



Quarterly update for regulated worker minimum standards

Welcome to our first edition of the Regulated Worker User Group quarterly newsletter. In this edition we provide an update on the progress of the development of regulated worker minimum standards since the laws commenced on 26 August 2024 and information about when we can receive applications about unfair deactivation and unfair termination.



Applications received

Following the commencement of the new laws in August 2024, the Transport Workers' Union of Australia has made 3 applications asking us to set minimum standards for regulated workers and one application asking us to set minimum standards for people in road transport contractual chains.



Last mile package delivery applications—[MS2024/1](#) & [MS2024/2](#)

MS2024/1 is an application for minimum standards order for employee-like workers involved in the transportation of goods, wares or other things.

MS2024/2 is an application for minimum standards order for road transport contractors, involved in transporting of goods, wares or other things.

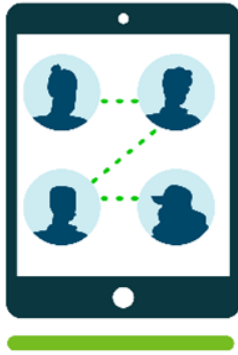
We received these applications on 28 August 2024.



Food and beverages delivery application—[MS2024/3](#)

MS2024/3 is an application for minimum standards orders for employee-like workers involved in the delivery of food, beverages, or other like items.

We received this application on 28 August 2024.



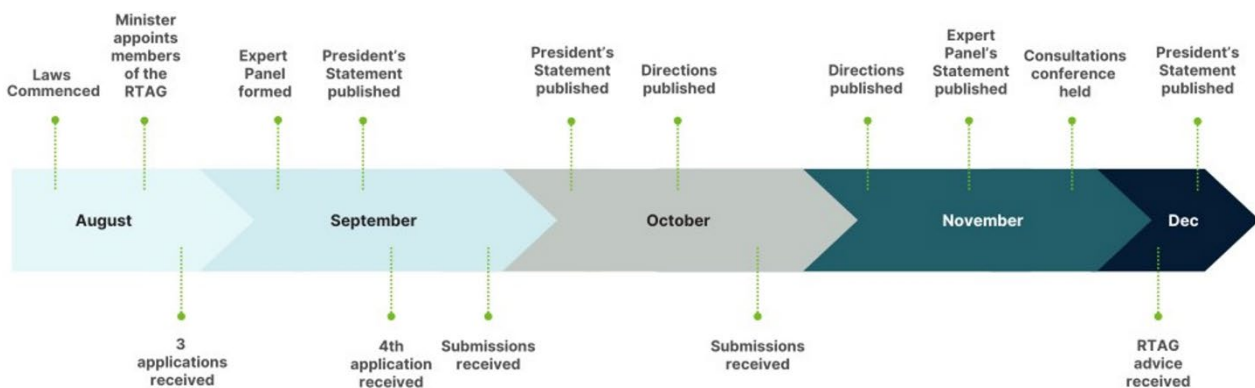
Road transport contractual chain application—[MS2024/4](#)

MS2024/4 is an application for a road transport contractual chain order. It covers road transport businesses, road transport contractors, and parties to contracts or arrangements within a chain that are involved in the transport goods and materials by road.

We received this application on 26 September 2024.

Progress of regulated worker minimum standards cases

Click on the timeline to view a larger image



President's statements and directions

On 6 September, 18 October and 13 December 2024 the President of the Fair Work Commission (President) published statements.

These statements set out how we proposed to deal with the applications, including the creation of an Expert Panel for the road transport industry and proposed instructions to the Road Transport Advisory Group (RTAG), and invited submissions on these proposals from interested parties. [Go to the Regulated worker minimum standards case pages to download the statements and submissions.](#)

Directions

On 24 October, 7 November and 11 November, the President issued Directions requiring the RTAG to provide advice on:

- How the President should determine priorities
- How RTAG will address the priorities identified, and
- How it will conduct itself generally



Expert Panel for the Road Transport Industry Consultation (Expert Panel)

The Expert Panel was formed on 6 September 2024. The members of the Expert Panel are Vice President Asbury, Commissioner Connolly, Commissioner Tran and Commissioner Sloan.

The Expert Panel was formed to facilitate consultation on the applications.

On 11 November the Expert Panel issued a statement and scheduled a conference to discuss how the matters will progress.

The conference was held on 29 November 2024 in Sydney. Parties who had lodged submissions in response to the President's statements were invited to attend.



Road Transport Advisory Group (RTAG)

The chair of the RTAG is Vice President Asbury. The members of the RTAG are Mr Richard Olsen and Mr Peter Anderson. The RTAG held its first formal meeting on 25 October 2024.

The RTAG's function is to advise the Commission on matters relating to the road transport industry.

The RTAG provided its first advice to the President on 11 December 2024. It deals with:

- How the Commission should prioritise its work relating to the road transport industry
- How the RTAG will develop advice about matters it identifies as priorities
- A terms of reference for the RTAG and its subcommittees

The [Road Transport Advisory Group](#) page contains information about the group and provides access to documents it publishes including meeting records and advice.



Menulog modern award case—[AM2021/72](#)

This case involves an application by Menulog in 2021 for the Commission to consider making a modern award to cover employees and businesses in the on-demand delivery industry.

In 2022 a [Full Bench concluded](#) that employers and their courier employees in the on demand delivery services industry were covered by the Road Transport and Distribution Award 2020. Since then, a number of conferences have been held in this case.

On 11 November 2024 the President published a statement referring the Menulog case to the RTAG for advice about prioritisation.



Unfair deactivation and unfair termination

Regulated workers can apply for help [with unfair deactivations or unfair terminations](#) from **26 February 2025** (6 months after the laws started). Application forms for these claims will be available from this date.

Road Transport Industry Termination Code and Digital Labour Platform Deactivation Code

The Road Transport Industry Termination Code and Digital Labour Platform Deactivation Code were made by the Minister on 3 December 2024:

- [Fair Work \(Digital Labour Platform Deactivation Code\) Instrument 2024](#)
- [Fair Work \(Road Transport Industry Termination Code\) Instrument 2024](#)

Stay up to date

Subscribe to [Regulated Worker announcements](#) or follow us on [Facebook](#), [Instagram](#) and [LinkedIn](#).

Related links

[Regulated Worker cases in progress](#)
[Road Transport Advisory Group](#)