing the ACT Government's preference for the Australian Government to regulate labour hire nationally.

Given three states have implemented state-based labour hire licensing schemes, I would like to draw on these valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

I particularly appreciate the commitment to adopt a national scheme will require careful consideration in light of your Government's intention to introduce a labour hire licensing scheme in the ACT. My preference is to avoid duplicate regulatory and administrative costs to business and to government at both state and Commonwealth levels.

I would like to use a set of guiding principles to underpin the development of the Scheme. The proposed guiding principles are:

- Mandatory registration for labour hire operators: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- <u>Scope</u>: The Scheme would operate nationally and capture appropriate labour hire arrangements.
- <u>Coverage</u>: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.
- <u>Registration</u>: Labour hire operators would register and supply prescribed information about the owners/operators and the business.
- · Fees: Registered labour hire operators would pay annual fees.
- Approval process: The Fair Work Ombudsman would manage the Scheme including registration and compliance.
- <u>Public register</u>: The Government would maintain a public register of registered labour hire operators to allow hosts to find a registered labour hire operator.
- <u>Hosts</u>: Hosts must use registered labour hire operators. Hosts that use unregistered labour hire operators would face penalties.

I look forward to hearing your views, including on the guiding principles mentioned above and engaging with you on an ongoing basis, including through the Meeting of Industrial Relations Ministers.

I propose this work be supported by a sub-group of the Senior Officials' Meeting so our officials can discuss the development of a national scheme.

The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch,

I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Attorney-General of the ACT, Mr Gordon Ramsay MLA for his information.

Yours sincerely

The Hon Christian Porter MP

Attorney-General Minister for Industrial Relations Leader of the House

CC. Attorney-General, Mr Gordon Ramsay MLA



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Natasha Fyles MLA Attorney-General Minister for Justice GPO Box 3146 DARWIN NT 0801

Dear Attorney-General N

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion.

Given three states have implemented state-based labour hire licensing schemes, I would like to draw on these valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

- Mandatory registration for labour hire operators: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- <u>Scope</u>: The Scheme would operate nationally and capture appropriate labour hire arrangements.
- <u>Coverage</u>: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.

- <u>Registration</u>: Labour hire operators would register and supply prescribed information about the owners/operators and the business.
- · Fees: Registered labour hire operators would pay annual fees.
- Approval process: The Fair Work Ombudsman would manage the Scheme including registration and compliance.
- <u>Public register</u>: The Government would maintain a public register of registered labour hire operators to allow hosts to find a registered labour hire operator.
- <u>Hosts</u>: Hosts must use registered labour hire operators. Hosts that use unregistered labour hire operators would face penalties.

I propose this work be supported by a sub-group of the Senior Officials' Meeting so our officials can discuss the development of a national scheme.

The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch,

I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Hon Gerald McCarthy MLA, Minister for Public Employment, for his information.

Yours sincerely

The Hon Christian Porter MP Attorney-General Minister for Industrial Relations Leader of the House

CC. Minister for Public Employment, the Hon Gerald McCarthy MLA



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Kevin Anderson MP Minister for Better Regulation and Innovation GPO Box 5341 SYDNEY NSW 2001

Dear Minister Per

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion.

Given three states have implemented state-based labour hire licensing schemes, I would like to draw on these valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

- Mandatory registration for labour hire operators: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- <u>Scope</u>: The Scheme would operate nationally and capture appropriate labour hire arrangements.
- <u>Coverage</u>: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.

- <u>Registration</u>: Labour hire operators would register and supply prescribed information about the owners/operators and the business.
- Fees: Registered labour hire operators would pay annual fees.
- Approval process: The Fair Work Ombudsman would manage the Scheme including registration and compliance.
- <u>Public register</u>: The Government would maintain a public register of registered labour hire operators to allow hosts to find a registered labour hire operator.
- Hosts: Hosts must use registered labour hire operators. Hosts that use unregistered labour hire operators would face penalties.

I propose this work be supported by a sub-group of the Senior Officials' Meeting so our officials can discuss the development of a national scheme.

The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch, I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Attorney General of New South Wales, the Hon Mark Speakman MP, and the Hon Don Harwin MLC, Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts for their information.

Yours sincerely

The Hon Christian Porter MP

Attorney-General Minister for Industrial Relations Leader of the House

CC. Attorney General, the Hon Mark Speakman MP
Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts,
the Hon Don Harwin MLC



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Grace Grace MP Minister for Industrial Relations PO Box 15033 CITY EAST QLD 4002

Dear Minister / hm~

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion. Consistent with this, your letter to me of 2 July 2019 reiterated your previous calls for the Australian Government to regulate labour hire.

Given the Queensland Government implemented Australia's first labour hire licensing scheme in 2018, I would like to draw on your valuable experiences and work closely with all states and territories in the development and implementation of the national scheme. I also intend to consult with industry stakeholders.

I particularly appreciate the commitment to adopt a national scheme will require careful consideration around how it will operate in your state, as it may bring significant challenges to labour hire providers supplying workers to Queensland workplaces that are already subject to state labour hire regulation. My preference is to avoid duplicate regulatory and administrative costs to business and to government at both state and Commonwealth levels.

I would like to use a set of guiding principles to underpin the development of the national scheme. The proposed guiding principles are:

- Mandatory registration for labour hire operators: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- <u>Scope</u>: The Scheme would operate nationally and capture appropriate labour hire arrangements.
- <u>Coverage</u>: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.
- <u>Registration</u>: Labour hire operators would register and supply prescribed information about the owners/operators and the business.
- Fees: Registered labour hire operators would pay annual fees.
- <u>Approval process</u>: The Fair Work Ombudsman would manage the Scheme including registration and compliance.
- <u>Public register</u>: The Government would maintain a public register of registered labour hire operators to allow hosts to find a registered labour hire operator.
- <u>Hosts</u>: Hosts must use registered labour hire operators. Hosts that use unregistered labour hire operators would face penalties.

