

# Submission by a Worker – Inquiry Into the On-Demand Workforce in Victoria

**Prepared by:** [text redacted]

**Postcode:** [text redacted]

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## The prevalence and nature of on-demand work in Victoria

The Inquiry wants to understand the extent of and issues for the on-demand workforce. We welcome examples or case studies that illustrate the experience of individuals and the perspective of workers in the on-demand economy. The following questions are prompts for people working in the on-demand economy – you do not need to answer all of them or, if you prefer, you can say whatever you like at the end under ‘additional information’.

1. How frequently are you offered on-demand work in Victoria?

Monthly or sometimes twice in a month.

2. How much on-demand work do you do each week?

The period or volume of work varies each time. We are expected to complete a minimum number of scripts but often that minimum amount of work is not accessible for a number of reasons. Over the past couple of months I have had about 10 hours per month over 2-3 days.

3. In what industries or regions do you work, when working for an on-demand business or platform?

Online marking of test papers.  
The Occupational English Test for Health Professionals is run internationally. It is owned by Cambridge Assessment English (Cambridge University) and managed in Australia by Box Hill Institute.

4. Do you have another job and what kind of other job(s) do you have?

I have been a teacher – working part time - but have recently completed a 6-month contract and probably will not look for another teaching contract.

### The legal status of on-demand workers

The status of workers in the on-demand economy is a fundamental issue that determines how regulatory frameworks apply to workers. The answer to this question impacts on the rights and obligations of workers, platforms, businesses, consumers and the community. It dictates where a person might go for help or advice if something goes wrong and what remedies might be available.

A fundamental question that the Inquiry must consider is whether and how regulators are able to resolve the question of whether the laws they are invested with enforcing on behalf of the community apply to these arrangements and the extent to which users and workers are able to understand their rights and obligations and seek assistance if something goes wrong. The Inquiry therefore seeks submissions about the following:

5. How were you recruited and engaged to perform work?

I was previously contracted to the employer when the marking was done on hard copy. In September 2018, the organisation adopted an online marking system so my employment has rolled over. I am offered a 'letter of engagement' each month, which I can accept by signing or decline by not signing. My understanding is that the employer continues to recruit assessors in all 4 test-marking areas: reading, writing, speaking and listening.

6. Please outline how your work arrangements were put in place?

There were a couple of meetings: to discuss OH&S issues; and another to walk us through the technology. Before the system became operational, there were a couple of webinar sessions to 'promote' and disseminate information about the advantages of the new system and its operation but the meetings offered very little scope for discussion or questions or addressing likely failures.

7. Did you discuss or negotiate the details of your work arrangement with the platform and/or the end user?

Following the involvement of the union (NTEU) the initial concept where we would be individual contractors with an ABN was changed and we are now employees with superannuation entitlements.

8. Do you decide how and where you work?

I make myself available but the workflow is unpredictable so what is promised often does not

eventuate. I can choose to be unavailable for work for the month.  
As a result of confidentiality concerns we are required to work from home rather than in a public space.

9. Are you free to provide the same services to more than one on-demand platform and/or client at the same time?

Yes. There are no limitations on other work but there are confidentiality concerns.

10. What do you do if you have a dispute or concern about your work? Where and from whom can you seek help in resolving disputes?

There is a generic email address but responses are slow and often fail to resolve issues. I am a member of the NTEU and would make a call if I had an issue.

11. How is the quality of your work assessed? In what situations if any might you lose the right to obtain work via the platform?

The work quality is assessed for each test administration but I'm not sure how or by who. If the standard is not met, assessors are required to present to the head office and 'standardise'.

### [The impact of on-demand work for workers, including vulnerable workers](#)

The impact of on-demand work on workers is multi-dimensional and complex. In considering the question of 'impact' the Inquiry wants to hear about the experience of individual on-demand workers, but also seeks to understand the broader impact of the emergence of on-demand work on both the on-demand cohort, but also workers in 'traditional' arrangements.

12. What and how are you paid?

The piece rate varies according to the sub test ie different rates for each of reading, writing, speaking and listening. Currently, for example, the rate is \$2 for a listening script, the lowest rate, and \$3 for a reading script.

The employer maintains its own records of work completed. I assume this is an electronic record automatically generated as each script is submitted. However, where assessors have had different records of work completed there is no opportunity to challenge the employer's record.

13. Why do you engage in on-demand work?

It offers flexibility and the possibility of working from home. A reasonable income can be made if the work is available at the right time.

14. How often do you participate in on-demand work? Is on-demand work some, most or all of the paid work that you do? Do you also work outside of the on-demand economy?

I have been working as a teacher at the same time as doing on-demand work but that is changing for me.

15. Do you experience any differences when you work under on-demand arrangements or 'traditional' arrangements?

The number of hours, and so the income, is unpredictable so it would be difficult to depend on this work as a sole income source. Even a minimum salary is not guaranteed. In addition, there is a lot of competition for the work so it is snapped up as soon as it becomes available. If you are not online when the work is there you might miss out completely. There are minimum requirements, which I have failed to reach each month, without consequence. However, there is only a daily cap so a few super keen individual assessors can grab a lot of the work leaving little for others who might have had other commitments on the day.

16. Are there any training or development opportunities made available to you when you work with an on-demand business or platform?

Retraining is mandatory if you fail to comply with the standards of consistency and accuracy. This is conducted in the central CBD office and is unpaid. Training is also required to be eligible to assess in each of the 4 skills areas.

17. How do you raise issues or concerns about your workplace arrangements? Do you feel confident to do this?

The system is relatively young but this is certainly an area of concern as communication is by email only to a generic address. I'm not at all confident about who is reading the emails or who will respond. Emails are often passed on to others and others and ultimately ignored. This includes disputes over pay claims.

18. What happens when you are unable to work due to a physical or psychological injury, illness?

If you have accepted the 'Letter of engagement' you might be asked to explain but there seem to be plenty of assessors available – more assessors than there is work available. I'm not aware of any consequences of not being able to work.

19. How are workplace injuries addressed if you are injured?

Don't know.

20. Are you paid superannuation?

If I reach the usual minimum monthly income but I don't think this has happened under the new system.

21. What tax do you pay and how do you ensure your tax liabilities are met?

The employer deducts tax.

### Your views

- The income from online marking is unpredictable.
- There is no minimum amount of work, or income, guaranteed.
- Dates are also unpredictable but there is no compensation, for example, if dates that were previously scheduled are changed. If you are not available on the new dates, you miss out on the work.
- There is no opportunity to successfully challenge the pay. It is simply that 'our records show' and so we must be correct even though employee records might differ.
- There is little or no transparency for example, how many assessors are employed to mark any one test? My best guess is something between 150 and 200.
- There is little opportunity to communicate with other assessors to share stories or experiences. A series of webinars is being discussed so that assessors can communicate directly with the admin staff and incidentally with each other – on a 3 times a month basis.