

Access to Chapter 6 for all Owner-Drivers – Prosperity and Fairness at Work

Add a new dot point:

NSW Labor recognises that Chapter 6 of the Industrial Relations Act is vital legislation which both protects and gives rights to owner-drivers in the state of NSW.

Unfortunately some owner-drivers who would otherwise be afforded the protections of Chapter 6 are excluded for historical reasons which no longer have any relevance. These include owner-drivers who carry bread, milk or cream and owner-drivers who deliver food to homes or other premises.

Recent media reports have illustrated the plight of owner-drivers who cart bread for Tip Top who, unlike most other owner-drivers in NSW, have no minimum rates, no rights to collectively bargain, no protections against unfair termination of contract and no access to an independent umpire.

Similarly the rise of companies such as Deliveroo, Foodora and Uber Eats have highlighted the total lack of regulation and protection of workers in the so-called 'gig economy'.

To address these shortcomings in the current legislation, NSW Labor will amend Chapter 6 of the Industrial Relations Act to ensure that these owner-drivers are afforded the same rights and protections as other owner-drivers in NSW by removing the exclusion at ss 309(4)(d) and (i) of the Industrial Relations Act.

Further, NSW Labor praises the campaign by the Member for Campbelltown Greg Warren in highlighting the plight of Tip Top owner-drivers and in introducing a Bill in NSW Parliament that would remedy this situation.