

MEDIA STATEMENT

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Workers' compensation a big win for gig economy workers

Last week's decision by the Personal Injury Commission of NSW could have significant impact on the status of gig economy workers, says employment law expert.

Zana Bytheway, Executive Director of not-for-profit employment law community legal service [JobWatch](#), says that last week's decision [*Wei v Hungry Panda Au Pty Ltd & Ors [2022] NSWPIC 264 (2 June 2022)*] by the Personal Injury Commission of NSW could have major ramifications for gig economy workers across Australia.

"This decision in NSW opens the door for gig economy workers to access compensation for workplace injuries – a critical development considering recent Macquarie University research showing that delivery riders were 13 times more likely than recreational riders to present to a hospital's emergency department between 8pm and midnight," says Ms. Bytheway.

"Rights for gig economy workers are already in the spotlight in Australia, especially with the recent change of the Federal Government," says Ms. Bytheway. "We saw five food delivery riders lose their lives on the road in 2020, and other delivery drivers have been dismissed after publicly protesting changes to their pay."

JobWatch, along with a number of sector partners, has been advocating for a number of policy and legislative changes to improve working conditions for gig economy workers and other migrant and visa workers. These include, but are not limited to:

1. mandating that all gig economy platforms have workers compensation schemes and insurance policies in place to compensate their workers
2. strengthening the proposed Victorian Fair Conduct and Accountability Standards for the On-Demand Workforce to better protect the rights of workers
3. implementing a best-practice accreditation or licensing scheme where businesses receive accreditation as a 'Platform Provider of Choice' for providing fair and safe working conditions
4. strengthening visa protections to empower migrant workers to speak out against exploitative employers
5. providing fast-tracked pathways for exploited workers to recover unpaid wages through the courts
6. offering equal protections to all workers under the Fair Entitlements Guarantee

"The time is now," says Ms. Bytheway. "Change is needed to better protect the rights of some of the most vulnerable workers in Australia."

Available for interview

- Zana Bytheway, Executive Director, JobWatch

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About JobWatch

JobWatch is an independent, not-for-profit employment rights community legal centre. We operate out of Victoria and provide assistance to over 16,000 Victorian, Queensland and Tasmanian workers about their rights at work every year. For more information: www.jobwatch.org.au