

Resolving your problem in the workplace

Workplace problems can be resolved quickly when employees and employers work together to find a solution. Before you ask us for help, you should try to resolve your workplace problem with your employer or employee in the workplace first.

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Why workplace problems happen

Workplace problems can happen when:

- employers and employees don't know or understand their workplace rights and obligations
- communication has broken down.

Workplace laws are often broken by mistake. Workplace problems can be resolved quickly when employees and employers work together to find a solution.

Try resolving your problem in the workplace first

Resolving workplace problems on your own can be quick and easy.

Our tools and resources help you find the information you need to fix most problems in the workplace and get things back on track.

Even if an employee has left their employment, we encourage you to try to work out issues between yourselves before asking for our help.

There are certain workplace problems that we know happen regularly. These particular problems can usually be fixed by employees and employers talking and coming up with their own solution.

We have step-by-step guides for resolving these problems in our [Common workplace problems \(www.fairwork.gov.au/workplace-problems/common-workplace-problems/default\)](http://www.fairwork.gov.au/workplace-problems/common-workplace-problems/default) section. If your problem isn't one of these, you can try to use our checklist below to resolve your workplace issue in the workplace.

Checklist for resolving issues in the workplace

Step 1: Check the rules relating to your issue

Problems often happen because employers and employees don't know their workplace rights and obligations. An effective way to fix workplace problems is simply to find out what the law is and follow it. Read more at [Preventing workplace problems \(www.fairwork.gov.au/workplace-problems/preventing-workplace-problems/default\)](http://www.fairwork.gov.au/workplace-problems/preventing-workplace-problems/default) .

Use the information on this website to check the rules about [pay and wages \(www.fairwork.gov.au/pay/default\)](http://www.fairwork.gov.au/pay/default) , [leave \(www.fairwork.gov.au/leave/default\)](http://www.fairwork.gov.au/leave/default) and other [employment conditions \(www.fairwork.gov.au/employee-entitlements/default\)](http://www.fairwork.gov.au/employee-entitlements/default) .

If you need to check that you understand the law or how it applies to your workplace problem, you can [ask us your question online using My account \(www.fairwork.gov.au/global/register\)](http://www.fairwork.gov.au/global/register) .

Step 2: Sort out the issue in the workplace

If you've checked the law and still think there is a problem, the next step is to have a conversation to try to sort it out.

Check your workplace's dispute resolution procedure

Most awards, enterprise agreements and other [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) have a dispute resolution procedure. You should follow this process to raise the issue in your workplace. To check what this procedure says:

- [find the award that applies to you \(www.fairwork.gov.au/employment-conditions/awards/find-my-award\)](http://www.fairwork.gov.au/employment-conditions/awards/find-my-award)

work.gov.au/awards-and-agreements/awards/find-my-award)

- if you already know your award you can view it from our [List of awards \(www.fairwork.gov.au/awards-and-agreements/awards/default\)](http://www.fairwork.gov.au/awards-and-agreements/awards/default) page
- find a registered agreement [☞ \(https://www.fwc.gov.au/search/document/agreement\)](https://www.fwc.gov.au/search/document/agreement) .

Some businesses have workplace-specific processes for dealing with disputes or issues in the workplace. If your workplace has a dispute resolution process you should follow this process as well. If you're not sure who to talk to, try asking your manager or supervisor.

Find out more about setting up dispute resolution processes in the workplace with our www.fairwork.gov.au/tools-and-resources/best-practice-guides/effective-dispute-resolution) Effective dispute resolution best practice guide www.fairwork.gov.au/tools-and-resources/best-practice-guides/effective-dispute-resolution) .

Prepare yourself for the conversation

We can help with tips on how to have an effective conversation. We have a range of tools and resources to help you prepare for a conversation and find the information you need.

- Visit our www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) Online learning centre www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) . We have video-based interactive courses to help employers and employees with skills and strategies at work. These include our how to have difficult conversations courses.
- Check our Pay and Conditions Tool [\(https://calculate.fairwork.gov.au/findyouraward\)](https://calculate.fairwork.gov.au/findyouraward) , to help you calculate pay rates and leave entitlements.
- My account [\(www.fairwork.gov.au/global/register\)](http://www.fairwork.gov.au/global/register) , which allows users to find and save tailored information that's specific to them, and ask us questions online.
- www.fairwork.gov.au/tools-and-resources/fact-sheets/default) Fact sheets www.fairwork.gov.au/tools-and-resources/fact-sheets/default) and www.fairwork.gov.au/tools-and-resources/templates/templates) templates www.fairwork.gov.au/tools-and-resources/templates/templates) that help businesses and their employees.

