



ORDER

Fair Work Act 2009

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

**Application by Shop, Distributive and Allied Employees Association re
Metcash Trading Limited — Dry Grocery and NDC Distribution Centre**

(LH2025/5)

**METCASH TRADING LIMITED REGULATED LABOUR HIRE
ARRANGEMENT ORDER NO 2 (DRY GROCERY AND NDC
DISTRIBUTION CENTRE)**

[LH200027]

Storage services

JUSTICE HATCHER, PRESIDENT

SYDNEY, 17 APRIL 2025

Regulated labour hire arrangement order – Tusk Group Pty Ltd, Action Workforce Pty Ltd, LabourForce Impez Personnel Pty Ltd and Aussie United Group Pty Ltd in relation to work performed for Metcash Trading Limited at the Dry Grocery and NDC Distribution Centre in Victoria – Metcash Trading Limited Dry Grocery and NDC Enterprise Agreement 2022.

A. Further to the decision in *Application by Shop, Distributive and Allied Employees Association re Dry Grocery and NDC Distribution Centre* [2025] FWC 1104, 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 Tusk Group Pty Ltd, Action Workforce Pty Ltd, LabourForce Impez Personnel Pty Ltd and Aussie United Group Pty Ltd (the Employers).

A.3 The regulated employees covered by the order are employees of the Employers who perform work at the Dry Grocery and NDC Distribution Centre in Victoria 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 *Metcash Trading Limited Dry Grocery and NDC Enterprise Agreement 2022* [AE518598] (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

Printed by authority of the Commonwealth Government Printer