



## **Checklist: Requirements for Labour Hire Providers in Woolworths Australian Horticulture Supply Chain**

Safeguarding responsible employment practices by labour hire providers (LHP) is a key component of Woolworths' responsible sourcing commitments.

Each business involved in Woolworths' fruit and vegetable supply chain that engages a LHP is required to conduct proactive due diligence to ensure that *any* LHP used in their operations meets our:

- [Responsible Sourcing Standards](#); and
- [Responsible Sourcing Standards Addendum: Requirements for Labour Providers in our Australian Horticulture Supply Chain](#)<sup>1</sup> (the Addendum)

This Checklist has been developed as a practical tool to help businesses implement the Addendum requirements. This Checklist breaks down the Addendum requirements into simplified questions, as well as providing some tips for best practice.

The Checklist is to be read in conjunction with the Addendum and the LHP Guidance. The Addendum outlines the requirements expected of businesses engaging LHPs, and the Guidance outlines how to meet the Addendum, and the reason behind the requirements. The Guidance also provides helpful resources and industry contacts.

*Disclaimer: This Checklist is provided as a resource tool and should be used in conjunction with your other due diligence processes to ensure labour hire providers your business engages with comply with all relevant legal and regulatory requirements.*

### **BEFORE ENGAGING A LABOUR HIRE PROVIDER**

#### **Training**

<b>Check</b>	<b>Answer</b>
Have you completed Woolworths Academy training: Labour Hire - what you need to know? Available through the Woolworths Food Company Supplier Portal. Click the following for information on <a href="#">how to sign up</a> <sup>2</sup> , and <a href="#">guidance on access levels</a> <sup>3</sup>  <b>Important:</b> if your business uses LHPs and has been approved as a Smaller Supplier for Woolworths' Responsible Sourcing Program, this course must be completed.	<b>Yes / No</b>

<sup>1</sup> Woolworths Responsible Sourcing Standards, LHP Addendum, LHP Guidance can be found in the 'Helpful Resources' section on Woolworths Groups 'Respecting Human Rights' webpage:  
<https://www.woolworthsgroup.com.au/au/en/sustainability/People/ethical---mutual-beneficial-partnerships.html#accordion-e1092fce14-item-176ea9270b>

<sup>2</sup> Woolworths Food company Supplier Portal, how to sign up:  
[https://engage.wowfoodco.ubxlink.com/app/answers/detail/a\\_id/1095](https://engage.wowfoodco.ubxlink.com/app/answers/detail/a_id/1095)

<sup>3</sup> Woolworths Food company Supplier Portal, guidance on access levels:  
[https://engage.wowfoodco.ubxlink.com/app/answers/detail/a\\_id/1095](https://engage.wowfoodco.ubxlink.com/app/answers/detail/a_id/1095)

### Labour Hire Provider Business Details

Before engaging a LHP it is important that your business is able to gather the below information.

Check	Answer	Link to Guidance/ Addendum
Registered Business Name		1
Trading Name		1
ABN (Australian Business Number)		1
Business type is a labour hire provider	(please circle) YES / NO	1
Business Address		1
Director Or Executive/Nominated Officer Name/s		1
Director/s Identification Number (DIN)		2
Main Contact Name		1
Main Contact Phone Number		1
Insurances E.g. workers compensation, public liability		2
State Licence (If Applicable)	Licence Number	2, 2a, 8, 8a, 17a
	Status	
	Expiry Date	
Additional Certification (If Applicable) E.g. PALM Approved Employer, Third Party audit certification (SMETA, On The Level, StaffSure)		2, 2a, 8, 8a, 17b, 17d
Additional Third Party Membership (If Applicable) E.g. Sedex membership		17c

### Labour Provider Management Check

If NO is answered to any of the questions below, work with your LHP to understand why before engaging them for their services. In addition to asking your LHP contact the below questions, you should physically sight documents or inspect sites/vehicles where applicable, to verify.

**IMPORTANT:** If English is a second language for the LHP workers, check that all documents provided to workers are in their native language.

