

On-Demand Delivery & Employee-Like Worker Minimum Standard Order

17 August 2026

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The [Interim On-Demand Delivery Employee-like Worker Minimum Standards Order](#) (the Order) was made by an Expert Panel of the Fair Work Commission (FWC) for the road transport industry.

The Order sets legally enforceable minimum standards for certain **employee-like workers** engaged through a **digital labour platform**, such as a website or app, to perform on-demand delivery work. Employee-like workers are generally independent contractors who use a vehicle, such as a car, motorcycle or bicycle, to deliver items to customers through a platform. The Order provides important minimum protections and entitlements for eligible workers and obligations for digital labour platform operators.

This fact sheet provides a general overview of the key requirements of the Order. Businesses and workers should refer to the [Order](#) for the full terms and obligations that may apply.

Commencement Date

The Order commences on **17 August 2026**.

Businesses That May Be Impacted

The Order may apply to businesses that operate **app-based delivery platforms** that engage employee-like workers to collect and deliver items ordered online, including:

- Food and takeaway meals
- Drinks and alcohol
- Groceries and household essentials, and
- Other consumable items requiring prompt delivery.

This includes well-known delivery platforms such as **Uber Eats** and **DoorDash**, as well as grocery delivery services, on-demand alcohol delivery providers, and other app-based delivery marketplaces.

The Order generally applies where:

- Customers place orders through an online app, website or similar system
- Items are purchased from a business and delivered to a customer
- Delivery is expected immediately, or as soon as practicable, after the worker accepts the delivery task, and/or
- Delivery work is performed through a digital platform.

The Order does not apply to workers using vehicles with a carrying capacity greater than 1 tonne.

Vehicle Requirements

Employee-like workers are responsible for the costs associated with performing delivery work, including:

- Purchasing, leasing and maintaining their vehicle
- Fuel and other running costs
- Vehicle registration (where required by law), and/or
- Any licenses, permits or eligibility checks required by the platform.

All of these costs must be paid by the worker and are not covered by the delivery platform.

Significant Changes

If a delivery platform makes a significant business change that is likely to substantially reduce delivery opportunities for workers, it must:

- Notify affected workers as soon as practicable
- Provide workers with an opportunity to give feedback on the proposed change, and
- Genuinely consider any feedback received before implementing the change.

Examples of significant changes may include:

- Exiting a market or location
- Stopping a category or delivery services
- Changing vehicle requirements for delivery work, and/or
- Permanently changing operating hours in a particular area.

Affected workers may seek advice or assistance from a representative, including a union, during the consultation process.

Platform Feedback Forum

Delivery platforms must establish a **Platform Feedback Forum** where workers and their representatives can discuss matters of general importance relating to delivery work.

Key requirements include:

- The forum must provide a way for workers to share feedback and raise concerns about platform

operations

- The forum is for discussing general issues, not individual disputes or complaints
- The platform must respond to issues raised and discuss worker feedback
- The forum must include platform representatives, worker delegates and union representatives, and
- Meetings must be held at least four times each year.

Workers may be represented by workplace delegates or union representatives during forum discussions.

Note: The forum is **advisory only**. Delivery platforms are not required to implement suggestions or obtain the forum's approval before making business decisions.

Record Keeping Requirements

Delivery platforms must keep certain records relating to employee-like workers for **7 years**.

These records include details such as:

- Worker and platform information
- Service agreements
- Payments made and any deductions
- Engaged time worked, and
- Account activation and deactivation details.

Workers are entitled to request copies of relevant records, and platforms must provide workers with payment and engaged time information at the end of each earnings period.

A [Record Keeping Form](#) is available to help businesses meet these requirements.

Fines

Employee-like workers are responsible for paying any fines or penalties they incur while performing delivery work, such as traffic or parking fines. However, a worker may be entitled to reimbursement where the fine or penalty was incurred as a result of following an express direction from the delivery platform.

Insurance Requirements

Employee-like workers must maintain any required **compulsory third-party vehicle insurance** for vehicles used to perform delivery work and ensure their insurer is aware the vehicle is being used for delivery services.

Delivery platforms must provide and maintain **personal accident insurance** for employee-like workers at the platform's expense.

