

# QUEENSLAND LABOUR HIRE Licensing Scheme

## What you need to know

Queensland labour hire providers had until 15 June 2018 to apply for a Labour Hire Licence in order to continue operating in the state. Your business may be classified as a labour hire provider under this scheme, and it's important you understand your obligations so as to remain compliant with Queensland labour laws and avoid penalties.

## Why was a Labour Hire Licensing Scheme introduced?

Queensland was the first state in Australia to introduce a Labour Hire Licensing Act in response to evidence of exploitation of workers in the labour hire industry. As such, the Licensing Scheme was developed to stop the exploitation and mistreatment of workers, support legitimate labour hire operators, and protect users of labour hire organisations.

## Which businesses need to apply for a Labour Hire Licence?

At the heart of the Act is the concept of 'labour hire services'. A person is a provider of labour hire services if, in the course of carrying on a business, they supply, to another person, a worker to do work.

If you supply a worker or workers to work for another business or person, you should consider whether you are operating as a labour hire provider. If you are, you must be licensed. Significantly, a business does not need to have the dominant or even substantial purpose of providing labour hire, in order to fit this classification.

## What are the regulations labour hire providers need to comply with?

The laws will require labour hire providers to:

- Pass a fit-and-proper person test to establish that they comply with all relevant laws and that the business is financially viable;
- Comply with workplace laws including; taxation, superannuation, OH&S, workers' compensation, migration laws and accommodation standards; and
- Provide annual reports to the regulator including; information on the number, type, industry, pay and conditions of workers supplied.

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## What do you need to do?

If you are classified as a labour hire provider under the scheme and don't already have a licence, you need to apply for one immediately before starting or continuing to operate. There are significant penalties for anyone who operates without a licence and penalties for businesses using unlicensed labour hire companies.

You should consider seeking legal advice to understand your obligations.

Visit <https://www.labourhire.qld.gov.au> for more information relating to the Labour Hire Licensing Act 2017.

If you have any questions about Labour Hire Licensing please email [enquiries@entitysolutions.com.au](mailto:enquiries@entitysolutions.com.au).



### CHECKLIST FOR LABOUR HIRE USERS

- ✓ Seek legal advice; this FAQ is for general information only
- ✓ Speak to your Legal & Compliance team and other relevant parts of your business about labour hire, so they understand how it works
- ✓ Review your own labour hire suppliers and make sure they are aware of the requirements
- ✓ Review supplier agreements and consider including the requirement of a licence as a condition in the supplier agreement
- ✓ Identify a way to manage collection of licences for all your labour hire providers
- ✓ Stay up-to-date with all Queensland labour hire news on <https://www.labourhire.qld.gov.au/>

### CHECKLIST FOR LABOUR HIRE PROVIDERS

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