

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Additional Estimates 2012-2013**

**Agency - Fair Work Commission**

**DEEWR Question No. EW0890\_13**

**Senator Abetz asked on 13 February 2013 , Hansard page 28**

**Question**

**Individual Flexibility Arrangements**

Senator ABETZ: To your knowledge, have any claims been lodged with the Fair Work Commission or Fair Work Australia before it in relation to coercion or any matters relating to individual flexibility arrangements? Ms O'Neill: I think I would be best to take that on notice, Senator.

**Answer**

*The Fair Work Commission has provided the following response:*

Prohibitions against coercion and undue pressure or influence in relation to workplace rights and instruments, including modern awards or enterprise agreements as varied by individual flexibility arrangements, are outlined in the general protections provisions of the *Fair Work Act 2009*. These provisions require determination by the Courts rather than the Fair Work Commission and the Commission is unable to provide data about this.