



ORDER

Fair Work Act 2009

s.306E—Application for a regulated labour hire arrangement order

Application by Shop, Distributive and Allied Employees Association and United Workers' Union

(C2024/5577)

METCASH TRADING LIMITED REGULATED LABOUR HIRE ARRANGEMENT ORDER

[LH200013]

JUSTICE HATCHER, PRESIDENT

SYDNEY, 25 NOVEMBER 2024

Regulated labour hire arrangement order – Asset Personnel Pty Ltd, Fluid Recruitment Pty Ltd, Recruitco Pty Ltd and Manpower Services (Australia) Pty Ltd in relation to work performed for Metcash Trading Limited – Metcash Trading Limited South Australia Food & Liquor Enterprise Agreement 2023.

- A. Further to the decision in [\[2024\] FWC 3275](#), the Fair Work Commission makes this regulated labour hire arrangement order (Order) pursuant to s 306E of the *Fair Work Act 2009* (Cth) (FW Act).
- A.1 The regulated host covered by the Order is Metcash Trading Limited (the Regulated Host).
- A.2 The employers covered by the Order are Asset Personnel Pty Ltd, Fluid Recruitment Pty Ltd, Recruitco Pty Ltd and Manpower Services (Australia) Pty Ltd (the Employers).
- A.3 The regulated employees covered by the Order are employees of the Employers who perform work at the Regulated Host's premises at 50 Port Wakefield Road, Gepps Cross in the State of South Australia who would, if employed by the Regulated Host, be covered by the host employment instrument identified in item A.4 of this Order.
- A.4 The host employment instrument covered by the order is the *Metcash Trading Limited South Australia Food & Liquor Enterprise Agreement 2023* [AE521025] (the Host Employment Instrument).
- B. This order comes into force on 2 December 2024.

- C. This order ceases to be in force where the Host Employment Instrument ceases to apply, and no other new employment instrument starts to apply pursuant to s 306EB of the FW Act.

NOTE: Section 306F(2) of the FW Act provides that, while a regulated labour hire order is in force, an employer covered by the order must pay any regulated employee covered by the order no less than the 'protected rate of pay' for the employee in connection with the work performed by the employee for the regulated host. The 'protected rate of pay' for the employee is defined in ss 306F(4)–(6). There are certain exceptions to this obligation under ss 306F(3) and (3A).



PRESIDENT

Printed by authority of the Commonwealth Government Printer