

Ai GROUP SUBMISSION

Workplace Safety and Industrial
Relations Division
Chief Minister, Treasury and Economic
Development Directorate

Improving Responsible Practices in the ACT Labour Hire Industry

2 August 2019



About Australian Industry Group

The Australian Industry Group (Ai Group) is a peak industry association in Australia which along with its affiliates represents the interests of more than 60,000 businesses in an expanding range of sectors including: manufacturing, engineering, construction, automotive, food, transport, information technology, telecommunications, call centres, labour hire, printing, defence, mining equipment and supplies, airlines, health, community services and other industries. The businesses which we represent employ more than one million people. Ai Group members operate small, medium and large businesses across a range of industries. Ai Group is closely affiliated with many other employer groups and directly manages a number of those organisations.

Ai Group contact for this submission

Nicola Street, National Manager - Workplace Relations Policy

Telephone: 02 9466 5541

Email: nicola.street@aigroup.com.au

Summary

Ai Group welcomes the opportunity to provide a submission to the ACT Government’s Discussion Paper - *Improving Responsible Practices in the ACT Labour Hire Industry* (Discussion Paper).

The Discussion Paper seeks views on the development of a labour hire licensing scheme for the ACT and reiterates the ACT Government’s intention to develop a labour hire licensing scheme for the ACT in the absence of a national scheme.

Ai Group does not support the introduction of any further State or Territory labour hire licensing schemes. An ACT scheme would add to the current complex patchwork of multiple labour hire licensing schemes operating in different ways in different parts of Australia. The large number of businesses operating Nationally, or across State and Territory borders, would be faced with an increased regulatory burden and increased compliance costs.

Ai Group is the main industry group which represents the labour hire industry in respect of workplace relations matters. Ai Group has a large number of labour hire companies as members – small and large.

Ai Group also has a large membership in industries which use labour hire.

A national labour hire licensing scheme

The Federal Government has announced that it will adopt, in-principle, the recommendations of the Migrant Workers’ Taskforce, including the creation of a national labour hire licensing scheme targeting particular industries identified as higher risk for worker exploitation.

The Migrant Workers’ Taskforce, in its [Final Report](#), made the following relevant recommendation:

Recommendation 14

It is recommended that in relation to labour hire, the Government establish a National Labour Hire Registration Scheme with the following elements:

- a) focused on labour hire operators and hosts in four high risk industry sectors — horticulture, meat processing, cleaning and security — across Australia
- b) mandatory for labour hire operators in those sectors to register with the scheme
- c) a low regulatory burden on labour hire operators in those sectors to join the scheme, with the ability to have their registration cancelled if they contravene a relevant law
- d) host employers in four industry sectors are required to use registered labour hire operators.

In its [Response to the Migrant Workers' Taskforce Report](#), the Federal Government relevantly stated: (emphasis added)

The Migrant Workers' Taskforce Report was delivered to Government in February 2019. The Government has carefully considered each of the Taskforce's 22 recommendations and accepts in principle all the report's recommendations.

The recommendations comprise a broad range of actions the Government could take to complement and build on the reforms previously introduced by this Government to protect vulnerable workers. Recommendations include strengthening legislation to provide better protections for workers, improving the availability and accessibility of information about workplace rights, ensuring the FWO is adequately resourced, and introducing a new national regulatory scheme to provide better oversight of the labour hire industry.

The Government supports taking further measures to protect vulnerable workers and ensure law-abiding Australian employers are not undercut by unscrupulous competitors.

In a clear and strong signal that workplace exploitation will not be tolerated by this Government, the Government will consider the circumstances and vehicle in which criminal penalties will be applied for the most serious forms of deliberate exploitation of workers.

This complements existing offences for serious criminal forms of labour exploitation, including forced labour, servitude and debt bondage in the *Criminal Code 1995 (Cth)*.

By adding criminal sanctions to the suite of penalties available to regulators for the most egregious forms of workplace conduct, the Government is sending a strong and unambiguous message to those employers who think they can get away with the exploitation of vulnerable employees.

The Government agrees that our new regime of increased penalties for underpayment and other exploitation of workers should be reviewed once it has had time to take effect. If it is apparent that these penalties are not deterring such exploitation, the Government will also consider options for increasing penalties further.