If a delivery platform proposes to reduce the level of personal accident insurance coverage, it must consult with affected workers before making the change.

Dispute Resolution

If a dispute arises about compliance with the minimum standards in the Order, the worker and delivery platform must first try to resolve the issue through the platform's internal dispute resolution or appeals process. If the dispute cannot be resolved internally, either party may refer the matter to the **FWC** for assistance, including mediation or conciliation. Workers and delivery platforms may choose to be represented or supported by another person, including a union representative, lawyer or paid agent.

Note: This process does not apply to disputes relating to deactivation from a platform that can be dealt with under the Fair Work Act.

Right to Time Away

Employee-like workers can choose whether and when to accept delivery requests. Workers can take time away from the platform at any time by choosing not to accept delivery engagements. Time away from the platform is **unpaid**.

Information Provided Before Accepting a Delivery

Before a worker accepts a delivery request, the delivery platform must provide key information about the engagement, including:

- Where the items are to be collected from
- Whether the delivery includes bulky items or alcohol
- The approximate delivery location
- The minimum delivery fee payable, and
- The estimated time required to complete the delivery.

Minimum Safety Net Payment

The Order includes a minimum earnings safeguard for employee-like workers:

- Workers must be paid at least the **minimum earnings floor** for each earnings period (which can be up to 21 days)
- The earnings floor is calculated by multiplying a worker's **engaged time** by the applicable minimum hourly rate

- If a worker earns less than the earnings floor during an earnings period, the delivery platform must pay a **top-up amount** to make up the difference, and
- Any top-up payment must be made in the next earnings period, or within **7 days** after that earnings period ends.

- conduct and the amount being withheld
- The worker has **14 days** to challenge the decision, and
- The delivery platform must consider any information provided by the worker in a reasonable and timely manner.

If the platform later decides the payment should not have been withheld, it must pay the outstanding amount to the worker within **7 days after the next earnings period**.

Safety Net Rates

	17 August 2026 until 31 December 2026	1 January 2027 to 31 December 2027
Class of Vehicle	Hourly Rate (\$)	Hourly Rate (\$)
No vehicle or Bicycle (pedal powered)	\$31.30	\$31.80
Electric bicycle or scooter	\$31.30	\$31.80
Combustion motorcycles or scooters	\$31.50	\$32.00
Motor vehicles not listed above (electronic or combustion powered) at carrying capacity of up to 1 tonne	\$32.00	\$32.50

Fraudulent Conduct & withholding Payments

A delivery platform may withhold payment for all or part of a delivery engagement if it believes a worker has engaged in fraudulent conduct.

If payment is withheld:

- The worker must be notified of the decision, including the engagement involved, the alleged fraudulent

Non-Engaged Time

A delivery platform may exclude periods of **non-engaged time** from a worker's engaged time calculations if it reasonably believes the worker was not actively undertaking delivery work.

Before doing so, the platform must notify the worker of its concerns and provide details of the alleged non-engaged time. Workers must be informed of any non-engaged time recorded during an earnings period and can dispute the decision through the dispute resolution process.

Provision of a Gig Worker Information Statement

Delivery platforms must provide workers with a [Gig Worker Information Statement](#) before, or as soon as practicable after, they commence work on the platform. The statement must also be provided to workers if there is a significant change to the Order, such as an update to minimum rates.

Note: Workers are not required to acknowledge receipt of the Gig Worker Information Statement before accepting delivery engagements.

Additional Requirements

Depending on the circumstances, delivery platforms may also have obligations relating to:

- [Workplace Delegates' Rights](#) - including rights and protections for eligible workplace delegates.
- [Interaction with Other Laws and Instruments](#) - including how the Order operates alongside other workplace laws, workers' compensation requirements and applicable legal obligations.

Next Steps

The information provided in this factsheet is **general in nature** and may not account for the specific circumstances of your workplace or industry. If you require **tailored advice** regarding workplace relationships, risk management, or your obligations under employment or health and safety laws, please contact the Peninsula Advice Team on **1300 651 415**.

For further information, use **BRAINBOX+** to find instant answers to your questions, try it now!