Check	Answer	Link to Guidance/ Addendum
Recent changes to the LHP business name, ABN, or directors?	Yes / No	2
Does the LHP have policies and procedures (ideally documented) to manage:		
Responsible recruitment of workers? (to demonstrate their process in how they recruit workers) <b>Important:</b> workers should not be paying for their employment with the LHP	Yes / No	8, 8a
The health, safety and wellbeing of workers? (e.g. Code of Conduct) <b>Important:</b> workers should be treated fairly and their health and safety prioritised	Yes / No	8, 8a
Does the LHP employ all workers directly? <b>Important:</b> it is recommended not to engage LHPs with subcontracting arrangements	Yes / No	8, 8a
Is the LHP's proposed cost of service adequate to cover their service fee and correct payment and benefits to workers?	Yes / No	13
<b>Does the LHP maintain the following documents correctly for each worker?</b> Have you reviewed these documents for a randomised sample of workers (selected by you not the LHP)? - see 'Document checks' section below		
Right to work verification (if workers are from overseas) <ul style="list-style-type: none"> <li>Validated VEVO check, <b>or</b></li> <li>Copies of valid identity documents. E.g. passport, visa or birth certificate.</li> </ul> <b>Important:</b> no original identity documents should be held by your business or the LHP	Yes / No	3, 3a
Signed and dated worker contracts with the LHP	Yes / No	8, 8a
Payslips	Yes / No	8, 8a
Timesheets	Yes / No	8, 8a
Piecework arrangement (if applicable)	Yes / No	8, 8a
Has each worker received the Fair Work Information Statement and/or the Casual Employment Information Statement?	Yes / No	8, 8a, 15
Is each worker free to join a union of their choice?	Yes / No	8, 8a, 16
Are workers paid via bank transfer?	Yes / No	8, 8a, 10, 10a

Are workers paid at least monthly?	<b>Yes / No</b>	8, 8a, 10, 10a
Do workers receive piecework records prior to commencement of work, or when there is a change in piecework? (If applicable)	<b>Yes / No</b>	8, 8a, 10, 10a
Do workers get a payslip within 1 working day after they are paid?	<b>Yes / No</b>	8, 8a, 10, 10a
Are workers paid their entitlements, such as superannuation, sick leave and overtime? (If applicable)	<b>Yes / No</b>	13, 10, 10a
If deductions occur:	<b>Yes / No</b>	6, 6a, 10, 10a
Are they reasonable, and to the workers' benefit? E.g. If accommodation is deducted, is the rate in line with rent for the area?	<b>Yes / No</b>	6, 6a, 10, 10a
Have the deductions been authorised by the worker? (deductions outlined in their workers' contract, which has been signed and dated by the worker)	<b>Yes / No</b>	6, 6a, 10, 10a
Have the deductions been itemised in their payslips?	<b>Yes / No</b>	6, 6a, 10, 10a
If accommodation is provided:	<b>Yes / No</b>	4
Is it safe, clean and not overcrowded?	<b>Yes / No</b>	4, 10, 10a
Does each building have all required licences and approvals? (fire safety, hygiene, building structural integrity)	<b>Yes / No</b>	4, 10, 10a
Does the LHP have a process in place to ensure its amenities are maintained?	<b>Yes / No</b>	11
If transportation is provided:	<b>Yes / No</b>	5
Is it safe and clean and adequate for the number of workers?	<b>Yes / No</b>	5
Do all vehicles have relevant registrations for the region it will operate in?	<b>Yes / No</b>	5
Have the vehicles received a full service within the last year, assuring the vehicle is road-worthy?	<b>Yes / No</b>	5
Are drivers appropriately licensed?	<b>Yes / No</b>	5a
Does the LHP have a procedure that allows their workers to raise concerns confidentially and anonymously? (this is known as a grievance mechanism)	<b>Yes / No</b>	14
Is Woolworths Supplier Speak Up Poster displayed on your site (available to download and print <a href="#">here</a> )	<b>Yes / No</b>	14

## AGREEING SERVICE WITH YOUR LABOUR HIRE PROVIDERS

If you are satisfied the LHP will meet yours and Woolworth expectations and requirements for service your business will need to enter into a formal contract? A formal contract is a written agreement between your business and the labour provider for the services they will provide.