The Government will finalise and introduce a model, in consultation with stakeholders, for a National Labour Hire Registration Scheme that will reduce worker exploitation, improve accountability, provide greater transparency and drive behavioural change among labour hire operators in high-risk sectors, without causing major disruption to the entire labour hire industry.

As yet, no substantive detail about any proposed national licensing scheme has been released which is not surprising given that the Migrant Workers Taskforce Report, and the Federal Government's response to it, were only released in March this year. It would be premature for the ACT Government to proceed to implement an ACT labour hire licensing scheme before it has the opportunity to assess the scheme that the Federal Government intends to develop.

Ai Group has previously stated there would be a benefit in an appropriate national labour hire licensing scheme, which does not provide a substantial regulatory burden on businesses, provided that it overrides State labour hire licensing schemes for those businesses covered by the national scheme. We still hold this view.

Should the ACT Government proceed with its own licensing scheme, it is conceivable that many businesses operating in the ACT could be subject to both an ACT licensing scheme and a National licensing scheme. This would deter investment and employment growth in the ACT.

An ACT labour hire licensing scheme

If despite, Ai Group's opposition, the ACT Government proceeds with a labour hire licensing scheme for the ACT, Ai Group has set out a number of issues and recommendations below. These also relate to the Discussion Paper questions that seek input on specific elements associated with an ACT labour hire licensing scheme.

Ai Group's recommendations are based on our experiences in assisting industry navigate the complex and varied labour hire licensing schemes in Queensland, Victoria and South Australia, and as well as our role in the development of the licensing schemes in those States.

It is essential that any proposed ACT licensing scheme:

- Adopt an appropriately targeted definition of labour hire services to avoid the scheme applying to a vast array of business arrangements that are not genuinely labour hire; (Ai Group has proposed such as definition below);
- Recognise labour hire licences held in other States to avoid the cost and administrative burden on business of separately meeting the application, cost and reporting requirements for any ACT licensing scheme;
- Adopt mutual recognition of the Secure Local Jobs Code so that businesses who hold a valid SLJC certificate are not required to also separately apply for and meet extensive reporting obligations to hold a labour hire licence in addition to satisfying the SLJC requirements;
- Contain reasonable reporting obligations on licence holders, and not excessive obligations, to minimise the regulatory burden on businesses and to ensure that reporting is directly linked to licensing criteria;
- Grant licences for an indefinite term, with periodic fees, consistent with the approach in the South Australian *Labour Hire Licensing Act 2017*;
- Ensure that there is fair process in respect of the regulator's powers to grant, refuse, suspend or cancel licences, including utilising licence conditions where appropriate and ensuring that persons/organisations with no material interest in the outcome of a licence decision cannot object to the granting of a licence;
- Adopt civil rather than criminal penalties for breaches of the legislation, consistent with the approach of civil penalties in other workplace laws such as the *Fair Work Act 2009 (Cth)* and the Victorian *Labour Hire Licensing Act 2018*.

- Enable a corporate group to obtain one license for the whole group, rather than several licences.
- Adopt a scaled approach for licence fees so that smaller businesses are not required to pay excessive fees.

Previous Ai Group submissions

Ai Group participated in the *Inquiry into Insecure Employment in the ACT* conducted by the ACT Standing Committee on Education, Employment and Youth Affairs. Ai Group lodged the detailed submission below.

- [Ai Group Submission – ACT Government’s Inquiry into Insecure Employment in the ACT, July 2017.](#)

In addition, Ai Group has had significant involvement other State Government and Parliamentary Inquiries regarding the labour hire industry. Further, we have represented industry concerns regarding the development of the labour hire licensing schemes in Queensland, Victoria and South Australia.

Some relevant submissions in respect of State labour hire licensing schemes are below.

Submissions to the Queensland Government

- [Ai Group Submission re Regulation of the Labour Hire Industry 2016 Queensland, February 2017](#)
- [Ai Group Submission re Labour Hire Licensing Bill 2017 \(Queensland\), June 2017](#)
- [Ai Group Submission re Consultation on Proposed Regulation for the Queensland Labour Hire Licensing Scheme, 2 February 2018](#)

Submissions to the Victoria Government

- [Ai Group Submission re Victorian Government’s Labour Hire Licensing Proposal, June 2017](#)
- [Ai Group Submission on the Consultation Paper – Development of Regulations, December 2017.](#)
- [Ai Group Submission re Victorian Government’s Labour Hire Licensing Regulation – Exposure Draft, September 2018](#)
- [Inquiry into the Victorian On-Demand Workforce, February 2019](#)

Submissions to the South Australian Government

- [Ai Group Submission re Labour Hire Licensing Bill 2017 \(South Australia\), 8 September 2017](#)

Coverage of any ACT licensing scheme (Questions 3-7 in the Discussion Paper)

Should the ACT Government proceed with a labour hire licensing scheme, it is essential that it be appropriately targeted to those labour arrangements that are legitimately, and commonly understood as labour hire.

