

Senate Standing Committee on Education Employment and Workplace Relations

QUESTIONS ON NOTICE Budget Estimates 2012-2013

Agency - Fair Work Ombudsman

DEEWR Question No. EW0183_13

Senator Abetz asked on 28 May 2012 , Hansard page 53

Question

independent contractor tools and resources

Senator ABETZ: Yes, that is the term in the event that somebody might be duded. But there is nothing here that suggests that the Fair Work Ombudsman might be, even in the slightest way, positively disposed to independent contracting or to assisting people to engage in independent contracting-a checklist to make sure that you are not being ripped off. Mr Wilson: I do not think that is correct. If you take a look at the website pages you will see that there are tools there which help people sort through how they can be an independent contractor. We will take on notice the exact pages and provide them to you.

Answer

The Fair Work Ombudsman provided the following response

Fair Work Online provides a dedicated section for independent contractors, accessible at: <http://www.fairwork.gov.au/employment/independent-contractors/pages/default.aspx>

The screenshot shows the Fair Work Ombudsman website. At the top, there is a navigation bar with links for Home, Site Map, Media Centre, RSS Alerts, Legislation, Contact Us, Help, and Fair Work Australia. Below this is the Fair Work Ombudsman logo and a search bar with the text 'Search fairwork.gov.au' and a 'GO' button. A call to action 'Call us 13 13 94' is also visible. The main navigation menu includes links for Pay, Awards, Employment, Leave, Termination, Complaints, Resources, Industries, About Us, FAQs, and Contact Us. The current page is 'Independent contractors', as indicated by the breadcrumb 'YOU ARE HERE Home > Employment > Independent contractors'. The page content includes a sidebar with 'Independent contractors' and sub-links like 'Things every independent contractor should know', 'Sham contracts', 'Independent Contractors Act', and 'Making a complaint'. The main content area has the heading 'Independent contractors' and text explaining that an independent contractor is self-employed and contracts services to clients. It also notes that although they may perform work for a business, they are not regarded as an employee. A feedback form asks 'Was this information helpful?' with 'Yes' and 'No' options. The page footer indicates it was last updated on 11 February 2011.

SQ12-000909

This page acts as a gateway, from which users can access the following additional information:

- Things every independent contractor should know
<http://www.fairwork.gov.au/employment/independent-contractors/pages/things-every-independent-contractor-should-know.aspx>
- Sham contracts
<http://www.fairwork.gov.au/employment/independent-contractors/sham-contracts/pages/default.aspx>
- Independent Contractors Act
<http://www.fairwork.gov.au/employment/independent-contractors/independent-contractors-act/pages/default.aspx>
- Making a complaint
<http://www.fairwork.gov.au/employment/independent-contractors/pages/making-a-complaint.aspx>

The Fair Work Ombudsman is currently in the process of developing further web-based material directed at assisting independent contractors.