

Defend your rights to provide and receive care and support on terms that suit you.

New industrial relations laws proposed by the Government will make it harder for people to get the essential care and support services they need. The laws will limit the ability of independent contractors to work in the care sector, where there are already dire workforce shortages.

Independent contractors work hard to establish their businesses in every sector of the Australian economy. They build strong relationships with their clients and enjoy the freedom to choose how they operate. This is equally true in the care and support sector.

The 'employee-like' reforms threaten the future of tens of thousands of self-employed support workers who are providing millions of hours of essential care and support to older people and people with disabilities.



What is the Government proposing?

The Government is committed to giving the Fair Work Commission new powers to set expansive minimum standards for independent contractors they deem 'employee-like', including self-employed support workers operating via online platforms.

These new reforms will force independent contractors to be treated like employees. This is not about setting minimum standards for independent contractors. It's about the Government letting unions get in the middle of people's care and support arrangements.

This policy was not asked for and is not needed in the care and support sector. The Government is strongly urged not to proceed with this legislation.

Who is affected?

Independent contractors who choose to use online platforms in providing care and support to those who need it have been directly targeted by the 'employee-like' legislation.

The unintended consequence of this legislation is that it will directly affect the support provided to older people and people with disability who have not been consulted at all.

However, the consultation paper that outlines the Government's proposal to extend the powers of the Fair Work Commission has been drafted so broadly that it leaves the door open for the reforms to be applied to independent contractors operating in every sector of the Australian economy.



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Why is this bad?

At a time when finding the right support is challenging, 'employee-like' reforms will drive independent contractors out of the sector. It will reduce everyone's choice, control and flexibility. They will decrease how much people earn while increasing how much consumers pay. More government red tape means fewer hours of support, leading to worse outcomes for people with disabilities and older people.

How will this hurt the care sector?

At a time when finding the right support is challenging, 'employee-like' reforms will drive independent contractors out of the sector. It will reduce everyone's choice, control and flexibility. They will decrease how much people earn while increasing how much consumers pay. More government red tape means fewer hours of support, leading to worse outcomes for people with disabilities. Choice and control are under threat from the Government's employee-like reforms.

The reforms will remove choice and control from people with disability and older people when it comes to what services they receive, when and where they receive them, and from whom. This is not about setting minimum standards for independent contractors. It's about the Government letting unions get in the middle of care and support arrangements.

The harmful impact and outcome for the care sector can't be understated. If the policy goes ahead, it will drive independent contractors away from the care and support sector when there are already dire workforce shortages.

The 'employee-like' reforms will:

- Limit people's choice, control and flexibility over the care and support they provide and receive, including who they engage with.
- Limit people's ability to end support relationships when it's not working.
- Limit people paying for services at a mutually agreed price.
- Drive up the cost of supports due to higher costs associated with bureaucratic red tape.
- Allow union officials to seek entry to people's homes, under workplace right of entry laws (as they have sought in South Australia).

These new laws are just the beginning. They open the floodgates for ongoing action by unions who are seeking unprecedented powers and for the Fair Work Commission to limit how independent contractors operate in the care and support sector and older people.

How will this hurt independent contractors?

The new industrial relations legislation spells trouble for hundreds of thousands of hardworking Australians and threatens their ability to perform their jobs effectively. This not only impacts them but the people who choose to work with them.

The 'employee-like' reforms completely contradict the long-held concepts underpinning the workplace relations system. What is being proposed will muddy the waters between commercial law and employment law and represents one of the most significant and real attacks on the rights of independent contractors we've seen to date.

The 'employee-like' reforms will result in the Fair Work Commission and unions dictating the nature of people's agreements, undermining self-employment and self-management, and establishing a one-size-fits-all care and support model.

How will this hurt consumers and the broader community?

Care and support is one of the largest and fastest-growing sectors in the Australian economy. It presents significant challenges for individuals, families, communities, and governments. These challenges include rapidly increasing demand, funding pressures, persistent workforce shortages, service quality and safety, and a desperate need for innovation and more services, especially in regional areas.

Independent contractors play a significant role in contributing to the Australian economy and meeting the diverse care and support needs of older people and people with disability in communities across Australia.

When will this happen?

The legislation is expected to be tabled in the House of Representatives as soon as this month. Once introduced, the Government may seek to pass the legislation through parliament in as little as four to six weeks.

What do we want to happen?

We are calling on the Government to withdraw this proposed legislation and engage with our community in genuine consultation.



What can I do to help?

It's time to defend the rights of independent contractors and consumers in the care and support sector.

Join us in saying "no" to these misguided reforms.

Join the movement today and make your voice heard.

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Visit our website, defendyourrights.com.au, to find out more.

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