Ai Group is continuing to observe large-scale confusion within industry over the application of the Queensland, Victorian and South Australian labour hire licensing schemes. This has led to high levels of uncertainty over existing and future commercial arrangements. This is largely due to:

- The adoption in the licensing schemes of excessively broad statutory definitions of a “provider” of “labour hire services” and of a “worker” that capture many arrangements not legitimately labour hire;
- The application of the licensing scheme being tied to the supply of each worker, the circumstances and arrangements of which may vary from time to time;
- Only very limited categories of workers being excluded from the scheme;
- There being no ability for the licensing authority to provide private rulings or determinations;
- There being an inflexible application of the scheme to unplanned, ad hoc or urgent supplies of services, which has resulted in the scheme applying to businesses that are not otherwise providers of labour hire services;
- The scheme containing excessive criminal and financial penalties;
- Users of labour hire services being unable to readily determine whether an organisation that supplies services to them (beyond what are typically regarded as labour hire services) is required to hold a licence.

The following business arrangements should **not** be covered by labour hire licensing intentionally, or inadvertently. These business arrangements are not legitimately labour hire.

Genuine supply chain and subcontracting arrangements

Supply chain and contracting arrangements are deeply embedded across all industries and have grown in size and scale over the years. This has been enabled by technological advances, lower transport and communication costs and a greater fragmentation of production and construction processes.

Business outsourcing and supply chain growth of course bring many benefits to the national economy and the community. Supply chain growth enables businesses to focus and specialise on core functions creating greater efficiencies, while also enabling businesses to enter new markets, and have better access to skilled workers, materials and expert knowledge.

Invariably throughout supply chain processes there are business-to-business arrangements involving workers doing work for other businesses. This is not, in itself, labour hire. The interaction of workers with other businesses is a necessary element in ensuring that businesses can operate efficiently.

Supply chain participants often provide contracting services as part of their business model. Frequently the provision of a service or function involves the provision of necessary labour to varying degrees. For instance the following sub-contracting arrangements should be excluded from any licensing scheme:

- An industrial services company that provides plant maintenance and shutdown services for another business by supplying electrical and mechanical trades workers to secure, maintain and service equipment belonging to the client's business.
- A transport company that contracts with Business A for the transport company's drivers to deliver and unload products to the site of Business B.
- A software company which, as part of an outsourcing arrangement, provides staff to support the client company either remotely or at the client's premises.
- A facilities services company which successfully tenders for the operation of an on-site food and beverage business at a special event and employs its own workers to work at the event. The company is engaged for its know-how and resources, not as a 'labour hire' provider.

It is essential that these common and genuine subcontracting arrangements not be intentionally or inadvertently subject to labour hire licensing. These arrangements are not legitimately labour hire.

The provision of products and services with associated labour must be excluded

Related to contracting and supply chain arrangements is the provision of products and services to clients that involve a necessary labour component. Such arrangements should also be excluded from any licensing scheme on the basis that these arrangements are not labour hire. Some common industry scenarios are outlined below.

Manufactured products

Manufacturers typically have warranty obligations to their customers. If products require warranty repairs, the repairs are often carried out by employees of the manufacturer on customers' premises. Many manufacturers also provide on-site support and maintenance as part of their service contracts with other businesses. As such, many manufacturing employees are required to perform technical repairs, maintenance and servicing on customers' sites.

Example

A business manufactures an electrical transformer for a power station operated by an energy company. After installation, a fault is detected in the transformer. Several of the manufacturer’s employees visit the power station where the transformer has been installed to carry out the necessary repairs in accordance with their employer’s warranty obligations to the energy company.

Such labour should not be covered by any labour hire licensing scheme.

Technology services

ICT and other technology companies provide business solutions to their customers. Product installation, technical support and servicing are common features.

