



ORDER

Fair Work Act 2009

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

Mining and Energy Union (C2024/3851)

VICE PRESIDENT ASBURY
VICE PRESIDENT GIBIAN
COMMISSIONER DURHAM

BRISBANE, 26 AUGUST 2025

Regulated labour hire arrangement order – WorkPac Pty Ltd and WorkPac Mining Pty Ltd performing work for BHP Coal Pty Ltd – BMA Enterprise Agreement 2022.

- A. Further to the decision issued in [\[2025\] FWCFB 134](#) and [\[2025\] FWCFB 188](#), 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 BHP Coal Pty Ltd (the **regulated host**).
- A.2 The employers covered by the order are WorkPac Pty Ltd and WorkPac Mining Pty Ltd (the **employers**).
- A.3 The regulated employees covered by the order are employees of WorkPac Pty Ltd and WorkPac Mining Pty Ltd who perform production work or maintenance, service or repair work, and ancillary tasks, at the Peak Downs Mine, which is located about 31 kilometres from Moranbah in the State of Queensland, who would, if employed by BHP Coal Pty Ltd, be covered by the *BMA Enterprise Agreement 2022* (but excluding any employees of the employers who are supplied to perform work for any person other than the regulated host, under a contract or arrangement between the employers and that other person) (the **regulated employees**).
- A.4 The host employment instrument covered by the order is the *BMA Enterprise Agreement 2022* [AE518866].
- B. 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.
- C. This order comes into force on 15 September 2025.



VICE PRESIDENT

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