



ORDER

Fair Work Act 2009

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

Application by United Workers' Union re Hempel (Wattyl) Australia
(LH2025/53)

HEMPEL (WATTYL) AUSTRALIA PTY LTD REGULATED LABOUR HIRE ARRANGEMENT ORDER [LH200095]

JUSTICE HATCHER, PRESIDENT

SYDNEY, 7 JANUARY 2026

Regulated labour hire arrangement order – Toll Personnel Pty Ltd, Hoban Recruitment Pty Ltd and Evolve Scientific Recruitment Pty Ltd in relation to work performed for Hempel (Wattyl) Australia Pty Ltd – Hempel (Wattyl) Australia Pty Ltd National Operations Enterprise Agreement 2024.

- A. Further to the decision in *Application by United Workers' Union re Hempel (Wattyl) Australia* [2026] FWC 32, the Fair Work Commission makes this regulated labour hire arrangement order pursuant to s 306E of the *Fair Work Act 2009* (Cth) (**FW Act**).
- A.1 The regulated host covered by the order is Hempel (Wattyl) Australia Pty Ltd (**the Regulated Host**).
- A.2 The employers covered by the order are Toll Personnel Pty Ltd, Hoban Recruitment Pty Ltd and Evolve Scientific Recruitment Pty Ltd (**the Employers**).
- A.3 The regulated employees covered by the order are employees of the Employers who:
- A.3.1 perform work for the Regulated Host at the worksites located at
- 2–44 Graingers Road, West Footscray, Victoria 3011;
 - 560 Churchill Road, Kilburn, South Australia 5084; and
 - 211 Collier Road, Bayswater, Western Australia 6053; and
- A.3.2 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 *Hempel (Wattyl) Australia Pty Ltd National Operations Enterprise Agreement 2024* [AE527559] (**the Host Employment Instrument**).

- B. This order comes into force on 19 January 2026.
- 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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