Example

An office equipment company sells and leases photocopier equipment to other businesses. As part of the commercial arrangement with its customers, the company provides technicians to repair and service the machines on-site.

Such labour should not be covered by any labour hire licensing scheme.

Construction work

The construction industry relies on a large number of different businesses that specialise in different types of work. Consequently, there are high levels of contracting and subcontracting in the industry.

Projects and project stages must be completed within tight deadlines. The employees of construction businesses necessarily cooperate and work alongside each other in order to achieve the common goal of completing the project on time and on budget. Much of the cooperative work between the employees of different subcontractors is not subject to contractual arrangements between those businesses.

Some common scenarios are outlined below – none of which should be covered by any labour hire licensing scheme:

- Work carried out on a project by the employees of contractors and subcontractors;
- The employees of one subcontractor on a construction project assisting the employees of another subcontractor, for example during a concrete pour or when trucks delivering materials are being unloaded;
- The employees of one joint venture partner working with employees of other joint venture partners;
- The employees of one corporate entity in a construction group providing services to other related entities in the same corporate group.

Joint ventures should be excluded from any licensing scheme. A number of construction companies may deliver work or services as part of an unincorporated or incorporated joint venture with third parties. Some common joint venture scenarios are below:

- A company and its JV partner (JVP) sign a joint venture agreement pursuant to which they agree to join, providing market knowledge, expertise, personnel and financial support to enable them to deliver (jointly) a bid to be appointed as head contractor for the delivery of works or services on a construct-only or design and construct basis. If successful, the Company and its JVP are appointed as the 'Contractor'. They provide the contract administration, design management, project management and supervision services to the Principal together. The Company's contribution depends upon the terms of the joint venture agreement. It may, for example, agree to provide all financial administration services, and 50% of the staff needed for management, supervision and coordination of the works or services.
- Sometimes, the company as part of its agreement with its JVP, provides its own employed personnel on the project as part of a service to the JVP, whether at the pre-tender or tender stage or after the joint venture is awarded the contract. This means that the relevant personnel remain employed by the Company and retain all entitlements and terms and conditions of their employment, but their duties are confined to the project being pursued or delivered by the joint venture. This work typically consists of temporary works designers, programmers, contract administration, engineering, site supervision, etc used to deliver contracted works or tender. The joint venture contract contemplates the services provided by the Company and reimburses the Company at agreed rates for such services.

Businesses that work on construction projects operate under competitive tendering processes. There would be costly delays to projects (including Government projects) and a great deal of uncertainty if businesses tendering for work had to second-guess whether or not their particular business structure and contracting arrangements results in them being deemed to be a provider or user of labour hire services.

Further, any requirement for licence applicants to disclose project information (much of which may be confidential or unknown), would make the process of applying for a licence extremely difficult.

Both the Queensland *Labour Hire Licensing Act 2017* and the South Australian *Labour Hire Licensing Act 2017* provide for specific exclusions for subcontracting work in the construction industry.

Not-for-profit group apprenticeship and traineeship schemes should be excluded

Not-for-profit group apprenticeships and traineeship schemes fulfil a vital role in the community and should be excluded from any licensing scheme.

Not-for-profit group apprenticeships and traineeship schemes:

- Help contain current youth unemployment problems in Australia and the ACT;

- Create career opportunities for many thousands of young Australians;
- Fill skill shortages in numerous industries.

Group training schemes operated by not-for-profit bodies like Australian Industry Group Training Services (AiGTS) coordinate the training of over 25,000 apprentices and trainees Australia-wide.

Such group training schemes are subject to the same workplace laws as other employers. In addition, group training schemes must satisfy additional and existing regulation in respect of their operations in providing employment and training services, such as complying with relevant training and education legislation, codes of practices and a registration process with the relevant accredited training bodies.

Group training schemes should be excluded from any licensing scheme. Such an exclusion has already been provided in South Australia through s.5 of the *Labour Hire Licensing Act 2017 (SA)* which states:

5—Registered group training organisation exempt from application of Act

(1) This Act does not apply in respect of a registered group training organisation to the extent that the organisation supplies apprentices or trainees to do work for other persons.

(2) In this section-

Registered group training organisation means a group training organisation registered in South Australia on the Group Training Organisation National Register maintained by the Commonwealth.