Talk about it

There are some practical steps you can take to make difficult workplace conversations easier and more effective:

- Make time to talk to your employer or employee without interruptions.
- Be prepared:
 - know the issues you want to discuss
 - bring along any relevant paperwork, for example pay slips or bank statements
 - have some suggestions for how the issue could be resolved.
- Listen, keep an open mind and consider all points of view.
- Let your employer or employee know that you've checked the relevant entitlements or obligations with us, using our website or over the phone.
- Check our website for information together so you can read and talk about the same information.
- Develop your skills and strategies for having difficult conversations at work by taking a short course at our www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) Online learning centre www.fairwork.gov.au/tools-and-resources/online-learning-centre/default) .

Put the agreed actions in writing

It's a good idea to put things in writing as part of or after taking the steps above. This helps clarify the issues and outline any next steps or outcomes that are agreed to. For example, you could send a follow up email with a summary of what you talked about and agreed to. If you put something in writing that needs an answer, make sure you give the other person enough time to respond.

Does the employee need to be backpaid? Find out [How to fix an underpayment \(www.fairwork.gov.au/workplace-problems/common-workplace-problems/i-think-ive-underpaid-my-employee\)](http://www.fairwork.gov.au/workplace-problems/common-workplace-problems/i-think-ive-underpaid-my-employee) .

Small business dispute resolution

The [Australian Small Business and Family Enterprise Ombudsman ☞ \(https://www.asbfeo.gov.au/disputesupport\)](https://www.asbfeo.gov.au/disputesupport) helps small businesses resolve workplace and other business issues. They provide information to help businesses better understand and manage disputes, including:

- an explanation of the five phases of dispute resolution
- a [checklist ☞ \(https://www.asbfeo.gov.au/assistance/five-steps-to-resolve-your-dispute\)](https://www.asbfeo.gov.au/assistance/five-steps-to-resolve-your-dispute) to better understand how the dispute started and what the issues really are
- tips for putting concerns in writing, including an example letter.

Visit the [Australian Small Business and Family Enterprise Ombudsman's website ☞ \(https://www.asbfeo.gov.au/disputesupport\)](https://www.asbfeo.gov.au/disputesupport) to find

out more.

Step 3: Ask us for help

If you can't resolve the issue yourself, you can ask us for help. Visit [Ask for our help with a workplace problem \(www.fair-work.gov.au/workplace-problems/fixing-a-workplace-problem/ask-for-our-help-with-a-workplace-problem/default\)](http://www.fair-work.gov.au/workplace-problems/fixing-a-workplace-problem/ask-for-our-help-with-a-workplace-problem/default) for more information.

Tools and resources

- www.fairwork.gov.au/tools-and-resources/online-learning-centre/default An employer's guide to resolving workplace issues (DOCX 397.1KB) (www.fairwork.gov.au/ArticleDocuments/712/an-employers-guide-to-resolving-workplace-issues.docx.aspx) (PDF 470.3KB) (www.fairwork.gov.au/ArticleDocuments/712/an-employers-guide-to-resolving-workplace-issues.pdf.aspx)
- An employee's guide to resolving workplace issues (DOCX 397.2KB) (www.fairwork.gov.au/ArticleDocuments/712/an-employees-guide-to-resolving-workplace-issues.docx.aspx) (PDF 570.8KB) (www.fairwork.gov.au/ArticleDocuments/712/an-employees-guide-to-resolving-workplace-issues.pdf.aspx)
- Online learning centre (www.fairwork.gov.au/tools-and-resources/online-learning-centre/default)
- My account (www.fairwork.gov.au/my-account/registerpage.aspx)

Related information

- www.fairwork.gov.au/workplace-problems/preventing-workplace-problems/default Preventing workplace problems (www.fair-work.gov.au/workplace-problems/preventing-workplace-problems/preventing-workplace-problems)
- [Common workplace problems \(www.fairwork.gov.au/workplace-problems/common-workplace-problems/default\)](http://www.fairwork.gov.au/workplace-problems/common-workplace-problems/default)

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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.