

Fair Work Ombudsman Statement of Intent

On 15 August 2025, the Hon Amanda Rishworth MP, the Minister responsible for Employment and Workplace Relations, provided me with a Statement of Expectations (**SoE**) outlining the Australian Government's expectations of me as Fair Work Ombudsman and my agency, the Office of the Fair Work Ombudsman (my **Office**), regarding the regulation of workplace relations matters under the *Fair Work Act 2009* (Cth) (the **Act**).

As Fair Work Ombudsman, I acknowledge and welcome the SoE. My staff and key stakeholders in the workplace community have been consulted in the development of this Statement of Intent (**Sol**), which outlines how my Office and I intend to meet its expectations. On 25 August 2025, prior to the finalisation of this Sol, my Office published its Corporate Plan 2025-26. Our assessment is the Corporate Plan is consistent with the SoE as the fundamental aims and expectations of upholding rights and entitlements, while regulating fairly and efficiently, endure. However, these expectations will be integrated, where relevant, into the agency's planning and reporting processes as required by the *Public Governance, Performance and Accountability Act 2013* (**PGPA Act**).

As the independent statutory office holder established by the *Fair Work Act 2009*, responsible for the regulation of the national workplace relations system, I am committed to achieving my agency's purpose of promoting harmonious, productive and cooperative workplace relations and compliant workplaces in furtherance of the object of the Act.¹ I recognise the key contribution my agency makes to the government's aim of building on this object to ensure a strong workplace relations system that supports sustainable wages, secure jobs and productivity growth.

The functions of the Fair Work Ombudsman are set out in section 682 of the Act and include the recently introduced functions relating to regulated workers and businesses, and the investigation of intentional underpayment criminal offences. I will exercise all of my functions and my powers in good faith and to the best of my ability.

¹ [Fair Work Act 2009](#), s3.

The government's policy priorities

In discharging our functions and statutory obligations, my Office and I will continue to work closely with the workplace community to support and enhance tripartism and provide opportunities for collaboration. This includes engaging regularly with our standing tripartite Advisory Group comprising of peak employer and worker representatives and Reference Groups focused on identified priority areas.

My Office's strategic enforcement model, which is guided by our revised Compliance and Enforcement Policy,² is risk-based, data driven and responsive, enabling my Office to maximise impact by focusing on the greatest harms and addressing systemic non-compliance. Our full range of enforcement powers and tools are applied impartially and proportionately, and, in instances of the most egregious conduct, my Office will actively make use of the expanded enforcement options available to us according to the new intentional underpayment criminal offences.

The SoE reinforces these principles and will continue to guide our work in this respect, including our education and advice services provided free of charge, which can support vulnerable cohorts and proactive compliance by employers. It is important that my Office continues to meet the diverse needs of Australia's workplace participants. We will do this by providing access to information and support via a range of channels and resources as well as tailoring our education and enforcement approach to specific industries, cohorts and issues by leveraging input from our Advisory and Reference Groups, community organisations, government entities and other stakeholders. Specifically, we will:

- Ensure our education and other supports for priority groups continue to be fit for purpose and reflect the needs of the cohorts they are designed to assist, including small business employers and employees and vulnerable or 'at risk' workers such as migrant workers, First Nations peoples, young and mature age workers, apprentices and trainees and workers with disability.
- Continue to offer small businesses tailored and reliable written advice through the Employer Advisory Service and workplace tips, tools and training through the Small Business Showcase.
- Continue to provide the regulated community with information in relation to our new criminal jurisdiction, including providing guidance on how small businesses can use the Voluntary Small Business Wage Compliance Code to achieve voluntary compliance.

² The Fair Work Ombudsman's Compliance and Enforcement Policy can be accessed here: <https://www.fairwork.gov.au/sites/default/files/migration/725/compliance-and-enforcement-policy.pdf>.

- Renew our Multicultural Access and Equity Action Plan and provide free interpreter and translating services and in-language educational materials.
- Leverage the various sub-committees of our Advisory Group for award matters, where my Office and union and employer representatives can work collaboratively on interpretative issues that may arise in modern awards that cause confusion or pose compliance risks.

My Office is keenly aware of our statutory objectives relating to promoting harmonious and productive workplace relations. We will foster a regulatory environment that supports the government's productivity agenda, makes compliance as simple as possible by promoting voluntary compliance and provides support for workplaces that wish to implement best practice as the norm. To do this, my Office will take a multilayered approach, which includes:

- Assisting employer organisations and unions to educate their members on workplace laws.
- Developing best practice guidance on effective workplace consultation and engagement, with a focus on how consultation can promote compliance and support the introduction of productivity-enhancing technologies and practices.
- Promoting voluntary industry-led multi-stakeholder mechanisms that support compliance.
- Using a range of supported dispute resolution techniques to help employers and workers resolve disputes efficiently and achieve voluntary compliance outcomes.
- Streamlining regulatory processes and removing duplication through a considered and systematic approach to automation, more efficient use of technology platforms, responsible and ethical adoption of Artificial Intelligence (AI) and exploring improvements to the agency's public-facing digital tools.
- In alignment with our new Data Strategy (2025-27), uplifting our use of data as a key asset in deriving valuable insights and advancing our strategic and risk-based approach to compliance and to support automation and AI opportunities to be as efficient, cost effective and productive as possible in the delivery of services.

