

Enforcement of RSRO 2016

15 April 2016

The Fair Work Ombudsman has noted concerns this week about small businesses, owner-drivers and families being exposed to legal action as a result of contraventions of the new Road Safety Remuneration Order 2016.

When the 2016 Order came into effect last week, the Fair Work Ombudsman issued a public statement to the effect that it would not take a punitive approach to the introduction of regulation of a cohort who have not previously been subject to regulation of this nature in the past, and that our approach would be fair and flexible and achieved through a mix of guidance, advice, education and common sense.

The Fair Work Ombudsman has publicly-available Compliance and Enforcement and Litigation Policies which make it very clear that we do not pursue compliance action against individuals or businesses where non-compliance is inadvertent or the result of genuine confusion or lack of understanding of workplace obligations.

Given ongoing confusion and concern surrounding the introduction of the 2016 Order, the Fair Work Ombudsman wishes to make it abundantly clear that as the Regulator charged with monitoring and enforcing compliance with the Order, it has no intention of seeking enforcement outcomes to early contraventions that may be identified. Such action would not be in the public interest.

Anyone seeking information and advice about the 2016 Order can call the Fair Work Infoline on 13 13 94 and select the dedicated priority option or visit www.fairwork.gov.au/roadtransport (www.fairwork.gov.au/about-us/legislation/road-safety-remuneration-system) .

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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.