Victorian Inquiry into the On Demand Workforce

The Victorian Government has announced an inquiry into the on-demand workforce. The inquiry, chaired by former Federal Fair Work Ombudsman, Natalie James, will investigate the extent of the on-demand sector and the status of people working with or for on-line companies or platforms in Victoria.

The establishment of the inquiry follows widespread concern about the wages and conditions being offered to workers in the on-demand and gig economy.

The inquiry will examine allegations and determinations concerning contracting arrangements and whether these arrangements are being used to avoid workplace laws and other statutory obligations in Victoria.

The inquiry will consider and report to the Minister for Industrial Relations in 2019.

**Terms of reference for the inquiry**

To inquire into, consider and report to the Minister for Industrial Relations on:

1. The extent and nature of the on-demand economy in Victoria, for the purposes of considering its impact on both the Victorian labour market and Victorian economy more broadly, including but not limited to:
   1. the legal or work status of persons working for, or with, businesses using on-line platforms;
   2. the application of workplace laws and instruments to those persons, including accident compensation, payroll or similar taxes, superannuation and health and safety laws;
   3. whether contracting or other arrangements are being used to avoid the application of workplace laws and other statutory obligations;
   4. the effectiveness of the enforcement of those laws.
2. In making recommendations, the Inquiry should have regard to matters including:
   1. the capacity of existing legal and regulatory frameworks to protect the rights of vulnerable workers;
   2. the impact on the health and safety of third parties such as consumers and the general public, for example, road safety;
   3. responsibility for insurance coverage and implications for state revenue
   4. the impacts of on-demand services on businesses operating in metropolitan, regional or rural settings.
   5. regulation in other Australian jurisdictions and in other countries, including how other jurisdictions regulate the on-demand workforce;
   6. Australia's obligations under international law, including International Labour Organisation Conventions; and
   7. the limitations of Victoria's legislative powers over industrial relations and related matters and the capacity to regulate these matters; and
   8. the ability of any Victorian regulatory arrangements to operate effectively in the absence of a national approach.

The inquiry is expected to deliver a final report to the Government in 2019 and will be seeking public submissions, worker and business input. The closing date for making a submission is 6 February 2019.

Further information about the inquiry, including how to make a submission, will be published here shortly.