

## Election Costing Request Form

Details of request	
Party:	Australian Labor Party (NSW Branch)
Name of Policy:	Labor's positive plan to protect gig workers
Date of request:	17 February 2019

Description of policy	
Summary of policy (please attach copies of relevant policy documents and include information on what the policy aims to achieve):	See <u>Attachment 1</u> .
Has the policy been publicly released yet?	

	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	Total \$'000
Impact on GGS expenses					
Impact on GGS revenue					
Impact on General Government Sector (GGS) net operating result <sup>1</sup>					
Impact on GGS capital expenditure <sup>2</sup>					
Impact on GGS net lending/borrowing					

**Note:** Has the policy been costed by a third party?  
If yes, can you provide a copy of this costing and its assumptions?

Key assumptions made in the policy	
Does the policy relate to a previous announcement? If yes, which announcement?	

<sup>1</sup> Negative for a saving that reduces expenditure

<sup>2</sup> Negative for a reduction in capital expenditure.

What assumptions have been made in deriving the financial impacts in your estimated costing? <i>(See checklist)</i>	The policy is primarily regulatory in nature. Impacts on the Industrial Relations Commission are to be absorbed within existing resourcing.
Is there a range for the costing or any sensitivity analysis that you have undertaken?	No.
Are there associated savings, offsets or, in the case of a revenue proposal, offsetting expenses? If yes, please provide details.	..
Are there significant costs or savings <b>outside</b> the forward estimates period which should be considered in costing this policy? <sup>3</sup>	..

<b>Administration of policy</b>	
Intended date of implementation:	1 July 2019
Intended duration of policy <sup>4</sup> :	Ongoing.
Who will administer the policy (e.g. Government entity, non-government organisation, etc.)?	Department of Justice.
Are there any specific administrative arrangements for the policy that need to be taken into account (e.g. agreements between different levels of government)?	Changes to legislation would be required.
Are there transitional arrangements associated with policy implementation?	No.

<b>If the policy is mainly an expenditure<sup>5</sup> commitment</b>	
Demand driven or a capped amount:	Capped.
Eligibility criteria or thresholds:	See <u>Attachment 1</u> .

<sup>3</sup> Particularly important for large projects with long lead times, policies with a delayed timetable for implementation, or policies where up-front investment is required to achieve long term savings.

<sup>4</sup> Where a policy is intended to be ongoing, please indicate "ongoing" in the space to the right

<sup>5</sup> Expenditure is operating expenses, e.g. salaries, interest cost and grants. Expenditures are fully included in the impact on operating balance.

## **Attachment 1**

NSW Labor will modernise the Industrial Relations Act, creating a new Chapter in the Act that:

- Defines 'gig' worker; and
- Defines the 'platforms' or 'networks' through which work is provided. This will involve having a list of existing platforms/networks which can be added to, so the independent umpire can make orders for new and emerging business models as they arise; and
- Empowers the Industrial Relations Commission to make orders providing minimum rates of pay and ensuring gig workers receive the same entitlements to superannuation, annual holidays, sick leave, and all benefits that other employees are legally entitled to.

Labor will also ensure gig workers are legally entitled to workers' compensation when injured and that the platforms/networks/company using their services pay their fair share in insurance premiums, like employers do.

In addition, we will create a flexible and informal mechanism to resolve disputes around pay, conditions and other workplace issues. It will be able to be swiftly and easily accessed within the Industrial Relations Commission of NSW. This will be similar to a measure Labor created and put into s20 of the *Entertainment Industry Act 2013* for the original 'gig' workers – musicians and other performers – and the amendments we proposed to the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*.<sup>6</sup>

We will also modernise and improve the unfair contract laws in the *Industrial Relations Act* so they are fit for purpose in the 21st century and can be used more quickly and inexpensively than at present.

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<sup>6</sup> <https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1820781676-69630/link/95>