



ORDER

Fair Work Act 2009

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

Application by United Workers' Union re the Asahi Albury/Wodonga Site
(LH2024/52)

**ASAHI BEVERAGES AUSTRALIA PTY LTD REGULATED LABOUR
HIRE ARRANGEMENT ORDER**
[LH200016]

JUSTICE HATCHER, PRESIDENT

SYDNEY, 23 DECEMBER 2024

Regulated labour hire arrangement order – Drake Australia Pty Ltd and Staffpower Pty Ltd in relation to work performed for Asahi Beverages Australia Pty Ltd at Albury, New South Wales – Asahi Beverages Albury Enterprise Agreement 2023.

- A. Further to the decision in *Application by United Workers' Union re the Asahi Albury/Wodonga Site* [2024] FWC 3577, 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 Asahi Beverages Australia Pty Ltd (the Regulated Host).
- A.2 The employers covered by the order are Drake Australia Pty Ltd and Staffpower 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 215 East Street, East Albury in the State of New South Wales who would, if employed by the Regulated Host, be covered by the host employment instrument identified in A.4.
- A.4 The host employment instrument covered by the order is the *Asahi Beverages Albury Enterprise Agreement 2023* [AE520478] (the Host Employment Instrument).
- B. This order comes into force on 23 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 a regulated 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