



Australian Government

# Fair Work

OMBUDSMAN

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Nigel Hadgkiss  
Director  
Fair Work Building & Construction  
GPO Box 9927  
Melbourne VIC 3001

Dear Mr Hadgkiss

Thank you for your letter dated 30 October 2013 in which you express a preference for changing the existing arrangements between our agencies for dealing with wages and entitlements for employees in the commercial building and construction industry.

Senior staff from our agencies have met to discuss the key issues relating to your proposal, including:

- Ensuring there exists the appropriate legislative mechanism to enable referral under both the *Fair Work (Building Industry) Act 2012* and the *Fair Work Act 2009*.
- Analysis of the legal and practical issues associated with your proposal.
- Understanding the likely impact on FWO resourcing and ability to undertake the agency's core business priorities (including whether additional resources may be required).

The FWO will undertake some further work on understanding these issues and ensuring that our agency is best placed to fulfil our role under the *Fair Work Act 2009*. I will ask my staff to continue to liaise with FWBC as we work through this.

I look forward to the opportunity to meet with you and to build the strong relationship between our agencies.

Yours sincerely

Natalie James  
**FAIR WORK OMBUDSMAN**

8 November 2013