

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Supplementary Budget Estimates 2015 - 2016

**Agency - Fair Work Ombudsman**

**Department of Employment Question No. EMSQ15-000420**

**Senator Cameron provided in writing.**

#### **Question**

##### **FWO - Referrals from FWBC**

In relation to the 474 informal referrals and four formal referrals of matters to the Fair Work Ombudsman from Fair Work Building and Construction in 2014-2015 as reported in table 2.4 on page 33 and table 2.5 on page 34 of Fair Work Building and Construction's 2014-2015 Annual Report:

1. Please provide a breakdown of the nature of the matters referred to FWO, eg. Wages and conditions, request for information, freedom of association, coercion, sham contracting etc?
2. How many of the matters referred to FWO by FWBC resulted in FWO investigating the matter? Please provide a breakdown of the nature of the matters investigated?
3. Of the matters referred to FWO and subsequently investigated, how many resulted in a proven complaint and recovery of wages and allowances?
4. What was the monetary value of wages and allowances recovered?
5. What was the outcome of investigations, if any, into non-monetary matters referred to FWO by FWBC?

#### **Answer**

The 474 informal referrals to the Fair Work Ombudsman reported in Fair Work Building and Construction's (FWBC) annual report primarily refers to calls transferred when a caller selects the wages and entitlements option on the FWBC hotline.

Upon selecting this option, the caller is automatically transferred to the Fair Work Infoline. The incoming call to the Fair Work Infoline has no discerning identifier to flag the call as originating from FWBC. As such, a breakdown of the nature of these calls is not possible.

In relation to the four formal referrals to the Fair Work Ombudsman from FWBC in 2014-15:

1. The matters related to annual leave (1), alleged sham contracting (1), and wages and conditions (2).
2. All matters were assessed in accordance with the FWO's Compliance and Enforcement Policy. Following assessment:
  - One matter was resolved through mediation.
  - One matter was finalised on the basis that there was insufficient public interest in pursuing the matter.
  - Two matters were finalised on the basis that they did not involve sufficient information to support a view that a breach has occurred.
3. Not applicable.
4. Not applicable.
5. Not applicable.