

## Fair Work Commission - how we're different

Find out the difference between the Fair Work Commission and the Fair Work Ombudsman. Find out what the Fair Work Ombudsman and the Fair Work Commission can and can't do.

### On this page:

- [The Fair Work Ombudsman](#)
- [The Fair Work Commission](#)
- [Related information](#)

The Fair Work Ombudsman (us) and the Fair Work Commission (the Commission) (previously called Fair Work Australia) are independent government organisations.

They both regulate Australia's workplace relations system but have different roles.

### The Fair Work Ombudsman

We enforce compliance with the Fair Work Act 2009, related legislation, awards and [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) . We also help employers and employees by providing advice and education on pay rates and workplace conditions.

See [Our role and purpose \(www.fairwork.gov.au/about-us/our-role-and-purpose\)](http://www.fairwork.gov.au/about-us/our-role-and-purpose) for more information.

#### What we can do

- provide reliable and timely information about Australia's workplace relations system
- educate people about fair work practices, rights and obligations
- resolve workplace issues by promoting and monitoring compliance with suspected breaches of workplace laws, awards and registered agreements
- enforce workplace laws and seek penalties for breaches of workplace laws
- enforce certain orders made by the Fair Work Commission.

#### What we can't do

- investigate unfair dismissal and unlawful termination applications
- make changes to the legislation, awards or registered agreements
- investigate bullying and harassment complaints.

### The Fair Work Commission

The Commission is the independent national workplace relations tribunal. It is responsible for maintaining a safety net of minimum wages and employment conditions, as well as a range of other workplace functions and regulation.

#### What it can do

- help employees and employers bargain in good faith and to make, vary or terminate enterprise agreements
- deal with applications relating to ending employment including unfair dismissal, unlawful termination or general protections
- deal with applications for an order to stop bullying at work
- make orders about industrial action, including strikes, work bans and lock outs
- provide mediation, conciliation and in some cases hold public tribunal hearings to resolve various individual and collective workplace disputes
- make workplace determinations, hear and decide on equal remuneration claims, and deal with applications about transfer of business, stand down, general protections and right of entry disputes.

#### What it can't do

- provide advice on entitlements under an award or registered agreements
- enforce minimum pay and award entitlements.

### Related information

- [Our role and purpose \(www.fairwork.gov.au/about-us/our-role-and-purpose\)](http://www.fairwork.gov.au/about-us/our-role-and-purpose)
- [The Fair Work Commission website !\[\]\(694fcb4611893e9db5249daba48abfc1\_img.jpg\) \(https://www.fwc.gov.au/\)](https://www.fwc.gov.au/)
- [How we will help \(www.fairwork.gov.au/find-help-for/default\)](http://www.fairwork.gov.au/find-help-for/default)

Page reference No: 10150

## Contact us

Fair Work Online: [www.fairwork.gov.au](http://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

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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.