

Response to report on enforcement

25 July 2014

The Fair Work Ombudsman has welcomed the findings of a University of Melbourne research project which examined the Agency's compliance work.

The report, 'The Transformation of Enforcement of Minimum Employment Standards in Australia' is largely positive and complimentary of the Fair Work Ombudsman.

"It recognises our Agency is strategic, sophisticated, dynamic and actively engaged in continuous improvement. We appreciate this feedback and endeavour to continue to be seen in this light," Fair Work Ombudsman Natalie James says.

"External scrutiny of our business, processes and strategies assists us deliver real value for the public and we continually look for opportunities to improve and balance the findings, ideas and views of all stakeholders and interested parties.

"We intend to use the report to review processes and procedures and focus on implementing changes that offer the most benefit for all workplace participants."

Ms James acknowledged that the Fair Work Ombudsman was not immune or oblivious to regulatory challenges and, as stated in the report: 'a chieving widespread employer compliance is a major and ongoing challenge in Australia'.

"In recent years, we have focused heavily on streamlining internal processes and, as a result, become significantly more efficient. This has led to demonstrably better outcomes for our clients by delivering an improved service," she said.

"We now respond to complaints in a more sophisticated way, seeking to be both proportionate and responsive. We do not investigate every matter, reserving this form of intervention for more serious cases.

"Our focus on alternative dispute resolution methods for the majority of complaints has resulted in better and quicker services for clients.

"Importantly, the agency has chosen to direct increased attention to people of greater vulnerability. For example, the establishment of compliance teams specialising in particular worker cohorts (youth, overseas) and allegation types (misclassification, industrial action, general protections). "

Ms James says a significant ongoing challenge is to develop tools and services that match the nature of information and intervention with the needs of the client. "We recognise for instance, many clients prefer to work things out for themselves, in their own time," she said.

"Other clients will continue to rely on us for specific assistance and advice to help them in their workplaces. These clients may need us to work with them more closely, and in some cases, take action on their behalf.

"It is critical for us to continue to evolve and consider the nature of work and society in coming years. The future of the workplace relations landscape will include a simpler wages system and a growing expectation for self-help tools.

"We want to equip people with information and confidence needed to make good choices in their workplaces. This applies to all workplace participants: employees, employers, business owners or contractors."

A copy of the full University of Melbourne Report and the Fair Work Ombudsman's full response is available on the agency's website at www.fairwork.gov.au.

Find out more:

- [The Transformation of Enforcement of Minimum Employment Standards in Australia: A Review of the FWO's Activities from 2006-2012 \(PDF 1.8MB\) \(www.fairwork.gov.au/ArticleDocuments/763/melbourne-uni-report-on-enforcement.pdf.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/763/melbourne-uni-report-on-enforcement.pdf.aspx)
- [FWO's Response to the University of Melbourne's Research Report 'The Transformation of Enforcement of Minimum Employment Standards in Australia' \(DOCX 99.8KB\) \(https://www.fairwork.gov.au/ArticleDocuments/765/public-response-to-melbourne-uni-research-report.docx.aspx\)](https://www.fairwork.gov.au/ArticleDocuments/765/public-response-to-melbourne-uni-research-report.docx.aspx)
- [FWO's Response to the University of Melbourne's Research Report 'The Transformation of Enforcement of Minimum Employment Standards in Australia' \(PDF 213.9KB\) \(https://www.fairwork.gov.au/ArticleDocuments/765/public-response-to-melbourne-uni-research-report.pdf.aspx\)](https://www.fairwork.gov.au/ArticleDocuments/765/public-response-to-melbourne-uni-research-report.pdf.aspx)

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