

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2011-2012**

Agency - Fair Work Australia

DEEWR Question No. EW0082_12

Senator Abetz provided in writing.

Question

Written Complaints

"We refer to question EW0081_12; If such written complaints were received please can the Judicial Officers or Fair Work Australia advise how the complaint(s) were handled and the outcome of those complaints in terms of: (i) Whether the conduct complained of amounted to conduct that breached the Fair Work Australia Act 2009. If the conduct did amount to breaches of the Fair Work Act 2009 then what action did Fair Work Australia take? If there was no basis for a breach of the Fair Work Act 2009 then can Fair Work Australia give reasons for that? (ii) Was there sufficient reasons based on reasonable grounds to refer the complaint to the Police or DPP? If there were not sufficient grounds can the Judicial Officers or Fair Work Australia give reasons as to why not? (iii) Was the outcome of such complaint(s) communicated to the party complaining? If not why not? "

Answer

Fair Work Australia has provided the following response.

In answering question EW0081_12, Fair Work Australia is aware of one specific case in which such written complaints were received. Fair Work Australia is unable to state whether any such written complaints have been received in other matters before Fair Work Australia. In relation to the specific case which Fair Work Australia is aware of, the written complaints were considered as part of the determination of the proceedings. A decision and written reasons for the decision were issued by Fair Work Australia.