



ORDER

Fair Work Act 2009

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

Application by the United Workers' Union re Australian Pharmaceutical Industries Pty Ltd Distribution Centre

(LH2025/3)

AUSTRALIAN PHARMACEUTICAL INDUSTRIES PTY LTD REGULATED LABOUR HIRE ARRANGEMENT ORDER

[LH200026]

JUSTICE HATCHER, PRESIDENT

SYDNEY, 17 APRIL 2025

Regulated labour hire arrangement order – National Workforce Pty Ltd and ProQuest Pty Ltd in relation to work performed for Australian Pharmaceutical Industries Pty Ltd – Australian Pharmaceutical Industries Melbourne Distribution Centre Enterprise Agreement 2023.

- A. Further to the decision in *Application by the United Workers' Union re Australian Pharmaceutical Industries Pty Ltd Distribution Centre* [\[2025\] FWC 1102](#), the Fair Work Commission makes this regulated labour hire arrangement order (order) pursuant s 306E of the *Fair Work Act 2009* (Cth) (FW Act).
- A.1 The regulated host covered by the order is Australian Pharmaceutical Industries Pty Ltd (Regulated Host).
- A.2 The employers covered by the order are National Workforce Pty Ltd and ProQuest Pty Ltd (Employers).
- A.3 The regulated employees covered by the order are employees of the Employers who perform work at the Regulated Host's site at 35–61 South Park Drive, Dandenong South in the State of Victoria and/or any other location in the State of Victoria, who would, if employed by the Regulated Host, be covered by the host employment instrument identified in item A.4.
- A.4 The host employment instrument covered by the order is the *Australian Pharmaceutical Industries Melbourne Distribution Centre Enterprise Agreement 2023* [AE521196] (the Host Employment Instrument).
- B. This order comes into force on 17 April 2025.

- 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

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