






Quarterly update for regulated worker minimum standards – April 2025

Welcome to the Regulated Worker User Group quarterly newsletter. This edition discusses a new application for a road transport contractual chain order for the cash-in-transit industry. It also provides an update on the regulated worker minimum standards cases, the Road Transport Advisory Group consultation processes and new Commission resources about the regulated worker jurisdiction.

	<p>New Application Received</p> <p>Cash-in-Transit application–MS2025/1</p> <p>On 17 February 2025, the Transport Workers’ Union of Australia (TWU) lodged an application to the Fair Work Commission (Commission) for a road transport contractual chain order.</p> <p>The application seeks an order covering regulated road transport contractors, parties to contracts or arrangements within a chain, and regulated road transport businesses involved in the cash-in-transit industry.</p> <p>See below for updates on this case.</p>
	<p>Update on regulated worker minimum standards cases</p> <p>MS2024/1-MS2024/4</p> <p>The Commission is dealing with 4 applications for minimum standards orders together – these cases are:</p> <ul style="list-style-type: none">• Last mile delivery applications – MS2024/1 & MS2024/2<ul style="list-style-type: none">○ MS2024/1 – Application for an employee-like minimum standards order covering ‘last mile’ delivery (lodged 26 August 2024)○ MS2024/2 – Application for a road transport minimum standards order covering ‘last mile’ delivery (lodged 26 August 2024)• Food and beverage delivery application – MS2024/3 – Application for an employee-like minimum standards order covering the delivery of food, beverages, and other like items (lodged 26 August 2024)• Road Transport contractual chain application – MS2024/4 – Application for a road transport contractual chain order (lodged 28 September 2024)

	<p>During the quarter the Commission issued statements about these applications including the following:</p> <ol style="list-style-type: none"> 1. 22 January 2025: The President issued a statement about the prioritisation and consultation process for the four applications, as well as the Menulog award variation case (AM2021/72). <p>The President directed the Road Transport Advisory Group (RTAG) to begin consultation on these matters, as well as on a new award variation case about the <i>Road Transport (Long Distance Operations) Award</i> (AM2024/35). The President also directed that the RTAG provide further written advice about the prioritisation of the matters once it had formed a final view. The President would then consider whether to issue a formal prioritisation direction.</p> <ol style="list-style-type: none"> 2. 10 February 2025: The Expert Panel for the road transport industry formed for the purposes of consultation (Expert Panel) issued a statement seeking feedback from parties on options for research to be coordinated by staff of the Commission's Labour Standards Support Branch. The Expert Panel was formed on 6 September 2024 for the purposes of consultation only. 3. 19 March 2025: The Expert Panel issued a statement confirming that Commission staff will seek to proceed with the following 3 proposed research projects to inform the minimum standards cases: <ul style="list-style-type: none"> • Information note with data on digital platform and road transport workers in Australia • Data profile and mapping of the digital platform worker economy in Australia • Data profile and mapping of road transport contractual chains in Australia <p>This research will be published to the Commission's website when completed. The Expert Panel also confirmed Commission staff will prepare and publish a research reference list for parties to use when preparing submissions.</p> <p><i>MS2025/1 – Cash in Transit application</i></p> <p>The TWU lodged this application on 17 February 2025 and requested it be dealt with on an urgent basis. The application was allocated to Deputy President Slevin.</p> <p>The Commission conducted a number of hearings and conferences, and issued the following four statements about the Cash-in-Transit application:</p> <ol style="list-style-type: none"> 1. 20 February 2025: Deputy President Slevin outlined the application and scheduled next steps in the case. To deal with concerns raised about sensitive information, Deputy President Slevin directed the
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	<p>TWU to provide the Commission with a redacted version of the application and requested comments from interested parties. The matter was listed for an initial conference on 11 March 2025.</p> <ol style="list-style-type: none"> 2. 13 March 2025: Deputy President Slevin issued directions requiring the TWU to lodge its preferred process and timeline for the application. 3. 19 March 2025: Deputy President Slevin directed the parties to advise the Commission of their views about how the application should be progressed by 31 March 2025. 4. 4 April 2025: Deputy President Slevin confirmed the parties' agreement that the next step is for the President to constitute an Expert Panel to deal with the case. <p>Go to the Regulated worker minimum standards case pages to find the application, statements and submissions and other correspondence.</p>
	<p>Road Transport Advisory Group (RTAG)</p> <p>The RTAG's function is to advise the Commission on matters relating to the road transport industry. Following a direction by the President on 22 January 2025, the RTAG has formed subcommittees of industry participants to facilitate consultation for the following matters:</p> <ul style="list-style-type: none"> • Last mile delivery applications (MS2024/1 and MS2024/2) • Food and drink delivery application (MS2024/3), and • The road transport contractual chain order application (MS2024/4). <p>These subcommittees meet regularly and are chaired by a member of the RTAG and facilitated by a Member of the Expert Panel. They are next scheduled to meet on 1 and 2 May.</p> <p>The RTAG has recently formed two new subcommittees to facilitate consultation for the following award matters:</p> <ul style="list-style-type: none"> • Menulog award variation case AM2021/72, and • <i>Road Transport (Long Distance Operations) Award</i> variation case (AM2024/35). <p>These subcommittees will commence meetings in the near future and continue to seek interest from persons affected by those applications who wish to join the subcommittee. The first meeting is scheduled on 9 May. The Road Transport Advisory Group page contains information about the RTAG and its subcommittees, including meeting dates and subcommittee participants. It provides documents including meeting agendas, meeting records, and any advice provided by the RTAG to the Commission.</p>

	<p>Unfair deactivations and unfair terminations</p> <p>From 26 February 2025 the Commission can receive applications from:</p> <ul style="list-style-type: none"> • eligible employee-like workers who believe they have been unfairly deactivated from a digital labour platform, and • eligible regulated road transport contractors who believe their services contract in the road transport industry has been unfairly terminated. <p>To be eligible to apply:</p> <ul style="list-style-type: none"> • the deactivation or termination must have happened on or after 26 February 2025, and • an applicant's annual earnings must be less than the contractor high income threshold. <p>New application forms are available on our website. For further information, see the Unfair deactivation or termination for regulated workers page.</p>
	<p>New information resources</p> <p>We have updated our website with new information for regulated workers and businesses.</p> <p>New animation about unfair deactivation</p> <p>We have a new 2-minute video about unfair deactivation to help everyone understand these new rights.</p> <p>The video explains what deactivation is, who may be eligible to make an unfair deactivation claim, and what remedies are available if they do.</p> <p>New food and drink explainer page</p> <p>We have published a new Food and drink delivery application explainer page. The webpage presents information about the application in an easy to understand way.</p> <p>Regulated worker and businesses hub webpage updated</p> <p>The Regulated workers and businesses hub page has been updated. It now includes a Q&A section, including a video of the food delivery gig worker Q&A event held on 27 November 2024 by the Fair Work Commission and Gig Workers' Hub.</p>
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