

HIGHLIGHTS 2008-09

Possible question: What are the highlights of the Workplace Ombudsman's activities in the 2008-09 financial year to date (1 July 2008 – 30 April 2009)?

Response:

- Complaints:
 - Commenced 17,491 investigations;
 - Finalised 14,545 investigations;
 - Including 525 investigations involving visa holders, recovering \$555,000;
 - Recovered \$21,630,745 on behalf of employees; and
 - Completed 76% of investigations within 90 days and 95% within 180 days.

- Targeted investigations:
 - Commenced 5,681 targeted investigations;
 - Finalised 5,648 targeted investigations; and
 - Recovered \$4,971,298.

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Committee
Budget Estimates 09-10
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By: Workplace Ombudsman

- Legal activities:
 - Commenced 42 litigation matters;
 - Recovered \$325,000 in underpayments through litigation; and
 - Been awarded \$1,418,000 in penalties through the courts.

- Fairness Test:
 - Received 27,264 Fairness Test referrals;
 - Completed 21,405 investigations;
 - Recovered \$4,401,000 in compensation; and
 - Have 14,195 matters on hand.

- No Disadvantage Test:
 - Received 6,275 No Disadvantage Test referrals;
 - Completed 848 investigations;
 - Recovered \$99,322 in compensation; and
 - Have 5,417 matters on hand.

- **Total recovered: \$31,427,365.**

- The Client Service Centre has answered:
 - 88,759 Helpline enquiries;
 - 3,725 Live Chat enquiries;
 - 4,599 Contact Us enquiries.

- The Workplace Ombudsman has issued 182 media releases.

Nil Background

Contact:

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GLOBAL FINANCIAL CRISIS - REDUNDANCIES

Possible Question: Has the Workplace Ombudsman observed an increase in complaints relating to redundancies in the wake of the global financial crisis?

Response:

- Anecdotally, the number of complaints relating to redundancies appears to have increased over the past twelve months.
- The Workplace Ombudsman records information regarding breaches of the *Workplace Relations Act 1996*. As a genuine redundancy does not constitute a breach, the Workplace Ombudsman does not keep general figures about redundancies.
- However, between 1 February 2009 and 30 April 2009, the Client Service Centre received 845 telephone inquiries from the general public relating to redundancy queries. This is an average of 65 inquiries per week. Figures on redundancy enquiries were not kept prior to this date.
- The nature of the redundancy enquiries tended to fall in two categories:
 - a. Employees and employers querying applicable redundancy entitlements. Where appropriate, these enquiries are referred to the Workplace Infoline.
 - b. Employees who believe they have not been paid their correct redundancy entitlements. Clients are advised to lodge complaint forms with the Workplace Ombudsman where appropriate.
- Between 1 July 2008 and 30 April 2009, the Workplace Ombudsman recorded 1,497 breaches relating to termination. This included breaches concerning notice, payment in lieu of notice, redundancy pay and severance pay. 1,094 termination-related breaches were recorded for the same period the previous financial year. This represents a 37% increase in the 2008/09 financial year.
- By contrast, the Workplace Ombudsman recorded a 22% increase in the total number of breaches sustained to 30 April 2008 when compared with the same period last financial year. These figures show that breaches relating to termination of employment have increased at a greater rate than breaches generally.
- As of the 29 March 2009, the Workplace Ombudsman has received 10 enquiries from Ministers relating to constituents' redundancies.

Nil Background

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