



LEGISLATIVE COUNCIL

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

MEDIA RELEASE

INQUIRY REPORT ON THE NSW GIG ECONOMY RELEASED

FOR IMMEDIATE RELEASE

6 April 2022

A Upper House committee today released its report on the gig economy in New South Wales. This is the first report of a two year inquiry into the impact of technological and other change on the future of work.

The Chair of the Committee, the Hon Daniel Mookhey MLC, announced that the report makes four findings and 22 recommendations to deliver much needed reforms to better protect on-demand workers, most typically food delivery workers and rideshare drivers.

'From extensive evidence over eight hearings to date, the committee has concluded that current laws perpetuate the overwhelming power imbalance between lone 'contractors' and multinational platform companies, rather than mitigating it.'

Mr Mookhey commented, 'The growth of the gig economy, already accelerating with rapid technological change, has again transformed during the COVID-19 pandemic. Lockdowns and other restrictions have changed our dining and purchasing habits on a large scale, and what was once considered a luxury became crucial both for businesses and customers.'

'Other international and Australian jurisdictions have taken significant steps forward in determining how best to regulate the gig economy, and now New South Wales has both the opportunity and the necessity to create desperately-needed reforms in this space.'

'Food delivery workers and rideshare drivers typify the on-demand workforce. These workers' legal status under Commonwealth legislation as 'independent contractors' as opposed to 'employees' means they have few workplace entitlements.'

'While there are some positives in on-demand work, our primary focus has been on the many significant disadvantages attached: the absence of guaranteed minimum wages and working hours, and of paid leave provisions; poor safety standards; and the lack of a fair dispute system in the event of workplace injury.' Mr Mookhey continued.

'In short, the cyclist who delivers our Friday night takeaway receives next to none of the conditions long considered fair and decent across Australia. The job itself also puts workers in very real danger of injury, abuse and harassment. Late 2020 was marked by the deaths of no less than five food delivery riders, all while this inquiry was underway. These deaths, and the high potential for further tragedy, underscore the need for immediate action by the NSW Government.'

Mr Mookhey stated, 'The committee has made four key findings: that New South Wales is falling behind other states and comparable nations in developing laws that establish decent working conditions in the

gig economy; that the failure to provide gig workers with a minimum wage, paid leave and other basic workplace entitlements is increasing inequality in New South Wales; that gig workers currently lack the power to interact and negotiate with on-demand platforms as equals in New South Wales; and that the failure to provide gig workers with access to a low-cost independent tribunal empowered to hear and decide disputes is leading to injustice in New South Wales.'

'The committee has made 22 recommendations to address these failings. The first embodies an overriding principle: that the NSW Government must commit to greater protections for gig economy workers, regardless of work status. To facilitate this, the committee's other recommendations focus on practical steps the NSW Government can take to ensure these greater protections, including a tribunal with the power to set minimum pay and conditions for gig workers. Other recommendations address access to basic entitlements, dispute resolution and transparency, collective bargaining, state taxation, work health and safety, and workers' compensation.' Mr Mookhey concluded.

The committee report and other inquiry documents including submissions and hearing transcripts are available on the [inquiry webpage](#).

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For further information please contact Committee Chair, the Hon Daniel Mookhey MLC, on 9230 2736.