



## ABCC and FWO Referrals – A quick reference guide

This Guide seeks to provide the staff of the Australian Building and Construction Commission (ABCC) and the Fair Work Ombudsman (FWO) with a simple and practical framework for managing and recording referrals of work between the Agencies.

### Background

On 2 December 2016, the Australian Building and Construction Commission was established with responsibility for pursuing matters involving building industry participants engaged in building work as defined by the *Building and Construction Industry (Improving Productivity) Act 2016*.

The FWO’s jurisdiction extends beyond that of the ABCC and includes domestic building and construction work, drilling, extraction and off-site prefabrication.

### Definitions

**Informal referrals** occur when a person who contacts the ABCC or the FWO with an issue that is outside the respective Agency’s jurisdiction is advised to contact the other Agency via the public contact number or by direct transfer.

**Formal referrals** occur when:

- the ABCC obtains information or evidence or a request for assistance involving a workplace dispute, from any source, regarding laws within the jurisdiction of the FWO, and the ABCC provides that information directly to the FWO; or
- the FWO obtains information or evidence or a request for assistance involving a workplace dispute, from any source, that is identified as regarding laws within the jurisdiction of the ABCC, and the FWO provides that information directly to the ABCC.

### Process

#### Informal referrals

The referring agency should direct the caller to the other agency’s hotline, or carry out a direct transfer on behalf of the caller. There is no requirement to separately notify the receiving Agency where an informal referral occurs.

#### Formal referrals - ABCC to FWO

Formal referrals to FWO should be considered when the ABCC obtains information relating to the jurisdiction of FWO in the course of activities.

Information obtained by the ABCC that falls under the jurisdiction of FWO should be directed via email from the relevant ABCC Regional Manager to:

[Redacted]

[Redacted]

### **Formal referrals - FWO to ABCC**

The FWO will consider a formal referral to the ABCC where it obtains information relating to a matter within the jurisdiction of the ABCC in the course of its activities.

Information obtained by the FWO that falls under the jurisdiction of the ABCC should be directed via email to:

[Redacted]

And hard copy documents sent via post to:

[Redacted]

### **Recording of Information**

Formal referrals should be recorded by each agency in accordance with relevant data recording protocols.

### **Further Information**

#### **ABCC Contact Point**

[Redacted]

#### **FWO Contact Points**

[Redacted]

[Redacted]