



# ORDER

*Fair Work Act 2009*

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

## **Application by the Mining and Energy Union re Rix's Creek** (C2024/3832)

### **RIX'S CREEK PTY LIMITED REGULATED LABOUR HIRE ARRANGEMENT ORDER** [LH200017]

VICE PRESIDENT GIBIAN  
DEPUTY PRESIDENT SAUNDERS  
DEPUTY PRESIDENT GRAYSON

SYDNEY, 17 JANUARY 2025

*Regulated labour hire arrangement order – WorkPac Mining Pty Ltd in relation to work performed for Rix's Creek Pty Ltd – Rix's Creek Mine Enterprise Agreement 2021 as varied in 2023.*

- A. Further to the decision issued in [\[2025\] FWCFB 12](#), 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 Rix's Creek Pty Ltd (the regulated host).
- A.2 The employer covered by the order is WorkPac Mining Pty Ltd (the employer).
- A.3 The regulated employees covered by the order are employees of WorkPac Mining Pty Ltd who perform work at the Rix's Creek Mine Singleton in the State of New South Wales who would, if employed by Rix's Creek, be covered by the host employment instrument identified in A.4 (the regulated employees).
- A.4 The host employment instrument covered by the order is the *Rix's Creek Mine Enterprise Agreement 2021*, as varied in 2023 (AE511876).
- B. This order comes into force on 17 January 2025.

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).



VICE PRESIDENT

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