

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Agency - Fair Work Ombudsman

Department of Employment Question No. EM0807_15

Senator Cameron asked on 2 June 2014 on proof Hansard page 11

Question

FWO - improve compliance on workers' wages and conditions

Senator CAMERON: Can you take on notice what strategic steps you have taken in the building and construction industry to improve compliance on workers' wages and conditions? Given ASIC was undertaking a major investigation of sham contracting and they now have \$120 million less to pursue that type of engagement, can you give us some details of your strategic direction in sham contracting, and your strategic direction in the building and construction industry generally to ensure that employers are complying with their obligations? Have you had any discussions with ASIC in relation to sham contracting? Ms James: I would need to take that on notice. We work with a number of regulators in an ongoing way. I don't know whether we have had conversations specifically with ASIC on that topic.

Answer

The Fair Work Ombudsman will be conducting a national building and construction industry campaign in the in the 2014-15 financial year.

The Fair Work Ombudsman will consult with key industry stakeholders and the campaign will have both an education and compliance component.

Sham contracting remains a priority for the Fair Work Ombudsman and the agency has a team which focus on cases where an employee may have been wrongly classified as a contractor. Matters relating to sham contracting also represent a high proportion of the Fair Work Ombudsman's litigations.

The Fair Work Ombudsman has not had any discussions with ASIC specifically in relation to sham contracting.