

Meeting record

**Subcommittee for consultation about an application for
minimum standards orders – Last mile delivery
– MS2024/1 and MS2024/2**

Meeting details and participants			
Date	Monday, 26 May 2025	Time	9 am – 4.30 pm AEST
Location	Fair Work Commission 80 William Street EAST SYDNEY NSW 2011	TBC * indicates attendance by MS Teams	
Chair	Richard Olsen	RTAG Member	
Facilitator	Commissioner Damian Sloan	Fair Work Commission	
Attendees	Ashlea Cameron*	ACCI	Senior Policy Advisor, Workplace Relations
	Shaun Schmitke*	ACCI	Director of Workplace Relations
	Kristie Walker	Amazon	Senior Manager, Employee Relations
	Erin Hawthorne*	Amazon	Seyfarth Shaw
	Jason Bovis*	Aramex Australia	General Manager Sydney
	Nicola Lumaris*	Aramex Australia	Regional Human Resources Director
	Nicolas Saunders	Australia Post	General Manager, Industrial Relations and Reform
	Lauren Constantopoulos	Australia Post	Head of Industrial Relations and Reform
	Brent Ferguson	Ai Group	Head - National Workplace Relations Policy
	Shaun Kelleher	Ai Group	Workplace Relations Practice Lead
	Nigel Ward	Business NSW Australian Business Industrial (ABI)	CEO + Director, Australian Business Lawyers & Advisors
	Vikki Sultana	DoorDash	Senior Counsel Industrial Relations
	Bryan Sim	DoorDash	Senior Manager Policy Development ANZ
	Will Spargo	DoorDash	Lander & Rogers
	Andrew Eastick*	FedEx Express Australasia	Managing Director – Regional Operations
	Michael Brennan	FedEx Express Australasia	General Counsel
	Matt Zadow	Team Global Express	Executive General Manager, Workplace Relations, Governance and Insights
	Daniel McGee*	Team Global Express	Senior Manager, Industrial and Employee Relations

Meeting details and participants			
	Gavin Webb	TWU	Chief Legal Officer – Transport Workers’ Union of Australia, NSW/QLD/VIC/TAS (Interim Governance) Branch
	Bailey Ryan	TWU	Legal Officer
	Pia Brunner	Uber	Director of Public Policy and Government Affairs, Australia and New Zealand
	Cameron Loughlin	Uber	Legal Director – Australia and New Zealand
Apologies	Zoe Adams--He	Amazon	Senior Corporate Counsel, Labour and Employment – Australia
	Christina Zaarour	Aramex Australia	Legal Director
	Dean Langridge	Team Global Express	General Manager, Industrial and Employee Relations Employment Counsel
	Julian Arndt	Business NSW ABI	Director, Australian Business Lawyers & Advisors
Secretariat	Abhirami Panicker	Fair Work Commission	

Topic		Lead
Welcome and apologies	The Chair opened the meeting and welcomed participants. The Chair confirmed meeting participants attending in person and online.	Chair
Confirmation of record of previous meeting	Participants confirmed the meeting record of 2 May 2025, with the following amendment: <ul style="list-style-type: none"> Vikki Sultana advised that Emma Dowsett from DoorDash did not attend the meeting and should be noted as an apology. Moved: Vikki Sultana Seconded: Shaun Kelleher	Chair
ABLA Proposal	Nigel Ward spoke to the amendments made to the Australian Business Lawyers & Advisors (ABLA) draft minimum standards order (MSO) for regulated road transport contractors (RRTC) since the last meeting. Nicolas Saunders spoke to the matters raised by the Australia Post Group (APG) in its letter of 16 May 2025. Gavin Webb provided the TWU’s response to ABLA’s proposed MSO and to the feedback provided by APG. This included suggesting additional terms for inclusion in the RRTC MSO. (These matters were set out in correspondence circulated by the TWU to members of the subcommittee late on 25 May 2025.)	Sloan C
Amazon Proposal	Kristie Walker and Erin Hawthorne talked to the draft employee like worker (ELW) MSO that had been circulated on 21 May 2025.	Sloan C

Topic		Lead
Matters discussed	<p>Some of the matters that gave rise to particular debate included:</p> <ul style="list-style-type: none"> • Coverage. For example, in respect of the RRTC MSO, whether it is intended to cover “point to point” work or deliveries on a “hub and spoke” model. For the ELW MSO, whether a distinction can/should be drawn between its coverage and the draft MSO being considered in MS2024/3. In particular, whether there are relevant differences between the industry sectors. • The possible exclusions to the RRTC MSO, including by reference to State legislative schemes. • The extent to which the proposed RRTC MSO and ELW MSO contain “commercial” terms or provisions that ought to be included in the contract between the Principal and the RRTC/ELW as opposed to an MSO. • Insurance terms. • Payment terms. • Record keeping obligations. • When obligations to consult arise. • Whether RRTCs and ELWs should be required to undertake Blue Card training. • Delegates’ rights and union representation provisions. 	Sloan C
Request for advice	Sloan C observed that the Vice President has requested advice from RTAG by 28 August 2025. There was some discussion and disagreement as to the form that the advice should take.	Sloan C
Next steps	<p>Two meetings have been arranged:</p> <ul style="list-style-type: none"> • 11 June 2025, which will be confined to MS2024/2 – the RRTC MSO • 1 July 2025, which allows for the participants to consider the outcome of the meeting of the subcommittee in MS2024/3 <p>Participants were told that they would be expected to come to the meetings ready to conduct a “traffic light” exercise in respect of each draft MSO. That is, identifying provisions which are agreed (green), on which agreement may be possible (amber) or which are not agreed and will need to be determined (red).</p>	
Next meeting	The next meeting is on Wednesday, 11 June 2025 at 9.00am.	Chair