

LGRCEU



FORMERLY THE MEU
FOR OVER 114 YEARS

*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities Water Boards Union, WA Division*

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Dear Potential and Current Member

RE: MEMO FOR ON HIRE /LABOUR HIRE EMPLOYEE ENTITLEMENTS

Your employer may not have kept you up to speed with recent precedents and decisions by both the Fair Work Commission and the Federal Court of Australia which have a direct and ongoing impact on your current and ongoing employment rights.

It is now reasonably well established that labour hire(on-hire) employees working in any industry who work “regular and systematic rosters” either on a full time or part time basis and who are working those rosters for extended periods are in certain circumstances entitled to similar protections and benefits as those workers who are directly hired by the principle employer in that workplace.

Particularly, labour employees who have a systematic and ongoing roster can apply for conversion to an accruing entitlement contract (i.e. annual leave, and sick leave) where there is an ongoing expectation that the employment will continue.

In addition, those labour hire employees who have been working systematic and ongoing full time or part-time hours for 12 months or more are covered by the award provision dealing with rights to notice of termination, change and or redundancy. The only likely exception would be if the worker has signed a contract that clearly states that their engagement was for a fixed term (i.e. has a definite start and finish date expressed in the contract of employment).

If you are seeking more information about the Award that covers your employment, please contact the union .

Yours in solidarity
Andrew Johnson
SECRETARY