If NO is answered to any of the following, work with the LHP to rectify the issues. If the LHP does not agree to sign the contract for the conditions you require, do not engage the LHP for their services.

Check	Answer	Link to Guidance/ Addendum
Do you have a formal contract with your LHP?	Yes / No	9
Has the contract been signed and dated by the directors or managers of your business and the LHP? Does this match their ABN, licences and registrations?	Yes / No	9, 1
Does the contract contain the LHP business name and address? Does this match their ABN, licences and registrations?	Yes / No	9, 1
Does the contract outline the fees payable to the LHP for workers provided?	Yes / No	9, 13
Does the contract contain clauses that will allow the following:		9
- Your business access to the following documents on requisition, within a reasonable timeframe (i.e. 24 hours): LHP workers right-to-work verification, contracts, payslips, timesheets, compensation schemes, and piecework arrangements (where applicable)?	Yes / No	9, 3, 3a, 11
- Your business to exit agreement if the LHP does not maintain required licences, permits, accreditations, registrations and insurances (where applicable). Including those involved for accommodation and transport?	Yes / No	9, 2, 2a, 4, 5, 5a
- Require the LHP to seek approval from your business before entering into subcontracting arrangement?	Yes / No	9, 8a
- Require the LHP to seek approval from your business before changing the terms and conditions for deductions from workers' pay? (if applicable)	Yes / No	9, 6, 6a
- Require the LHP to seek approval from your business before providing another building for accommodation? (if applicable)	Yes / No	9, 4
- Require the LHP to seek approval from your business before providing another vehicle for transportation? (if applicable)	Yes / No	9, 5
Have you provided your LHP a copy of Woolworths Responsible Sourcing Standards and LHP Addendum?	Yes / No	9, 8, 8a

## SERVICES YOUR BUSINESS PROVIDES TO LABOUR HIRE PROVIDER WORKERS

Labour hire provider workers must be treated equal to your directly hired workers. The below outlines what you should make available to your LHP workers at a minimum.

Check	Answer	Link to Guidance/ Addendum
<b>Do you include LHP workers in the following?</b>		
Training? This includes new employee inductions, job-specific training, general health & safety, emergency evacuation drills, grievance mechanism awareness, worker rights (explaining the Fair Work Information Statement, or freedom to join unions)	<b>Yes / No</b>	10, 10a, 15, 16
Access to emergency services and equipment and medical facilities (first aid)?	<b>Yes / No</b>	10, 10a
Well maintained workplace amenities? This includes access to drinking water, toilets (gender segregated), break area, food preparation/storage facilities, and accommodation and transport (if applicable)	<b>Yes / No</b>	11, 12
Grievance mechanism/s? Including Woolworths Supplier Speak Up	<b>Yes / No</b>	14
Worker survey? If your business conducts an annual worker survey, include the LHP workers. Discuss the results with your LHP.	<b>Yes / No</b>	10, 10a

## MONITORING YOUR LABOUR HIRE PROVIDER PRACTICES

Use the below checks to help verify that what has been agreed with your LHP in the formal contract is occurring. This may involve documents checks (physically sighting documents and checking online registers), site inspections (inspecting sites/vehicles) and worker wellbeing checks (asking your LHP workers questions). Performing the below checks is known as an audit, or health check of your business agreement. **It is recommended to perform an audit/health check pre peak season and at least once during peak-season.**

**BEST PRACTICE: Regular meetings with the LHP - during season and pre-season.** It is advised to have regular meetings with your LHP key contacts to help foster open and effective communication with the LHP. These meetings will help establish joint labour planning, avoid last minute changes in worker requirements, and help keep the LHP in check with law and regulation requirements. Open and effective communication with your LHPs will also help when requesting information for the document checks below, and remediating any issues when identified.

Key questions to ask during meetings:

- Have there been any changes to your workplace policies or procedures?
- Has there been any changes to pay rates of employees? (e.g. Award changes, or changes to employee levels)
- Are there any worker celebrations or challenges that we can support? (e.g. significant cultural celebrations, personal issues that have arisen)
- Bring up any issues you have observed about the LHP's processes, or of their workers' welfare.  
Suggestion for when you bring up an issue: state the reason it is of concern, clearly request a corrective action with a deadline (e.g. 1 month).
- Bring up any observations that you are pleased with about LHP processes.

