

INTERPRETATION

- a. 'LHA' means the Labour Hire Authority
- b. Like terms in these licence conditions have the same meaning that those terms have in the *Labour Hire Licensing Act 2018* (Vic).
- c. 'Minimum accommodation standards' means standards of accommodation required by or under any of the following, to the extent that those standards relate to accommodation for workers—
 - the *Public Health and Wellbeing Act 2008*;
 - the *Residential Tenancies Act 1997*;
 - the *Rooming House Operators Act 2016*;
 - the *Planning and Environment Act 1987*;
 - the *Occupational Health and Safety Act 2004*;
 - a prescribed provision of a law of Victoria, the Commonwealth, another State or a Territory;
 - prescribed accommodation standards (however described)—

and includes standards of accommodation required by or under regulations or instruments made under an Act or provision referred to in any of the above paragraphs.

- d. 'Identified Properties' means two properties in Warragul Victoria 3820 known to LHA and the licence holder.
- e. 'Impacted Workers' means all workers being accommodated by the licence holder at the Identified Properties as of the date of this notice
- f. 'Worker Notification' means a notification to all workers provided by the licence holder to host businesses in Victoria as at the date of this notice

CONDITIONS

Condition 1

- 1.1 The licence holder must immediately cease making deductions from Impacted Workers' wages for accommodation as at the date of this notice.

Condition 2

- 2.1 The licence holder is prohibited from making any further deductions for accommodation for Impacted Workers until:
 - 2.1.1 The licence holder:
 - 2.1.1.1 notifies LHA that it has consulted with the Impacted Workers and inspected the accommodation provided or procured for the Impacted Workers by the licence holder; and
 - 2.1.1.2 confirms it is satisfied the accommodation:
 - 2.1.1.2.1 meets applicable minimum accommodation standards

- 2.1.1.2.2 meets the smoke alarm-related requirements of the *Building Regulations 2018 (Vic)*
- 2.1.1.2.3 takes into account the preferences of the Impacted Workers, including to be housed in female-only accommodation; and

2.1.2 LHA notifies the licence holder in writing that:

- 2.1.2.1 it is satisfied the accommodation meets applicable minimum accommodation standards; and
- 2.1.2.2 the licence holder is permitted to make deductions from the date specified by LHA.

Condition 3

3.1 By no later than 19 December 2025, the licence holder must take all reasonable steps to circulate a notification to all workers provided by the licence holder to hosts in Victoria (**Worker Notification**), which includes the following words:

The Labour Hire Authority (LHA) has imposed conditions on Kyshan Pty Ltd's licence requiring it to cease making deductions for accommodation for workers living at two properties in Warragul, Victoria.

The conditions also prohibit Kyshan Pty Ltd from making any further deductions until LHA is satisfied the accommodation provided for these workers meets applicable minimum accommodation standards and contains enough working smoke alarms.

Minimum accommodation standards include that:

- the bedrooms are not overcrowded
- the accommodation provided is clean, hygienic and well-maintained
- there is hot and cold water in all bathrooms, laundries and kitchens
- there are enough toilets, sinks and baths or showers for the number of people living in the accommodation
- the accommodation is registered with local council

LHA is continuing to investigate Kyshan Pty Ltd's compliance with its legal obligations and will consider whether further licensing action is warranted.

Workers who believe their accommodation may not meet the minimum accommodation standards can make a confidential report by contacting the Labour Hire Authority directly on 1300 545 200 or field@labourhireauthority.vic.gov.au.

3.2.1 By no later than 6 January 2025, the licence holder must provide evidence to the Labour Hire Authority that the Worker Notification was circulated to all workers provided by the licence holder to hosts in Victoria. Such evidence may include:

- copying the email notice to field@labourhireauthority.vic.gov.au;
- a copy of the email distribution list for the email correspondence sent to each worker containing the Worker Notification notice; and
- a screen shot of the Worker Notification on any workplace noticeboard, whether physical or electronic.