I look forward to hearing your views, including on the guiding principles mentioned above and engaging with you on an ongoing basis, including through the Meeting of Industrial Relations Ministers.

I propose this work be supported by a sub-group of the Senior Officials' Meeting so our officials can discuss the development of a national scheme.

The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch,

I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Attorney-General of Queensland, the Hon Yvette D'Ath MP for her information.

Yours sincerely

The Hon Christian Porter MP Attorney-General Minister for Industrial Relations Leader of the House

CC. Attorney-General, the Hon Yvette D'Ath MP



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Vicki Chapman MP Attorney-General Parliament House, North Terrace ADELAIDE SA 5000

Dear Attorney-General / Nh

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion.

Given the South Australian Government has implemented a labour hire licensing scheme, I would like to draw on your valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

I particularly appreciate the commitment to adopt a national scheme will require careful consideration around how it will operate in your state, as it may bring significant challenges to labour hire providers supplying workers to South Australian workplaces that are already subject to state labour hire regulation. My preference is to avoid duplicate regulatory and administrative costs to business and to government at both state and Commonwealth levels.

I would like to use a set of guiding principles to underpin the development of the Scheme. The proposed guiding principles are:

- Mandatory registration for labour hire operators: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- Scope: The Scheme would operate nationally and capture appropriate labour hire arrangements.
- <u>Coverage</u>: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.
- <u>Registration</u>: Labour hire operators would register and supply prescribed information about the owners/operators and the business.
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I propose this work be supported by a sub-group of the Senior Officials' Meeting so our officials can discuss the development of a national scheme.

The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch,

I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Treasurer, the Hon Rob Lucas MLC, for his information.

Yours sincerely

The Hon Christian Porter MP

Attorney-General Minister for Industrial Relations Leader of the House

CC. The Treasurer, the Hon Rob Lucas MLC



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Elise Archer MP Attorney-General Minister for Building and Construction Level 10, Executive Building 15 Murray Street HOBART TAS 7000

Dear Attorney-General Chis

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion.

Given three states have implemented state-based labour hire licensing schemes, I would like to draw on these valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

- <u>Mandatory registration for labour hire operators</u>: Labour hire operators must be registered to operate as a labour hire operator. Unregistered labour hire operators would be subject to penalties.
- Scope: The Scheme would operate nationally and capture appropriate labour hire arrangements.

- Coverage: The sectors covered by the Scheme would be subject to stakeholder consultation but would cover 'high-risk' sectors.
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I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

Yours sincerely

The Hon Christian Porter MP Attorney-General Minister for Industrial Relations Leader of the House



Attorney-General
Minister for Industrial Relations
Leader of the House

MS19-900158

The Hon Tim Pallas MP Treasurer Minister for Industrial Relations Level 4, 1 Treasury Place EAST MELBOURNE VIC 3002

Dear Treasurer

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

As such, the Government agreed in-principle to all 22 recommendations of the Migrant Workers' Taskforce Report, including Recommendation 14 to establish a national labour hire registration scheme in high-risk sectors, such as horticulture, meat processing, cleaning and security. The Taskforce Report and Government response can be found at www.ag.gov.au/industrial-relations/migrant-workers-taskforce.

Multiple national and state-based inquiries have also recommended a national approach to labour hire regulation. Industry and employer stakeholders have advocated for a national approach to minimise regulatory and administrative duplication and confusion.

Given the Victorian Government implemented a labour hire licensing scheme earlier this year, I would like to draw on your valuable experiences and work closely with all states and territories in the development and implementation of the Scheme. I also intend to consult with industry stakeholders.

I particularly appreciate the commitment to adopt a national scheme will require careful consideration around how it will operate in your state, as it may bring significant challenges to labour hire providers supplying workers to Victorian workplaces that are already subject to state labour hire regulation. My preference is to avoid duplicate regulatory and administrative costs to business and to government at both state and Commonwealth levels.

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I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Attorney-General of Victoria and Minister for Workplace Safety, the Hon Jill Hennessy MP for her information.

Yours sincerely

The Hon Christian Porter MP

Attorney-General Minister for Industrial Relations Leader of the House

CC. Attorney-General and Minister for Workplace Safety, the Hon Jill Hennessy MP



Attorney-General Minister for Industrial Relations Leader of the House

MS19-900158

The Hon William Johnston MLA Minister for Industrial Relations Level 9, Dumas House 2 Havelock Street WEST PERTH WA 6005

Dear Minister/Bn

I am writing to seek your ongoing engagement in the development a single, national scheme to regulate Australia's labour hire industry.

On 7 March 2019, the Australian Government released the Migrant Workers' Taskforce Report and its response to the report. The response highlighted the Government is resolute in its commitment to ensure all workers, no matter their background, are given the opportunity to make a positive contribution to the Australian economy, without fear of exploitation.

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The contact in my department is Ms Yvonne Uren, Assistant Secretary, Protecting Overseas Workers Policy Branch,

I invite you to provide the details of your representative on the Senior Officials' Meeting sub group to Ms Uren.

I have copied this letter to the Attorney General of western Australia and Minister for Commerce, the Hon John Quigley MLA for his information.

Yours sincerely

The Hon Christian Porter MP Attorney-General Minister for Industrial Relations Leader of the House

CC. Attorney General and Minister for Commerce, the Hon John Quigley MLA