Targeting labour hire licensing to legitimate labour hire arrangements

In addition to ensuring that non-labour hire arrangements are excluded, it is essential for any licensing scheme to adopt a definition of a labour hire service provider that is well understood as labour hire. We note the Discussion Paper refers to the concept of ‘on-hire’ at p.13. The phrase ‘on-hire’ has been frequently used interchangeably with ‘labour hire’ for decades in Australian industry and workplace relations framework.

During the development of the modern award system under the *Fair Work Act 2009 (FW Act)* between 2008 and 2010, there was considerable focus on an appropriate definition for labour hire. Ultimately, a seven Member Full Bench of the Australian Industrial Relations Commission decided upon the following definition, including the use of the term ‘on-hire’ rather than ‘labour hire’:

on-hire means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client.

The above definition is included in nearly all modern awards. This definition would be a far more appropriate means of identifying labour hire providers and labour hire services, than the varying and broad definitions in the State labour hire licensing laws.

If the ACT Government were minded to use similar definitions of a provider of labour hire services as in the South Australian or Victorian Labour Hire Licensing Acts, the following words should be added to more closely align with the modern award definition (based on s.7 of the South Australian Act):

A person (a **provider**) provides **labour hire services** if, in the course of conducting a business, the person supplies, to another person, a worker to do work in and as part of a business or commercial undertaking of the other person and the worker works under the instruction of the other person.

Ai Group considers that the above proposal is broadly consistent with what the Governments of Queensland, South Australia and Victoria intended in respect of the coverage of those licensing schemes.

Exclusion of certain workers or classes of workers from the scheme

In respect of any licensing scheme's scope, it is essential for the Government to exclude the following types of workers and work that are not commonly understood as comprising 'labour hire':

- a worker who does not work in and as part of the business or undertaking of the host;
- genuine supply chain, contracting and subcontracting arrangements that are not labour hire;
- outsourcing of a business or part of a business;
- a worker for a provider where the supply of labour to other businesses is not a dominant purpose of the business ordinarily carried on by the provider, e.g. warranty work carried out by a manufacturer;
- short term, ad hoc arrangements between businesses (such as a worker of one farm business assisting another farm business by picking crops for a day, or the worker of one concrete business providing assistance to another concrete business during a concrete pour);
- workers of contractors and subcontractors in the construction industry;
- workers who perform work for a related corporation or a common joint venture partner;
- the secondment of employees;
- consultants and employees of consulting firms;
- directors and business owners;
- a worker who carries out work for an individual not conducting a business or undertaking, such as in a domestic setting;
- not-for-profit group apprenticeship and trainee schemes;

- lawyers with practicing certificates;
- workers of organisations registered under the *Fair Work (Registered Organisations) Act 2009*;
- volunteers; and
- work experience/educational placements.

Mutual recognition (Questions 1-2 in the Discussion Paper)

Any licensing scheme proposed by the ACT Government should consider the regulatory burden already in place on businesses required to satisfy other labour hire licensing requirements. Existing labour hire licensing laws presently require licence applicants and holders to demonstrate they are fit and proper to hold a licence, and to submit to very extensive reporting obligations.

Ai Group is also concerned about the high quantum of existing licence fees payable by businesses that require multiple licences both within a State and across different States.

Additional licence fees imposed by any ACT labour hire licensing scheme are likely to be a disincentive for businesses already faced with high licensing costs in other States to expand operations in the ACT. Ultimately labour hire licensing costs will be passed on to clients and flow on to the costs of goods and services; they will not be costs simply absorbed by labour hire businesses.

Accordingly, any new licensing scheme should recognise licences held in other States, so that:

- Licence applicants (including body corporate applicants) who can demonstrate they hold a valid licence under another labour hire licensing scheme should be entitled to receive an ACT licence without the need to satisfy separate ACT labour hire licensing application criteria;
- Licence applicants (including body corporate applicants) who can demonstrate they hold a valid licence under another labour hire licensing scheme should be entitled to a waiver of the full licence fee;
- Licence applicants (including body corporate applicants) who can demonstrate they hold a valid Secure Local Jobs Code Certificate (SLJC certificate) should be entitled to receive an ACT licence without the need to satisfy separate ACT labour hire licensing application criteria.

Licensing criteria – ‘fit and proper person’ test (Questions 8 – 11 of Discussion Paper)

For any licensing scheme, Ai Group considers that the adoption of a ‘fit and proper person’ test has some basis. However, it is important the any licensing scheme consider the regulatory burden on licence applicants (particularly if they hold licences in other States) and ensure the test is applied appropriately and fairly.

