

Proactive investigations

We conduct proactive investigations to check compliance with workplace laws and help employers and employees better understand their rights and obligations in the workplace.

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What is a proactive investigation?

Our proactive investigations focus on industries, regions or workplaces that need extra help to comply with Australian workplace laws. We use intelligence including anonymous tip-offs and requests for assistance data to plan investigations.

A proactive investigation is a tailored program of work where we engage with workplaces in particular industries, regions, franchise or supply chain networks to assess compliance with Australian workplace laws. We work with employers to help them identify compliance issues and meet their obligations.

Proactive investigations are designed in response to information gathered from a range of sources, including:

- research we undertake about particular industries and regions
- information and intelligence we gather from:
 - our own enquiries, anonymous tip-off and compliance data
 - the Australian community
 - employees and employers
 - industry associations
 - government agencies
 - the media.

Activities that can form part of a proactive investigation include:

- requesting and checking employment records to make sure businesses are complying with Australian workplace laws
- visiting workplaces to talk to employers and employees and check records
- asking employers to fix problems if we find them
- educating employers and employees about their rights and obligations
- developing and providing employers with tools and resources they need to help them understand and meet their obligations
- working with industry associations and employers to let them know how they can maintain compliant workplaces.

Work with us to ensure workplace compliance

The best way to ensure your compliance and avoid a proactive investigation, is to prevent workplace issues by staying up-to-date with changes in your industry. You can do this by (www.fairwork.gov.au/services/to-be-deleted/subscribe-to-email-updates/default) [subscribing to email updates](http://www.fairwork.gov.au/services/to-be-deleted/subscribe-to-email-updates/default) (www.fairwork.gov.au/website-information/staying-up-to-date/subscribe-to-email-updates) .

You can learn about preventing workplace issues and working with us to resolve them on our [Workplace problems](http://www.fairwork.gov.au/workplace-problems/default) (www.fairwork.gov.au/workplace-problems/default) page.

You can assess your compliance with key requirements under the Fair Work Act 2009 by using our [Self-audit checklist \(PDF 141.2KB\)](http://www.fairwork.gov.au/ArticleDocuments/715/Self-audit-checklist.pdf.aspx) (www.fairwork.gov.au/ArticleDocuments/715/Self-audit-checklist.pdf.aspx) .

If you're a small business, visit our [Small business showcase](http://www.fairwork.gov.au/small-business-showcase/default) (www.fairwork.gov.au/small-business-showcase/default) for important tools, resources and information. Our [Online learning centre](http://www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) (www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) has extra tools to help you understand your workplace responsibilities.

When a proactive investigation has already begun it is important to work with us to ensure compliance and respond in a timely manner

to any requests.

Outcomes of our proactive investigations

At the end of a proactive investigation, we produce a public report with our findings and publish it on our [Proactive investigations reports \(www.fairwork.gov.au/about-us/compliance-and-enforcement/reporting-outcomes/proactive-investigation-reports/proactive-investigations-reports\)](http://www.fairwork.gov.au/about-us/compliance-and-enforcement/reporting-outcomes/proactive-investigation-reports/proactive-investigations-reports) page.

Depending on the findings following a proactive investigation, we may take other action. The compliance activities available to us are outlined in our [Compliance and Enforcement Policy \(DOCX 1.2MB\) \(www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.docx.aspx) (PDF 695.6KB) (www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.pdf.aspx).

We usually also issue a media release – see our [Media Policy \(DOCX 136.6KB\) \(www.fairwork.gov.au/ArticleDocuments/725/fwo-media-policy.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/725/fwo-media-policy.docx.aspx) (PDF 240.7KB) (www.fairwork.gov.au/ArticleDocuments/725/fwo-media-policy.pdf.aspx) for information.

Outcomes from a proactive investigation may include:

- educating businesses and workplaces about workplace laws and how to follow them
- issuing the relevant business with a contravention letter outlining the workplace law contravention and how to resolve it
- issuing formal cautions
- issuing an infringement notice (www.fairwork.gov.au/about-us/compliance-and-enforcement/infringement-notices)
- issuing [compliance notices \(www.fairwork.gov.au/about-us/compliance-and-enforcement/compliance-notices\)](http://www.fairwork.gov.au/about-us/compliance-and-enforcement/compliance-notices).

Find out more about previous proactive investigations and audits we've run on our [Proactive investigations reports \(www.fairwork.gov.au/about-us/compliance-and-enforcement/reporting-outcomes/proactive-investigation-reports/proactive-investigations-reports\)](http://www.fairwork.gov.au/about-us/compliance-and-enforcement/reporting-outcomes/proactive-investigation-reports/proactive-investigations-reports) page.

Have you been contacted by a third party?

We don't engage third parties to run our proactive investigations or to contact businesses in connection with any of our proactive investigation related activities.

If you've been contacted by a person or businesses claiming to be working with us on a proactive investigation, or if you would like to verify a person's details, please contact the Fair Work Infoline on 13 13 94 (select option 3 for the Small Business Hotline).

Related information

- [Pay \(www.fairwork.gov.au/pay/default\)](http://www.fairwork.gov.au/pay/default)
- [Leave \(www.fairwork.gov.au/leave/default\)](http://www.fairwork.gov.au/leave/default)
- [Employee entitlements \(www.fairwork.gov.au/employee-entitlements/default\)](http://www.fairwork.gov.au/employee-entitlements/default)
- [Pay slips \(www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips\)](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips)
- [Record-keeping \(www.fairwork.gov.au/pay/pay-slips-and-record-keeping/record-keeping\)](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/record-keeping)

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.