

DRIVER AGREEMENT

What is the driver agreement?

From 30 June 2014, new conditions will be implied into all driver agreements. The implied conditions are intended to improve all drivers' working conditions.



The implied conditions apply, even if the conditions are not included in a written agreement between the operator (to be known as Permit Holders) and driver.

The implied conditions include:

- A 'safety net' income for the driver that is at least 55 per cent of the gross fares earned during a shift.
- Up to four weeks of unpaid leave where a driver has worked, on average, three or more shifts per week for 12 months or longer for the same operator.
- A requirement for operators to provide monthly records to drivers of payments made between the parties, shifts worked and fares earned during a shift.
- A requirement for operators to pay all vehicle maintenance costs (including fuel).
- A requirement for operators to hold an insurance policy, in the operator's own name, with an insurer regulated by the Commonwealth Government, covering the driver against liability for third-party property damage caused through the driver's use of the taxi. The operator must pay any applicable excess on the policy.



The conditions automatically apply to any agreement where a driver takes possession of an operator's taxi even when there is no written agreement.

How do I get a driver agreement?

A driver agreement template will be available on the TSC website. This template includes the implied conditions and replaces the existing template bailment agreement.

Both drivers and operators are encouraged to familiarise themselves with the implied conditions and their relevant rights and obligations.

Other conditions can be included in an agreement between operators and drivers, but these must not be in conflict with the implied conditions.

For more information on the driver agreement visit taxi.vic.gov.au/driver-agreement

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