The concept of whether an applicant is ‘fit and proper’ may include consideration as to whether a licence applicant has been convicted of a serious criminal offence (such as fraud, or an indictable offence). However, a licence applicant who is deemed not ‘fit and proper’ due to an untested allegation (of any kind) under a workplace law, is inappropriate and unfair.

Ai Group suggests an approach whereby a licence applicant is deemed fit and proper unless there is information that demonstrates otherwise – either obtained through a mandatory disclosure process, or through the Regulator’s own inquiries.

We also consider it important, and appropriate in some circumstances, for the Regulator to have discretionary power to impose additional conditions in granting a licence, rather than refusing a licence application in its entirety. Many labour hire employees will be reliant on their employer’s ability to lawfully provide labour hire services for their continued employment, and it is important that such employers have the opportunity to operate lawfully if any concerns can be dealt with through additional licence conditions.

In Ai Group’s experience, the application of the ‘fit and proper person’ test to individuals who are not personal licence holders (e.g. a representatives of the company) has proved onerous and confusing for many businesses operating under schemes that require body corporate ‘officers’ and ‘key management personnel’ to be fit and proper, in addition to the applicant body corporate.

The application of any ‘fit and proper person’ test should be confined to the body corporate and, to the extent that an individual is required to submit to this threshold, to directors of the body corporate. This is the approach taken by the South Australian *Labour Hire Licensing Act 2017* (see s.10).

Further, and in line with our point about mutual recognition above, licence applicants who can demonstrate they hold a valid licence under another labour hire licensing law, or an accreditation or qualification scheme where a similar ‘fit and proper person’ test exists, should be granted a licence without needing to satisfy a further ‘fit and proper person’ test under any ACT scheme.

Reporting on compliance with industry standards

Existing reporting frameworks in State licensing schemes have proven to be administratively onerous on industry, especially in Queensland which requires reporting at 6-monthly intervals. It is important this reporting timeframe is not replicated in any ACT scheme.

Any reporting requirement on licence holders should be directly linked to licensing criteria.

Ai Group is concerned that in some States, the licensing regulator is duplicating functions of other regulatory institutions, such as the Fair Work Ombudsman and the relevant safety regulators, creating confusion and uncertainty.

We recommend that, like the South Australian approach, the licensing regulator sit within other licensing frameworks and agencies.

Licence conditions

In Ai Group’s experience, licences granted with minimum terms or with expiry dates have created unnecessary administrative work for licence holders and Regulators. This approach also creates commercial uncertainty for many users of labour hire who have particular commercial or project arrangements tied up with particular labour hire providers.

It is essential that once a licence is granted, it operates indefinitely unless there are specific and identified grounds on which the Regulator believes a licence should not continue, for instance, that a licence holder is no longer ‘fit and proper’ to hold a licence.

An indefinite term would not prevent the Regulator from setting periodic fees, or periodically seeking information from licence holders to ensure licence conditions are complied with.

An indefinite licence term is the approach taken by the South Australian *Labour Hire Licensing Act 2017*.

Suspension and cancellation

Any licence scheme must provide for appropriate review and appeal mechanisms in respect of decisions by the Regulator to suspend or cancel a licence. Grounds on which decisions are made to suspend or cancel licences should be clearly communicated to licence holders with sufficient opportunity to respond.

It is inappropriate, however, for a broad range of persons or organisations, who may be classed as ‘interested persons’, to be able to object to Regulator decisions to grant a licence. In some State labour hire licensing laws, a broad range of persons may object to a licence being granted to a particular licence holder, including in circumstances where an objector’s own material interests are affected by whether or not a licence holder maintains a licence. This is unfair and open to abuse. Objectors with standing should be limited to other Government agencies.

Penalties

It would be fair and appropriate for any licensing scheme to adopt civil rather than criminal penalties for breaches of the legislation, consistent with the approach of civil penalties in other workplace laws such as the FW Act and the Victorian *Labour Hire Licensing Act 2018*.

Licence register and publication of information

Ai Group considers that the publication of a licence register is a suitable mechanism to communicate with users of labour hire that a prospective or engaged labour hire provider is licenced. Ai Group does not support however, the publication of individual or personal information on any licensing website.