

LH200069 PR790084

The attached document replaces the document previously issued with the above code on 31 July 2025.

The catchwords are amended by replacing the words ‘Mangoola Coal Operations Pty Ltd in relation to work performed for the TESA Group Pty Ltd’ with the words ‘TESA Group Pty Ltd in relation to work performed for Mangoola Coal Operations Pty Ltd’.

Paragraph A.3 is amended by replacing the words ‘TESA Group Pty Ltd’ with the words ‘Mangoola Coal Operations Pty Ltd’.

Associate to Deputy President Butler

Dated 6 August 2025





# ORDER

*Fair Work Act 2009*

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

## **Mining and Energy Union**

(LH2024/14)

## **MANGOOLA COAL OPERATIONS PTY LTD (TESA GROUP PTY LTD) REGULATED LABOUR HIRE ARRANGEMENT ORDER**

(ODN LH2024/14) [LH200069]

Mining industry

DEPUTY PRESIDENT BUTLER

BRISBANE, 31 JULY 2025

*Regulated labour hire arrangement order – TESA Group Pty Ltd in relation to work performed for Mangoola Coal Operations Pty Ltd – Mangoola Coal Operations Enterprise Agreement 2021*

A. Further to the decision issued in [\[2025\] FWC 2190](#), the Fair Work Commission makes this regulated labour hire arrangement order (order) pursuant to s 306E of the *Fair Work Act 2009* (Cth) (the Act).

A.1 The regulated host covered by the order is Mangoola Coal Operations Pty Ltd (the Regulated Host).

A.2 The employer covered by the order is the TESA Group Pty Ltd (the Employer).

A.3 The regulated employees covered by the order are employees of the Employer who perform work at the Mangoola Mine 20 kilometres west of Muswellbrook in the State of New South Wales who would, if employed by Mangoola Coal Operations Pty Ltd, 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 *Mangoola Coal Operations Enterprise Agreement 2021* [AE513167] (the Host Employment Instrument).

B. This order comes into force on 17 August 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 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).



DEPUTY PRESIDENT

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