

Media Release

Greater employment protections for council waste workers

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The NSW Government has announced stronger employment protections are now in place for waste management workers employed by NSW councils and council contractors.

Changes to the Local Government (General) Regulation 2021 have been gazetted to ensure greater protection for the employment of waste workers when council waste management contracts go to tender.

Currently, potential tenderers are not required to offer employment to employees of the current contractor or to preserve the existing terms and conditions of their employment.

This is also the case if waste management services are provided by council staff.

There are numerous examples in recent history of waste management contracts changing between service providers, and workers are offered an identical role with the new contractor but with lower pay and loss of entitlements.

The regulation changes now in effect mean tenderers for domestic or other waste management services must now offer employment to existing staff on at least the same terms as their current employer and with no loss to their entitlements.

Tenderers must also agree to award annual pay increases based on the applicable industrial instrument or the Local Government (State) Award, if one does not exist.

The Office of Local Government will support councils who have upcoming waste management tenders to comply with the new regulations.

Quotes attributable to Minister for Local Government Ron Hoenig:

“Most council waste workers have lived and worked in their local government area for years or even decades.

“They deserve to be treated fairly and know that they will not be left worse off if a council makes the decision to enter a new waste contract.

“These changes will prevent waste contractors from undercutting during tenders and winning contracts on the basis of paying workers less if their employer changes.

“This is an important change and will help ensure council waste services can continue to run smoothly and provide certainty to the essential workers who provide this critical service to NSW communities.

“Rubbish collection is an essential council service that keeps our streets clean and safe. It’s one of the three ‘Rs’ of local government.”

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