



Australian Government

Fair Work OMBUDSMAN

414 La Trobe Street
Melbourne, VIC 3000

21 April 2017

Mr Stephen Palethorpe
Secretary
Senate Education and Employment Legislation Committee
eec.sen@aph.gov.au

Dear Mr Palethorpe

Answers to Questions Taken on Notice – Fair Work related bills

On Wednesday 12 April 2017, the Fair Work Ombudsman (**FWO**) appeared before the Senate Education and Employment Legislation Committee to provide evidence to the inquiry into the *Fair Work Amendment (Protecting Vulnerable Workers) Bill 2017*.

Please find attached the FWO's response to a question taken on notice during the hearing.

On behalf of the FWO I would like to thank you for the opportunity to share evidence with the Committee.

Yours sincerely,

Anthony Fogarty
Executive Director
Policy, Analysis and Reporting Branch
Fair Work Ombudsman



Senator DOUG CAMERON: *I just want on notice then to get a comment from Ms James in relation to the submission from WEstjustice. On page 17 of their submission they say that eight franchisor chief executives were asked to enter into compliance partnerships with the FWO and that basically you were ignored. Have a look at what they are saying there. If you can come back and give us your view on that—*

Answer:

In December 2015, Michael Campbell, Deputy Fair Work Ombudsman – Operations, wrote to eight leading franchisors, with the assistance of the Franchise Council of Australia, offering the opportunity to enter into Compliance Partnership with the Fair Work Ombudsman (**FWO**).

The FWO adopted this approach following discussions with the Franchising Council of Australia about how the FWO could work with the sector to foster compliance throughout franchising networks in Australia.

Only one franchise, Foodco Group Pty Ltd (**Foodco**) agreed to enter into a Compliance Partnership, which was signed on 18 January 2017.

The FWO discussed the opportunity to enter into a Compliance Partnership with four of the remaining franchisors. Of these, one has formally advised the FWO they do not wish to enter into a Compliance Partnership and one has been placed into administration. Discussions with a third franchisor are ongoing and the FWO is yet to receive an indication from the fourth as to whether they are willing to enter a Compliance Partnership.

No response has been received from three of the franchisors that were contacted.

On 1 September 2016, Steve Ronson, Executive Director – Dispute Resolution and Compliance, addressed the Franchise Council of Australia NSW Luncheon, where he said the response the FWO received was disappointing. A copy of the speech is available at www.fairwork.gov.au/speeches.