

## INFORMATION ABOUT WORKERS

### For provision of information under section 19 of the Act

#### *Information relating to workers*

As part of the application for a licence, the Authority asks for information from providers about the *total* number of workers they supplied to hosts in the 12 months before the date of the application, or expect to supply to hosts during the 12 month period after a licence comes into force.

The total number of workers refers to the number of workers who performed work within Victoria and the number of workers who performed work outside Victoria where the arrangements were made within Victoria.

#### **Example**

ABC Pty Ltd is a labour hire provider based in Victoria. In the 12 months before submitting its licence application, ABC supplied nearly 1000 workers to hosts throughout Australia. Of those workers, 540 performed work in Victoria, 60 performed work in Tasmania and 400 performed work in New Wales.

When completing the online application, ABC's answer to the question about *total* number of workers supplied is 1000. This is calculated by adding the 540 workers who performed work in Victoria with the 460 workers whose arrangements to perform work were made within Victoria (i.e.  $540+460=1000$ ).

Arrangements include informal or formal agreements, any preparation or planning activity that was done to organise a labour hire worker's arrival, placement, accommodation, training or remuneration, whether directly or indirectly with or for a third party.

Workers to be included and counted in the total number of workers supplied can fall within any one of the following categories:

- workers supplied to a host in Victoria
- workers supplied to an intermediary in Victoria
- workers recruited for a host in Victoria
- workers recruited for an intermediary in Victoria
- workers placed with a host in Victoria
- workers placed with an intermediary in Victoria
- workers who were provided accommodation in Victoria
- workers for whom accommodation in or outside of Victoria was procured in Victoria
- workers who performed work in Victoria
- workers who were employed in Victoria
- workers who were engaged in Victoria
- workers who were contracted in Victoria
- workers who were paid in Victoria
- workers who were performing work in Victoria

#### **Examples of who to include in the total number of workers**

1. A worker who signs a contract with a provider in Victoria and is then placed with an intermediary in NSW to then be supplied to hosts in NSW.

2. A worker who arrives at an accommodation facility on the Victorian border run by a labour hire provider who then supplies the worker to a host who pays the worker to perform work on a farm in South Australia.
3. A worker recruited in Perth, signs a contract in Perth. The worker is sent to the Yarra Valley in Victoria to perform work for a host who pays her. The worker stays in accommodation procured by the provider.
4. A worker arrives in Sydney and registers on the website of a provider who is based in Swan Hill, Victoria. The provider supplies the worker to a host in Swan Hill and surrounding areas including farms over the border in NSW.
5. A worker arrives in Albury and registers on the website of a provider who is based in Swan Hill, Victoria. The provider places the worker through an intermediary operating on both sides of the border, and the intermediary supplies the worker to a farmer with an apple orchard in a small NSW town.

***Examples of who not to include in the total number of workers***

6. A worker arrives in Sydney from overseas and registers on a website of a provider who is based in Sydney. The provider procures accommodation for the worker in QLD and the worker is supplied to a host in QLD.
7. A local worker in Perth is engaged by a provider in Margaret River and performs work in Margaret River.
8. A worker is recruited in Adelaide by a labour hire provider. The provider places the worker with an intermediary who supplies the worker to various meat processing establishments in the Southern Flinders region of South Australia. The worker stays in accommodation procured by the provider.