Item 14.9

Notices of Motion

Same Job Same Pay

By Councillor Ellsmore

It is resolved that:

(A) Council note that:

(i) nationally, ‘Same Job Same Pay’ rules came into effect in 2024. The national changes were introduced to ensure that labour hire workers are paid the same as permanent workers doing the same job, including in public service roles

(ii) in October 2026 the NSW Government introduced *The Local Government Amendment (Labour Hire) Bill 2026.* The Bill would require councils to be satisfied that workers will receive at least the same level of remuneration before entering into or amending a contract with a labour hire business

(iii) the proposed law is intended to ensure that where a labour hire workforce has been engaged to do work that is also being done by, or has previously been done by, council workers, the privately employed workers do not receive lower pay and conditions than the council workers

(B) Council also note that:

(i) the City of Sydney currently contracts a number of services to external companies

(ii) workers employed under an outsourced contract are paid under the relevant award and conditions which apply to that industry, rather than the award and conditions which apply to City of Sydney

(iii) for example: workers in the City of Sydney’s waste team are paid differently to the Cleanaway workers who currently do the weekly red, green and yellow waste bin collection. City of Sydney workers who maintain parks in some parts of the City of Sydney local government area are paid differently than those workers employed under an outsourced contract to maintain parks in other parts of the local government area

(iv) Council worker pay and conditions may be better than those offered by private companies

(v) ensuring outsourced or contracted workers’ pay and conditions meet or exceed those of City of Sydney Council workers is not currently a requirement of City of Sydney tenders

(vi) where the City of Sydney engages workers through an agency for a role normally done by a City of Sydney employee (such as temporary backfill), these workers receive equivalent pay and conditions as other Council workers

(C) Council agree in principle, that contracted or outsourced workers doing the equivalent work to City of Sydney Council workers should receive at least the equivalent pay and conditions

(D) the Chief Executive Officer be requested to:

(i) provide advice about how the upcoming tender for the collection of red, yellow and green bins could be structured to include a requirement that workers delivering the service receive at least the equivalent pay and conditions to City of Sydney workers doing the same or similar work

(ii) provide advice to Council about the implications and changes to other Council policies arising from the *Local Government Amendment (Labour Hire) Bill 2026*, if passed by the NSW Parliament

(iii) provide other advice as required about what changes or updates would be needed to City of Sydney policies and procedures, to require companies tendering for work to demonstrate that they will provide workers at least the equivalent pay and conditions to City of Sydney workers doing the same or similar work

(E) Council note that the implementation of this motion may have budget impacts for Council and that the Chief Executive Officer be requested to:

(i) urgently advise Council of the estimated budget implications in relation to the upcoming tender for the collection of red, yellow and green bins, prior to the call for tenders

(ii) otherwise scope the budget implications of this motion as part of the preparation of the 2027/28 Operational Plan.

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