



DIRECTION

Fair Work Act 2009

s 536JY—Commission may make minimum standards orders for employee-like workers and regulated road transport contractors

s 40F(5)—President may give the Road Transport Advisory Group directions as to the way in which the body is to carry out its functions

Applications by Transport Workers' Union of Australia

(MS2024/1, MS2024/2 and MS2024/3)

JUSTICE HATCHER, PRESIDENT

SYDNEY, 24 OCTOBER 2024

Applications to make minimum standards orders for employee-like workers and regulated road transport contractors – President may direct the Road Transport Advisory Group as to the way it carries out its functions.

[1] Further to my statement issued on 18 October 2024 [[\[2024\] FWC 2895](#)] and pursuant to s 40F(5) of the *Fair Work Act 2009* (Cth), I direct the Road Transport Advisory Group (RTAG) to provide advice as to the following matters:

Prioritisation and process for providing advice

1. Advice concerning how I should determine the priorities for the work of the Commission in relation to matters MS2024/1, MS2024/2 and MS2024/3.
2. A proposed process for the RTAG to provide advice in relation to the matter or matters it identifies as priorities, including:
 - a. a timeframe for when consultation will occur;
 - b. whether any additional entities should be served each application;
 - c. whether subcommittees will be formed; and
 - d. if so, how those subcommittees will be composed and operated. The RTAG is directed to take an inclusive and broadly-representative approach in determining the membership of any subcommittee.

Conduct of RTAG

3. Advice on how the RTAG proposes to conduct itself more generally, including any proposed terms of reference or similar document that could form the basis for a written direction I may make pursuant to s 40F(5), taking into account the need for RTAG to be open and transparent in the way it conducts itself.

[2] The RTAG is to provide its response to these directions by email to rws@fwc.gov.au no later than **12:00 pm (AEDT) on Friday, 6 December 2024**, subject to any extension granted by me by further direction.

[3] Advice provided by the RTAG pursuant to this direction will be published on the Commission's website.



PRESIDENT

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