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TWU wins landmark unfair dismissal case against Deliveroo

Transport Workers Union member Diego Franco has won his unfair dismissal case against Deliveroo, who sacked him without notice at the height of the pandemic in April 2020. Diego had worked for the company for three years.

The decision is a huge win for Diego and his union who have worked tirelessly to compel gig economy employers to honour their most basic obligations to workers.

Insecure work is a national crisis but is most visible in the gig economy, where permanent, secure employment has been replaced with unreliable contractor arrangements which strip away the basic rights which all workers should be able to rely on.

This decision makes it clear – gig economy workers have rights, Diego Franco was an employee with rights and protections.

Rather than acting to improve the job security of working people the Morrison Government has recently legislated to allow employers to deem any employee casual based on the terms of their contract and refused to pass their own wage theft bill.

Quotes attributable to ACTU President Michele O’Neil:

“This is a great win for Diego and his union. Employers can’t simply tell workers they are contractors in order to strip away rights.

“Insecure work takes certainty and security away from millions of Australian workers and their families. Workers in the gig economy often work excessive hours but live in fear of being booted off an app with no notice.

“All working people in Australia have rights. This decision is a huge strike against the efforts of the gig economy employers to undermine rights and protections which were won by working people and have stood for decades.

“The next step must be for the Morrison Government to introduce new laws that close loopholes that leave gig workers open to exploitation.

“The Morrison Government could take action tomorrow to reduce insecure, unreliable work by regulating the gig economy and ending sham arrangements.”

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