

c2026-004C
GRNS--The Greens

LEGISLATIVE COUNCIL

Work Health and Safety Amendment (Digital Work Systems) Bill 2026

Second print

Proposed amendments

No. 1 **Duties of persons conducting businesses or undertakings involving digital work systems**

Page 3, Schedule 1[3], lines 15–29. Omit all words on the lines. Insert instead—

- (1) A person conducting a business or undertaking that uses a digital work system must ensure, so far as is reasonably practicable, that the allocation of work by or using the digital work system is without risks to the health and safety of a person.
- (2) Without limiting subsection (1), a person conducting a business or undertaking must consider whether using a digital work system creates or results in any of the following risks—
 - (a) excessive or unreasonable workloads for workers at work in the business or undertaking,
 - (b) the use of excessive or unreasonable metrics to assess and track the performance of workers at work in the business or undertaking,
Examples of excessive or unreasonable metrics— metrics that do not take into account the need for breaks or the impact of external factors that may affect the performance of workers
 - (c) excessive or unreasonable monitoring or surveillance of workers at work in the business or undertaking,
Examples of excessive or unreasonable monitoring— monitoring workers in a way that is disproportionate to workers' job functions, including recording workers' conversations or tracking workers' social media
 - (d) discriminatory practices or decision-making in the conduct of the business or undertaking,
 - (e) allocation of work in a way that is not compliant with an industrial instrument applicable to workers.

No. 2 **Duties of persons conducting businesses or undertakings involving digital work systems—transparency with workers**

Page 3, Schedule 1[3]. Insert after line 29—

- (3) A person conducting a business or undertaking that uses a digital work system must inform workers of the nature of the digital work system, including—
 - (a) the types of data collected by the digital work system, and
 - (b) the basis on which decisions are made as a result of the use of the digital work system and the data collected by the system.

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- No. 3 **Duties of persons conducting businesses or undertakings involving digital work systems—extraterritorial application**
Page 3, Schedule 1[3]. Insert before line 30—
 (4) This section is intended to have extraterritorial application so far as the legislative powers of the State permit.
- No. 4 **Rights that may be exercised after entering workplace—access etc digital work system**
Page 3, Schedule 1[4], lines 36–39. Omit all words on the lines. Insert instead—
 (a1) access, inspect, observe, monitor, carry out tests on and record a digital work system, including training data and source code of the relevant technical information, relevant to the suspected contravention,
 Examples— inspect and take copies of code or algorithms used in the digital work systems or performance metrics, records, data logs or audit trails produced by digital work systems
- No. 5 **Entry to inspect records or other documents relating to digital work system**
Page 4, Schedule 1. Insert after line 15—
 [8A] Section 120 Entry to inspect employee records or information held by another person
 Insert after section 120(2)(a)—
 (a1) records or other documents that relate to a digital work system referred to in section 118(1)(a1) that are directly relevant to the suspected contravention, or