



LEGISLATIVE COUNCIL

SELECT COMMITTEE ON THE IMPACT OF TECHNOLOGICAL CHANGE ON THE FUTURE OF WORK AND WORKERS IN NEW SOUTH WALES

Inquiry into the impact of technological and other change on the future of work and workers in New South Wales

TERMS OF REFERENCE

1. That a select committee be established to inquire into and report on the impact of technological and other change on the future of work and workers in New South Wales, with particular reference to:
 - (a) changes in the earnings, job security, employment status and working patterns of people in New South Wales,
 - (b) the extent, nature and impact on both the New South Wales labour market and New South Wales economy of:
 - (i) the 'on-demand' or 'gig-economy',
 - (ii) the automation of work,
 - (iii) the different impact of (i) and (ii) on regional New South Wales,
 - (iv) the wider effects of (i) and (ii) on equality, government and society,
 - (c) the impact of the 'on-demand' or 'gig economy' and the automation of work on long-term productivity growth, economic growth, as well as the overall attractiveness of New South Wales as an investment destination for the advanced technological sector,
 - (d) the effectiveness of Commonwealth and New South Wales laws in promoting fair competition and preventing monopolies and other anti-competitive behaviour in the 'on-demand' or 'gig-economy',
 - (e) the adequacy of the New South Wales skills and education system in helping people adjust to the changing nature of work,
 - (f) the impact of the 'on-demand' or 'gig economy' and the automation of work on:
 - (i) accident compensation schemes, payroll or similar taxes,
 - (ii) Commonwealth taxes which support New South Wales Government expenditures,
 - (g) the application of workplace laws and instruments to people working in the 'on-demand' or 'gig-economy', including but not limited to:
 - (i) the legal or work status of persons working for, or with, businesses using online platforms,
 - (ii) the application of Commonwealth and New South Wales workplace laws and instruments to those persons, including, superannuation and health and safety laws,
 - (iii) whether contracting or other arrangements are being used to avoid the application of workplace laws and other statutory obligations,
 - (iv) the effectiveness of the enforcement of those laws and regulations,

- (v) regulatory systems in other Australian jurisdictions and in other countries, including how other jurisdictions regulate the on-demand workforce and are adapting to the automation of work,
 - (vi) Australia's obligations under international law, including International Labour Organization conventions,
- (h) whether current laws and workplace protections are fit for purpose in the 21st century, including workplace surveillance laws and provisions dealing with workplace change obligations and consequences,
 - (i) whether workers should have agency over the way the data they generate at work is used and, if so, what legal framework is required to provide this,
 - (j) how employers and other businesses should manage and use the information generated by the workforce,
 - (k) how government as a best practice employer should manage and use the information generated by its workforce,
 - (l) whether, and what, legislative or other measures should be taken to:
 - (i) reform workplace laws and instruments to account for the emergence of the 'on-demand' or 'gig economy' and the automation of work,
 - (ii) reform the skills and education systems to help people adjust to the changing nature of work,
 - (iii) reform taxation laws to promote economic growth and protect public finances,
 - (iv) reform competition laws to promote fair competition and prevent monopolies in the on-demand or gig-economy,
 - (v) reform accident compensation schemes and other social insurance schemes to account for the emergence of the 'on-demand' or 'gig economy' and the automation of work, and
 - (m) any other related matter.

Committee membership

The Hon Daniel Mookhey MLC	Australian Labor Party	<i>Chair</i>
The Hon Mark Banasiak MLC	Shooters, Fishers and Famers Party	<i>Deputy Chair</i>
The Hon Greg Donnelly MLC**	Australian Labor Party	
The Hon Wes Fang MLC*	The Nationals	
The Hon Courtney Houssos MLC	Australian Labor Party	
The Hon Natasha Maclaren-Jones MLC	Liberal Party	
The Hon Shayne Mallard MLC	Liberal Party	
The Hon Mark Pearson MLC	Animal Justice Party	
The Hon Adam Searle MLC	Australian Labor Party	
Mr David Shoebridge MLC	The Greens	

* The Hon Wes Fang MLC replaced the Hon Sam Faraway from 3 August 2020.

** The Hon Greg Donnelly MLC is a participating member from 22 October 2020 for the duration of the inquiry.