

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Budget Estimates 2017 - 2018

**Agency - Fair Work Ombudsman**

**Department of Employment Question No. EMSQ17-004203**

**Senator Cameron provided in writing.**

#### **Question**

#### **FWO - Complaints received from the employees of JBS Australia Pty Ltd**

- How many complaints has the Fair Work Ombudsman received from employees of JBS Australia Pty Ltd, Primo Smallgoods, Hans Continental Smallgoods Pty Ltd or any of their subsidiaries in the last three years?
- Could you provide a breakdown of number of complaints per financial year.
- On what date was the first complaint against JBS Australia, Primo Smallgoods, Hans Continental Smallgoods Pty Ltd or any subsidiary received?
- What is the nature of those complaints?
  - What compliance activities have been initiated by the FWO in relation to those complaints and on what date did the first compliance activity commence?
- Could you provide details on what breaches of the Fair Work Act and/or Enterprise Agreement pay and conditions have been identified?
- Have any compliance activities been finalised and what enforcement outcomes, if any, resulted from those activities?

#### **Answer**

In the last three years, the Fair Work Ombudsman (FWO) has received 29 requests for assistance from employees of JBS Australia Pty Ltd, Primo Smallgoods, Hans Continental Smallgoods Pty Ltd or any known subsidiaries. The first was received on 10 July 2014. The table below breaks down these complaints into each financial year:

<b>Requests for Assistance</b>		
<b>1 July 2016 – 20 June 2017</b>	<b>2015 – 2016</b>	<b>2014-2015</b>
6	8	15

Of the 29 requests for assistance received:

- five were referred to alternative federal agencies / jurisdictions for assistance;
- eleven involved allegations of non-compliance that were not sustained or the complaints were withdrawn by the complainant; and
- one matter is ongoing.

The FWO was involved in the resolution of the remaining eleven complaints, which related to the non-payment of entitlements or wages. This included assisting with the recovery of \$13,275.