

National labour hire licencing

Policy position statement

Position

The NFF Horticulture Council supports the introduction of a single model of labour hire licencing nationally, displacing existing state-based schemes and applying consistently across all jurisdictions, without exception.

The Council is convinced that a nationally consistent approach is essential to protect workers, uphold lawful business practices, and reduce regulatory duplication and confusion for growers and labour hire providers.

The Council's support is contingent on the scheme being properly resourced through agency budgets or consolidated revenue, not cost-recovered from industry, and applied consistently across the economy, not targeted solely at industries perceived as high risk, such as horticulture.

Principles

The Council advocates for the following principles to be applied by all parties engaged in the design and administration of a National Labour Hire Licencing Scheme (NLHLS):

1. **Worker Protection**

The NLHLS must deliver for all workers, including seasonal and migrant labour, improvements in their protection from unlawful employment practices.

2. **Regulatory Consistency**

A single national scheme must replace the current patchwork of state and territory regimes to reduce red tape and ensure clarity.

3. **Fair Competition**

Law-abiding businesses must not be disadvantaged by unscrupulous operators who undercut costs through non-compliance. The NLHLS must be rigorously enforced with appropriate penalties and dispute resolution processes.

4. **Transparency and Accountability**

Labour hire providers must meet clear standards, with public visibility of licensing status and enforcement outcomes.

5. Economy-Wide Application

The scheme must apply across all industries to ensure fairness and avoid singling out horticulture or other sectors as inherently high-risk.

6. Clear Scope of Coverage

The scheme must be limited to standard labour hire arrangements and not extend to other commercial relationships such as independent contracting or service provision.

7. Public Funding Model

The scheme must be predominantly funded through agency budgets or consolidated revenue, not through cost-recovery from growers or labour hire providers.

Actions

To support and give effect to these principles, the Council recommends the following actions are taken by parties engaged in the design and administration of a National Labour Hire Licencing Scheme (NLHLS):

- **National Licensing Framework:** Establish a single federal licensing regime for labour hire providers, with harmonised eligibility criteria, fit-and-proper person tests, and renewal conditions.
- **Public Register and Verification Tools:** Maintain a national public register of licensed providers, accessible to growers, supply chain partners, and regulators.
- **Mutual Recognition of Licences:** Ensure that a licence issued under the national scheme is recognised across all jurisdictions, eliminating the need for duplicate applications or compliance with multiple state-based schemes.
- **Targeted Enforcement:** Resource the regulator to conduct proactive compliance audits, investigations, and enforcement in high-risk regions and sectors.
- **Education and Outreach:** Deliver industry-specific education campaigns to growers and providers, including multilingual resources and regional engagement.
- **Data Collection and Reporting:** Include mechanisms for collecting and publishing data on scheme performance, industry trends, and emerging risks.
- **Flexible Compliance Pathways:** Design compliance pathways that are scalable and proportionate to business size, risk profile, and capacity.

Conclusion

Labour hire is a critical workforce solution for horticulture, enabling growers to meet seasonal and regional labour needs. However, inconsistent regulation across states and ongoing instances of worker exploitation have undermined confidence in the system.

A single, well-resourced National Labour Hire Licensing Scheme—applied fairly across the economy, limited in scope, and publicly funded—is essential to restore trust, protect workers, and support responsible businesses.

The NFF Horticulture Council urges state, territory and federal governments to work with industry to ensure the scheme is effective, fair, and fit-for-purpose.