

Fair Jobs Code

Information for suppliers tendering for threshold procurement contracts and significant business expansion grants



Generic supplier letter (long version)

Overview

The [Victorian Fair Jobs Code](#), an important change to the way industry does business with the Victorian Government, was launched by the Minister for Industry Support and Recovery on 10 August, 2022.

The Fair Jobs Code (Code) forms a key part of the Victorian Government's procurement and grants framework and comes into full effect on 1 December, 2022.

The Code enables Victorian Government departments and agencies to assess whether a supplier or business is a fair employer with safe work practices before awarding large contracts or significant grants. The Code ensures businesses are properly recognised for doing the right thing and putting workers first.

From 1 December 2022 suppliers and businesses who wish to apply for threshold contracts and grants must hold a [Pre-Assessment Certificate](#). A Pre-Assessment Certificate confirms a supplier or business' compliance with industrial relations and occupational health and safety laws over the preceding three years.

For suppliers bidding for procurement contracts of \$20 million or more, or businesses applying for significant business expansion grants where job creation is a key deliverable, the Code requires the supplier or business to complete a [Fair Jobs Code Plan](#) addressing how the Fair Jobs Code standards will be met.

Supplier and business requirements under the Code

The Code introduces two new requirements – a Fair Jobs Code [Pre-Assessment Certificate](#) and a [Fair Jobs Code Plan](#).

PRE-ASSESSMENT CERTIFICATES

A [Pre-Assessment Certificate](#) (Certificate) is mandatory for suppliers *tendering* for procurement contracts over \$3 million and significant business expansion grants over \$500,000 where new jobs are a key deliverable. It confirms a supplier/business has a history of compliance with industrial relations and workplace health and safety laws for the past three years. Subcontractors delivering work worth \$10 million or more on procurements of \$20 million or more also require a Pre-Assessment Certificate. All values are exclusive of GST.

A Certificate must be held prior to tendering or applying for an applicable contract or grant. We recommend all suppliers and businesses seeking to be considered for threshold procurement contracts or significant business expansion grants in 2023 to apply for a Certificate as soon as possible.

Applications for Pre-Assessment Certificates are free and made through the [Buying for Victoria website](#). Once an application has been made, the Fair Jobs Code Unit at the Department of Jobs, Precincts and Regions (DJPR) will issue the Certificate after assessing an applicant's compliance. DJPR is also responsible for the implementation and policy management for the Code.

The application process is straightforward and should take around 30 minutes. Applicants will need to provide the following information when applying:

- The organisation's ABN and corporate structure
- Evidence of incorporation as a company or business operation
- Extract from relevant register
- Disclosure of any employment related compliance breaches, as evidenced by an Adverse Ruling or Enforceable Undertaking against the business over past three years from the date of application.

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Certificates are valid for two years and usually issued within 30 days if the applicant has provided full and accurate information.

FAIR JOBS CODE PLAN/PLAN ADDENDUM

In addition to the Pre-Assessment certificate, a [Fair Jobs Code Plan](#) must be completed by suppliers tendering for contracts of \$20 million or more, and businesses entering into grant agreements for \$500 000 or more where new jobs are a key deliverable.

Construction suppliers must submit a Plan Addendum *instead of* a Plan which takes into account other construction procurement commitments.

Fair Jobs Code Plan/Plan Addendum templates can be [found here](#).

The Plan or Plan Addendum demonstrate a supplier or business meets all the [Fair Jobs Code Standards](#), and must include quantitative and measurable commitments focused on real and positive job outcomes.

The Fair Jobs Code Standards are:

1. Comply with all applicable employment, industrial relations and workplace health and safety obligations
2. Promote secure employment and job security
3. Foster cooperative & constructive relationships between employers, employees & their representatives
4. Foster workplace equity & diversity
5. Promote supply chain compliance.

The Plan or Plan Addendum forms part of the contract or grant agreement.

Links to other Victorian Government policies

The Fair Jobs Code complements other Government initiatives such as [Local Jobs First](#), the [Social Procurement Framework](#) and the [Supplier Code of Conduct](#). These initiatives recognise businesses and suppliers that provide secure employment and fair work practices; operate sustainably, promote equality and diversity; and focus on creating local jobs and supporting local industry. The collective impact of these initiatives will help drive ethical business behaviour, meaningful job opportunities and a thriving Victorian economy.