The building and construction industry

The building and construction industry, which should be a safe and fair place for all to work, is a specified priority area for my Office. My Office holds the firm view that any unlawful behaviour by unions or employers is unacceptable. We regularly engage with our Building and Construction Reference Group to help set our agenda in the sector, with a recent focus on gender issues and apprentices and trainees. Further, we are committed to working closely with the Construction, Forestry and Maritime Employees

Union (Construction and General Division) Administrator as well as federal, state and territory regulators and law enforcement agencies to achieve the government's aim of restoring lawfulness in this sector. We will continue to embed and grow these networks and maintain a visible and active presence in the industry, including through our participation in the Joint Agency Working Group. Specifically, my Office will:

- Be a visible presence in the sector and conduct strategic, intelligence-led proactive investigations to address non-compliance and build operational relationships with industry participants.
- Utilise our full suite of statutory powers as appropriate to respond to matters referred to my Office, including enforcement where appropriate, particularly in relation to allegations of coercion, intimidation, bullying and sexual harassment.
- Deliver a national program of work relating to apprentices and trainees in the building and construction industry.
- Focus on deterring sexual harassment in the building and construction industry, amongst others, through our Sexual Harassment Strategy.
- Use education, communications and engagement activities to educate sector participants about their rights and obligations and build awareness of my Office and our role in regulating the sector.

We will also seize opportunities to actively collaborate and share information with relevant regulators and law enforcement agencies, noting behaviour in this sector is shaped by many influences, frameworks and laws. Referral mechanisms are in place to efficiently share allegations that are outside my Office's jurisdiction (such as with the Australian Taxation Office, AUSTRAC and the Australian Securities and Investments Commission) and where criminal allegations arise (including with the Australian Federal Police and state and territory law enforcement agencies). We will work collaboratively with other regulators, including labour hire licensing authorities, to target areas that have given rise to significant concerns about unlawful behaviour under the Act, including agreement making, the use of labour hire and preferencing the use of businesses for unlawful reasons.

Relationship with stakeholders

To achieve our vision of embedding a culture of compliance and deliver on the government's priorities, we will work collaboratively with a range of stakeholders to refine our regulatory posture and respond to the changing environment. This will include:

- Participating in the Regulatory Leadership Cohort and GovAI initiative supported by the Department of Finance and other cross-government forums and bodies to share learnings and opportunities and keep up to date on regulatory approaches, technology, and data initiatives.

- Conducting research and engaging workplace relations experts and academics to inform our strategic direction and decisions, develop projects and test key assumptions.
- Listening to key stakeholders about the changing context of our regulatory work and the needs of those we serve, including bringing together stakeholders for a multipartite forum focused on payroll technology and prevention of non-compliance.
- Coordinating regulatory activities with other agencies to avoid duplication, connect issues to the jurisdiction best placed to assist and enhance our impact through a shared and collective responsibility for ensuring compliance with all workplace laws. Where appropriate, this includes information and intelligence sharing, coordinated engagement and education activities and/or conducting joint inspections with agencies such as the Department of Employment and Workplace Relations (**DEWR**), Australian Border Force, Australian Taxation Office, Australian Maritime Safety Authority and state and territory labour hire regulators.

My Office will continue to work closely and collaboratively with DEWR to ensure the government can leverage the experience, knowledge and expertise of my Office to inform policies and programs that strengthen compliance and support the achievement of the objects of Australia's workplace relations system as set out in the Act. Our commitment to a strong relationship with DEWR will also be a key enabler in ensuring the agency's actions are consistent with the government's policies.

Organisational matters

In conducting the agency's operations, my Office will follow the principles of best practice set out in the Resource Management Guide 128 *Regulator Performance* and strive for continuous improvement. To facilitate this, my Office will:

- Continuously improve the effectiveness of our education and regulatory functions by embedding a culture of innovation and evaluation that also promotes consultation with workplace participants.
- Routinely review the effectiveness of our educational services and our use of compliance tools to identify opportunities to refine and enhance our operating policies and procedures.
- Develop the leadership and operational capability of staff at all levels to ensure we discharge our statutory functions as efficiently and effectively as possible.
- Further enhance integration of risk management into strategic operational planning, oversight and decision-making activities.

We will be transparent in our operations, policies and decision-making processes by continuing to publish priority areas, a Compliance and Enforcement policy, a Corporate Plan, performance results via our Annual Report, key enforcement outcomes, updates on emerging issues such as the progress of inquiries or work in problematic areas and other relevant documentation.

My Office will continue to ensure our controls are appropriately calibrated to manage the risk of unauthorised disclosure of protected or sensitive information, through both strong internal security and privacy controls and alignment with government cyber security frameworks.

Our independence and impartiality in carrying out our functions will remain of paramount importance and be discharged in accordance with the Act, APS Values and APS Code of Conduct. We will comply with the requirements set out under the PGPA Act and associated instruments and policies.

My Office is committed to holding itself to account and will further embed our internal accountability processes that foster a culture of continuous improvement and reflection. These processes are built on multiple inputs, such as strengthening our culture of transparency and accountability within our leadership cohort by implementing the APS Senior Executive Service Performance Leadership Framework, continuing to seek and act on the results of customer feedback and consulting on agency initiatives through our Agency Consultative Forum and Community and Public Sector Union workplace delegate networks.

Implementation

This Sol has been informed by constructive feedback from staff across my Office and from our standing tripartite Advisory Group, providing both staff and key stakeholders a voice regarding the principles that guide our work and how we intend to integrate them with the broader workplace relations environment.

Activities across my Office to support this Sol will be informed by stakeholder feedback, including through the Advisory Group and Reference Groups, with results evaluated and key learnings incorporated into future activities. Our consultative and collaborative mechanisms enhance transparency and predictability for regulated entities, through genuine dialogue on workplace issues, co-design of practical solutions and improved coordination across government and staff at all levels of my Office.

The actions my Office commits to in this Sol serve to promote harmonious, productive, cooperative and compliant workplace relations in Australia. These are the fundamentals of a strong workplace relations system which, whether it is a compliant building and construction industry or a facilitator of increased productivity, is in the interests of all Australians.

15 September 2025