

The Fair Work Ombudsman is one of two national institutions established by the Fair Work Act to regulate and advise the community. Our particular role is to be the independent provider of information and assistance as well as the independent receiver and investigator of complaints of non-compliance with the Act.

Since the last time we appeared before this Committee, in February, our work has been driven firstly by the needs of employers and employees with the introduction of modern awards, and secondly with the smooth transition of the State system referrals by Queensland, NSW, South Australia and Tasmania.

Since February, we have continued to work closely in these tasks with Fair Work Australia, the major unions and peak employer associations and the referring State Governments. I am pleased to say that these partnerships have assisted us greatly in what we have been able to achieve.

Although the Modern Awards themselves were determined by Australian Industrial Relations Commission to commence in January 2010, the wages provisions of all but a handful commence in July 2010, and it is this date that has been the focus of much of our attention. Our experience is that payroll staff and employees will focus on a particular pay period only very close to the time that a change is required.

The frontline of our workload has been the Fair Work Infoline. In the first 4 months of 2010, our advisers answered over 375,000, with about 1/3 of those calls coming from employers – the majority of these from small businesses. Our anecdotal experience is that the questions asked by callers are well-informed and considered and come from a base of some knowledge about existing entitlements.

Notwithstanding, our experience is that callers are hungry for timely and accurate information.

That is why we have also concentrated on developing and releasing self-access tools. When it was introduced, our web-based PayCheck system immediately started taking over 10,000 searches a week, and is now about to reach 15,000 completed searches a week.

This week we are broadening the PayCheck service from just the top 9 modern awards to 70 modern awards covering 640 pre-modern awards. We estimate that this expansion will cater for the questions of more than 85% of callers to the Fair Work Infoline seeking information about wages entitlement.

In the next fortnight the service will be expanded further with a new web-based Award Finder search tool that enables searchers to find applicable modern and pre-modern awards. We will also be releasing Payroll Check, aimed at small and medium businesses who need a spreadsheet of rates for their payroll.

A foundation for these services has been the work we have done with the ACTU and the peak employer associations, the Australian Chamber of Commerce and Industry and the Australian Industry Group in developing and releasing this morning our Guidance Note 7, which comprehensively sets out our advisory policy on a number of critical modern award interpretation issues. A challenge we all face with the introduction of the modern awards is understanding how various elements might apply or interact with pre-modern instruments. This has been especially so with the interaction of several requirements for transitional phasing arrangements for features such as loadings, penalties and overtime. Now that we have settled in conjunction with the social partners this content of the Guidance Note, we can confidently roll the determined positions into our new advisory tools.

Allied to the release of these new tools are the internal budget allocations we have made to ensure extra staff are

available to the Fair Work Infoline over coming months as we expect peak demand to rise. While it is possible that service demand will rise to above reasonable waiting times we have in place mechanisms to divert calls, or to return calls at a later time, should that be required. Our linkages with the peak union and employer associations, and the additional services contracted from the referring States and soon with the shared industry assistance projects means we are likely to ensure a continuation of good service to employers and employees.

I am confident this large body of preparatory work means we can respond carefully and meaningfully to industry's needs in the next few months.

My senior staff and I would be pleased to take your questions on these and other matters.

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