- Provide your request for the number of types of workers (skilled/non-skilled) in advance i.e. an estimate across the year (peak, and none-peak), or at least 1 month in advance.

### Document Checks

**Note: the below should also be performed before engaging a LHPs service.**

Check	Answer	Link to Guidance/ Addendum
<b>Review the following pre peak season (at least once annually)</b>		
The LHP business name on business register is the same as previously documented, and the name matches that of the licence and certifications	<b>Yes / No</b>	1, 1a, 2, 2a
Is the LHP state licence valid and not expired (if applicable)?	<b>Yes / No</b>	2, 2a, 17a
Has the LHP updated the self-assessment at least once in the last year (if applicable)	<b>Yes / No</b>	17c
Has the LHP closed all non-conformances raised from their last third party audit? (if applicable)	<b>Yes / No</b>	17d, 18
Has the LHP conducted relevant health & safety training with workers? (sight relevant training records)	<b>Yes / No</b>	10, 10a
Is your business maintaining a register of the names of LHP workers that have worked on your site/s? (even those who have worked 1 day)	<b>Yes / No</b>	10, 10a
Have you reviewed the LHPs payroll tax receipt? Does the amount align with the fee your business is paying the LHP?	<b>Yes / No</b>	13
<b>Review the following pre peak season and during peak season (at least once every 2 months). Review a randomised sample of workers' documents. Workers should be selected by you, not the LHP (from your LHP worker register)</b>		
Is the LHP maintaining workers' documentation? To help identify if this is occurring, check that the following information matches:	<b>Yes / No</b>	10, 10a
Business name on business register with licence and certifications	<b>Yes / No</b>	10, 10a, 1
Identification of the employee with their name in the contract, payslip, timesheet, right-to-work documents, and piecework agreement and records (if applicable)	<b>Yes / No</b>	10, 10a
Employment type in contract and payslip (e.g. casual, part-time etc.)	<b>Yes / No</b>	10, 10a
Employment level in contract and payslip (e.g. Hort Award Level 1)	<b>Yes / No</b>	10, 10a
Hourly pay (inc. piecerates if applicable) in contract with payslip	<b>Yes / No</b>	10, 10a
Number of hours worked, including overtime and ordinary hours in worker timesheet with contract	<b>Yes / No</b>	10, 10a

Employee piecework agreement rate with rate in contract, piecework record and payslip (if applicable)	<b>Yes / No</b>	10, 10a
Authorised deductions (if applicable) listed in the contract with payslip	<b>Yes / No</b>	10, 10a, 6
Contributions to superannuation in contract with payslip	<b>Yes / No</b>	10, 10a
Fee invoiced from LHP to your business with fee indicated in formal contract	<b>Yes / No</b>	13
Are the right-to-work documents being maintained for each worker?	<b>Yes / No</b>	3, 3a
<b>Review the following pre peak season, or when additional buildings or or vehicles are provided</b>		
Are all accommodation licences and approvals valid and not expired? (if applicable)	<b>Yes / No</b>	4
If the LHP is providing transport:		
Are all vehicle registrations valid and not expired?	<b>Yes / No</b>	5
Have all vehicles been serviced by an approved automotive in the last year?	<b>Yes / No</b>	5
Is the register of licensed drivers up-to-date?	<b>Yes / No</b>	5
If the drivers are LHP workers: are the drivers hours recorded, and have they been paid for these hours?	<b>Yes / No</b>	12

### Site Inspections

Check that amenities are being maintained - including workplace and accommodation amenities and vehicles (if applicable).

