

## Resolving disputes with our help

Workplace disputes are common and happen in lots of workplaces. Disputes happen when two or more people disagree about something and they can't resolve the problem. These people are called parties to the dispute.

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### Our role in resolving disputes

The Fair Work Ombudsman is an independent statutory agency created by the Fair Work Act 2009 (FW Act). We have a number of functions, which include:

- providing education, assistance and advice to promote harmonious, productive and cooperative workplaces
- monitoring compliance with the FW Act and related instruments (such as awards and enterprise agreements)
- inquiring into or investigating potential breaches of the FW Act or related instruments
- enforcing the FW Act or related instruments by starting proceedings in a Court
- referring matters to other relevant authorities where appropriate.

When you report your workplace issue to us, we assess it to decide how we will respond.

Our Compliance and Enforcement Policy guides decisions we make about:

- whether or not we investigate a problem or provide extra support
- the kinds of support we offer or the types of investigations we carry out
- if and how we respond to investigation findings.

When deciding whether we'll get involved in an issue, we'll consider:

- the seriousness of the workplace issue
- the circumstances of the employer and employee
- practical issues involved in resolving the matter.

Download the [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](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.pdf.aspx)).

We can't force employers and employees to take any specific action, including paying back money. Only a court can make binding orders.

Read on for information about compliance and enforcement options we may use.

### Compliance and enforcement options

Our Compliance and Enforcement Policy outlines the different tools we use and when, to assist with resolving workplace disputes and enforcing compliance with the FW Act.

These include:

- investigating potential non-compliance with the FW Act
- issuing compliance notices to address alleged contraventions of the FW Act
- issuing other notices or documents, such as a FWO Notice or a notice to produce records or documents
- issuing a contravention letter or infringement notice
- commencing legal proceedings.

We assess each matter that is raised with us. We use a range of criteria to determine the most appropriate compliance and

enforcement option in the circumstances. For more information about our compliance and enforcement powers, including our assessment criteria, read our [Compliance and Enforcement Policy \(DOCX 1.2MB\)](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.docx.aspx) ([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](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.pdf.aspx)) .

## Tools and resources

- [Compliance and enforcement policy \(DOCX 1.2MB\)](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.docx.aspx) ([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](http://www.fairwork.gov.au/ArticleDocuments/725/compliance-and-enforcement-policy.pdf.aspx))
- [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](http://www.fairwork.gov.au/tools-and-resources/online-learning-centre/default))
- [Fact sheets – About the Fair Work Ombudsman](http://www.fairwork.gov.au/tools-and-resources/fact-sheets/about-us/about-the-fair-work-ombudsman) ([www.fairwork.gov.au/tools-and-resources/fact-sheets/about-us/about-the-fair-work-ombudsman](http://www.fairwork.gov.au/tools-and-resources/fact-sheets/about-us/about-the-fair-work-ombudsman))

## Related information

- [Resolving your problem in the workplace](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/resolving-your-problem-in-the-workplace/default) ([www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/resolving-your-problem-in-the-workplace/default](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/resolving-your-problem-in-the-workplace/default))
- [Our role](http://www.fairwork.gov.au/about-us/our-role/default) ([www.fairwork.gov.au/about-us/our-role/default](http://www.fairwork.gov.au/about-us/our-role/default))
- [Enforcing the legislation](http://www.fairwork.gov.au/about-us/our-role/enforcing-the-legislation/default) ([www.fairwork.gov.au/about-us/our-role/enforcing-the-legislation/default](http://www.fairwork.gov.au/about-us/our-role/enforcing-the-legislation/default))
- [Privacy](http://www.fairwork.gov.au/website-information/privacy) ([www.fairwork.gov.au/website-information/privacy](http://www.fairwork.gov.au/website-information/privacy))

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### 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

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.