



# ORDER

*Fair Work Act 2009*

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

## **Application by the United Workers' Union (UWU) re Winc Australia Pty Ltd**

(LH2025/47)

## **WINC AUSTRALIA PTY LTD REGULATED LABOUR HIRE ARRANGEMENT ORDER**

[LH200091]

JUSTICE HATCHER, PRESIDENT

SYDNEY, 24 NOVEMBER 2025

*Regulated labour hire arrangement order – Toll Personnel Pty Ltd, Action Workforce T1 Pty Ltd and Staff Australia Payroll Services 2 Pty Ltd in relation to work performed for Winc Australia Pty Ltd – Winc – Enterprise Agreement 2024.*

- A. Further to the decision in *Application by United Workers' Union re Winc Australia Pty Ltd* [\[2025\] FWC 3511](#), 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 Winc Australia Pty Ltd (the Regulated Host).
- A.2 The employers covered by the order are Toll Personnel Pty Ltd, Action Workforce T1 Pty Ltd and Staff Australia Payroll Services 2 Pty Ltd (the Employers).
- A.3 The regulated employees covered by the order are employees of the Employers who perform work for the Regulated Host at the National Distribution Centre at 24 – 66 Lockwood Road, Erskine Park, New South Wales operated by the Regulated Host and 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 *Winc – Enterprise Agreement 2024* [AE527907] (the Host Employment Instrument).
- B. This order comes into force on 24 November 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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