**Note: the below can also be performed before engaging a LHPs service.**

<b>Check</b>	<b>Answer</b>	<b>Link to Guidance/ Addendum</b>
Are emergency equipment and first aid facilities being maintained?	<b>Yes / No</b>	4, 10, 10a
Are LHP workers wearing appropriate and well maintained PPE?	<b>Yes / No</b>	10, 10a
Are toilets easily accessible, functional and maintain handwashing facilities with running water, soap and female sanitary bins?	<b>Yes / No</b>	11
Is drinking water easily accessible?	<b>Yes / No</b>	11
Is food storage and preparation facilities (including utensils) clean and appropriate for the number of workers?	<b>Yes / No</b>	11
Are there appropriate waste disposal facilities and processes in place?	<b>Yes / No</b>	11
Is the temperature of the workplace comfortable (i.e. not too hot or cold)?	<b>Yes / No</b>	11



If accommodation is provided, inspect as per questions above, and the following:		
Is the kitchen, bathroom, bedroom and leisure facilities clean and appropriate for the number of workers?	<b>Yes / No</b>	4
Is there a provision of personal storage? Is it adequate and lockable? (this may be met by allowing for rooms to be lockable) <b>Important:</b> locks should not be on the outside of doors, i.e. there should be no ability for workers to be locked inside rooms by others	<b>Yes / No</b>	11
Are workers able to freely move to/from the accommodation, and access amenities?	<b>Yes / No</b>	11
Are all areas structurally sound and free from makeshift structures that may pose a risk to worker safety? e.g clotheslines at head height, temporary walkways creating trip hazards	<b>Yes / No</b>	11
Is there sufficient fire safety equipment in compliance with regulations? (e.g. fire extinguishers, fire blankets, fire alarms, smoke detectors.)	<b>Yes / No</b>	11
Is there sufficient evacuations plans with emergency contacts including 000	<b>Yes / No</b>	11
If transport is provided:		
Do all vehicles appear in good driving condition?	<b>Yes / No</b>	5
Is transport provided in a timely manner so that worker's movement is not restricted to/from the worksite?	<b>Yes / No</b>	12

### Worker Wellbeing Checks

Ask LHP workers about their wellbeing. Below is a suggested question set.

If workers are not comfortable speaking English, you may need to ask these questions through Google Translate, or an interpreter. These questions can be asked informally and should be asked in a manner that is mindful of the worker's age, gender, religion and cultural background.

Question	Why it's asked
How are you?	To start the conversation. To understand if the workplace/LHP employer is a positive experience for the worker.
How did you find out about this employment opportunity?	To understand how the worker was recruited to the job. The worker should not have had to pay for the job.
Are you comfortable with the amount of work you are receiving?	To understand if the shifts the workers receive are appropriate.
Is the pay you are receiving aligned with your payslip?	To understand if the pay received is aligned with the payslips reviewed.

Can you choose to take overtime hours? (if applicable)	To understand if the worker is aware of what overtime is. Overtime hours should always be voluntary.
Are you aware of the rest breaks you can take during your shift, or during the week?	To understand if the worker is aware of the rest breaks they are entitled to, and they can take them freely, including holidays and sick leave.
Do you feel safe to do the jobs you have been allocated?	To understand if the worker has been appropriately trained for the tasks they have been allocated (by you or the LHP)
Are you comfortable purchasing what you need? (groceries, petrol, rent)	If the worker is struggling to pay for necessities, this could indicate that the worker is not receiving the correct pay.
Have you been uncomfortable with how you or others have been treated at work?	To understand if workers are feeling safe, and being treated well (from the LHP, or other workers). I.e. no bullying, harassment or discrimination
Do you have any concerns with the services your employee provides? E.g. transport, accommodation (if applicable)	Transport and accommodation should be safe and well maintained. Workers should be able to move freely to/from work and accommodation.
Do you pay for the services your employee provides? E.g. transport, accommodation, food (if applicable)	If the worker has paid for these services it must be outlined in their contract with the LHP and itemised in their payslip.
(If yes to above) - do you understand how these are itemised on your payslip?	It is important the workers understand what they are paying for.
Do you feel comfortable to raise concerns with your management?	Workers should be able to approach the LHP managers without fear.
Do you know how to raise a complaint if you need to raise a concern anonymously?	To understand if the worker knows about the available channel to raise concerns or complaints confidentially and anonymously.
Are you aware of the worker unions that you are able to join?	To understand if the worker knows about what unions are, and how to join one. Workers should be free to choose whether or not to join a union.
If you need to, are you aware of how to leave your current employer?	Workers should know how they can leave their employment, and be able to do so without fear.
Is there anything I can help with?	Provides opportunity for the worker to raise any other concerns.