

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

**QUESTIONS ON NOTICE  
Budget Estimates 2010-2011**

**Agency - Fair Work Ombudsman**

**DEEWR Question No.EW0266\_11**

**Senator Cameron asked on 1/06/2010, Hansard page 69.**

**Question**

**ADVICE ON ABCC MATTERS**

Senator CAMERON—Can you tell me what happened to these four ABCC matters that were referred to you? Mr Johns—I will take it on notice.

**Answer**

The Fair Work Ombudsman has provided the following response.

From 27 March 2006 to 30 June 2010 the Fair Work Ombudsman has received a total of six formal referrals involving allegations of sham contracting from the Australian Building and Construction Commission (ABCC).

Four of these matters were received in the 2007-08 and 2008-09 financial years. Two additional referrals relating to sham contracting allegations were received in late February and early March of the 2009-10 financial year.

The outcomes of the six matters are as follows:

- one matter was voluntarily resolved by the employer providing the complainant with \$2046 as rectification of underpayments.
- one matter was voluntarily resolved by the employer providing a total of \$24,710 as rectification of underpayments to five employees.
- two matters were not proceeded with, as the complainants failed to make themselves available to assist the Fair Work Ombudsman with its inquiries.
- one matter did not fall within the operational remit of the Fair Work Ombudsman and was referred to Safework SA. Prior to 1 January 2010, SafeWork SA were the agency responsible for ensuring compliance with South Australian workplace relations legislation for non constitutional corporations.
- one matter is currently being investigated by the Fair Work Ombudsman.