

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

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

Agency - Fair Work Ombudsman

DEEWR Question No.EW0564_11

Senator Cameron asked on 20/10/2010, Hansard page 35.

Question

CONDITIONS OF EMPLOYMENT'

Mr Wilson—We would, and it is foreseeable that there may well be some cleaners who are quite legitimately in a contracting arrangement and others who are not. Before you go, I have just been advised that in relation to our website we do have sham contracting arrangements set out on the website. They might be hard to find, and I will take that point but, for the record, I am told that they can be accessed through the tabs. First of all it says 'employment' then, secondly, 'contractors' and then there is a page relating to sham contracts. Senator CAMERON—There is no tab called 'employment'. There is 'conditions of employment'—is that the one? Mr Wilson—I think it is 'conditions of employment'. Senator CAMERON—So you have 'conditions of employment'? Then what is it? Mr Wilson—I am sorry—I thought we had that clarified. We will have to get back to you. Senator CAMERON—I still cannot find it there. Mr Wilson—We will still come back. I am sorry. Senator CAMERON—I think that just demonstrates the difficulty. If someone is worried about their employment, or if it is an employer who is worried about an Odco arrangement, there is no real up-front help on this site that I can see. So can you take it on notice? Mr Wilson—Sure.

Answer

The Fair Work Ombudsman has provided the following response:

Fair Work Online (www.fairwork.gov.au), the Fair Work Ombudsman's website, provides information to the public about contracting arrangements. The information can be obtained by selecting the 'Employment' tab on the red navigation bar. From there, users can select information about 'Contractors' which is located at: <http://www.fairwork.gov.au/employment/contractors/pages/default.aspx>

The contractors section includes a link to information about sham contracts, located at: <http://www.fairwork.gov.au/employment/contractors/pages/sham-contracts.aspx>

In addition, typing in the words 'sham contract' into the search box in the top right hand corner will return results directing the user to the sham contracting page.

