

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Additional Estimates 2013-2014**

Agency - Fair Work Ombudsman

Department of Employment Question No. EM0146_14

Senator Cameron asked on 27 February 2014 , Hansard page 32

Question

FWO - Procedure manual

Senator CAMERON: Could you provide copies of your core manual and the offshoot documentation as it relates to how you handle sham contracting? We will start there to see where that leads.

Answer

A copy of the Fair Work Ombudsman's Operations Manual is attached.

A dedicated Misclassification team is responsible for investigating complaints involving misclassification (where there is a question about whether a working arrangement is properly classified as an employment or contractor relationship) and sham contracting (where there is an intention to disguise the employment relationship as an independent contracting relationship).

Attached are copies of the internal process documents used by the Fair Work Ombudsman's Misclassification team to investigate these matters including:

- Operations Manual Supplementary Information Relating to Sham Contracting
- Process Chart – Misclassification.