



**Australian Government**  
**Department of Finance**

## ADDENDUM NUMBER 9 – FIN/PP02/22 Phase 2

### People Panel Phase 2 – Labour Hire Services for the Australian Government

Date of Issue for this Addendum: 01 December 2022

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This Addendum is issued in accordance with paragraphs 5.2 and 6.1 of the Request for Tender.

### **Attachment C – Panel Head Agreement for Labour Hire Services Amendments**

The Operative Provision section of the Head Agreement at clause **1.1 Definitions** has been updated to include the below definition:

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<b>Similar Role</b>	<p>means a role that is:</p> <p>(a) substantially similar to the role which the relevant Labour Hire Worker has performed under the relevant Order immediately prior to accepting the offer of employment from the relevant Entity; and</p> <p>(b) within the same branch (or branch-equivalent), being an area of the Entity that is under the remit of an APS classification SES Band 1 (or equivalent).</p>
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The extracted parts of **Schedule 3: Pricing** of the Head Agreement have been amended as shown in track changes below:

#### **Clause 2 Conversion Fee**

- 2.2 Subject to clause 2.3, the Service Provider will only be eligible for a Conversion Fee in respect of Conversion of a Labour Hire Worker if:
- (a) at the time when the offer of employment is accepted by the relevant Labour Hire Worker, that Labour Hire Worker has been engaged to fill the relevant position for the Entity under an Order for a period less than 12 months in aggregate; and
  - (b) the relevant Labour Hire Worker is made an offer of employment by the Entity for either the same position which the Labour Hire Worker has filled under the relevant Order immediately prior to accepting the offer or a Similar Role (including where that role is publicly advertised by the Entity).
- 2.3 The Service Provider will not be entitled to the Conversion Fee if:

- (a) the Labour Hire Worker has been engaged for a period of 12 months or more in aggregate by the Entity under an Order prior to accepting the offer of employment from the Entity; or
- (b) the Labour Hire Worker is made an offer of employment by the Entity for a position other than either the position which the Labour Hire Worker has filled under the relevant Order immediately prior to accepting the offer or a Similar Role; or
- (c) the offer of employment to the Labour Hire Worker is made as a result of the Labour Hire Worker applying for any position (other than the position the Labour Hire Worker has filled under the relevant Order or a Similar Role) that is publicly advertised by the Entity; or
- (d) the Labour Hire Worker was at any time Referred by the Entity to the Service Provider.