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Gig economy creating two-tiered labour market

The under-regulated 'gig economy' is allowing businesses to deny basic rights and entitlements to thousands of Australian workers.

Leading academics Andrew Stewart from the University of Adelaide and Jim Stanford from the Centre for Future Work at the Australia Institute have set out five possible options to prevent exploitation of workers in the gig economy, in a new paper published in *The Economic and Labour Relations Review*.

The five options put forward are:

1. Confirm gig work is a form of employment under existing statute and definitions.
2. Change the existing definition of employment to include the circumstances of gig work.
3. Create a new category of "independent worker" which would define new rights and protections for gig workers.
4. Create rights for workers, not employees, sidestepping the challenge of defining the employment status of gig workers and confirm they are entitled to protection by virtue of the work they perform.
5. Redefine what it means to be an 'employer' and make it possible for a gig worker to have different employers for different purposes.

Looming legal challenges might improve quality of life for workers trapped in short-term contracts and gig work, but strong action is needed to ensure that all workers in Australia, regardless of the type of work they are engaged in, are treated equally before the law.

Quotes attributable to ACTU President Ged Kearney:

"The system is broken for workers in the gig economy and we need better regulation to stop exploitation. The options put forward in this paper all merit serious consideration and should be a high priority for the Turnbull Government."

"We need to ensure that all workers are guaranteed basic rights in Australia. We cannot tolerate a two-tiered system."

"The legal challenges to gig work being mounted in the UK are cold comfort to workers in Australia who are going without the basic protections and rights to which all workers are entitled."

"We are seeing a generation of workers growing up without access to sick leave, annual leave, minimum rates of pay, OHS protections, workers' compensation. All of these rights were hard-won by union members and should be guaranteed to any worker in Australia."

"Workers need action now from a government which promised jobs and growth but has delivered neither."

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