Media Release

8 May 2023

VICTORIAN LABOUR HIRE COMPANY FACES COURT FOR ALLEGED UNLICENSED OPERATION

Victoria's Labour Hire Authority (LHA) has commenced legal action against a company alleging it provided workers to pick fruit and vegetables without a labour hire licence.

The proceedings, filed in the Supreme Court against A L Star Express Pty Ltd, are the first for allegedly providing labour hire services without a licence in Victoria.

The alleged offences carry maximum penalties of $591,744 for a company and $147,936 for an individual under the *Labour Hire Licensing Act 2018* (Vic).

LHA's claim alleges A L Star provided workers to pick berries and vegetables in Victorian regions including Koo Wee Rup, Rosebud, Torquay and Devon Meadows.

LHA successfully prosecuted a Victorian horticulture labour hire provider in a separate case in December 2022, resulting in the largest ever total penalty for breaches of labour hire licensing law in Australia.

In that case, Ung Services Pty Ltd and its director Nico Keat were ordered to pay penalties of $386,742 and $96,685 respectively. The company had deliberately failed to inform LHA that Keat did not meet fit and proper person requirements under the Act, as he had criminal convictions for offences including drug trafficking and theft.

As well as prosecuting alleged contraventions of the Act, LHA can remove labour hire providers' ability to operate in Victoria by refusing, suspending, or cancelling their licence. To date, LHA has cancelled 52 labour hire licences in the Victorian horticulture industry.

Horticulture work such as fruit and vegetable picking often involves the use of labour hire workers, including workers on visa programs, who have historically experienced exploitation in Victoria.

LHA is undertaking an expanded program of compliance and enforcement across 2023, focused on industries including horticulture, security, meat and poultry processing, and commercial cleaning.

Ensuring that only licensed labour hire providers can operate helps protect workers from exploitation and improves the integrity and transparency of the labour hire industry.

Quotes attributable to Labour Hire Licensing Commissioner, Steve Dargavel:

"Workers picking fruit and vegetables are among Victoria's most vulnerable, so it's critical that companies employing these workers are appropriately vetted and licensed to operate."

"If you provide or use labour hire services in Victoria, you must ensure you only work with licensed providers or you may face significant penalties."

"Labour hire businesses need to understand and comply with their obligations – there is no excuse for doing the wrong thing by vulnerable workers."

For any queries regarding this release, contact the LHA media team on 0400 301 840 or communications@labourhireauthority.vic.gov.au.

Labour Hire Authority
Dja Dja Wurrung Country
PO Box 393
Bendigo, VIC 3552
1300 545 200

ABN 89 900 498 344
enquiries@labourhireauthority.vic.gov.au
labourhireauthority.vic.gov.au