



Australian Government

# Fair Work OMBUDSMAN

GPO BOX 9887  
BRISBANE QLD 4001

Our reference: FOI-989

31 October 2018

Mr Jason Chahine

By email to: [foi+request-4915-de6da126@righttoknow.org.au](mailto:foi+request-4915-de6da126@righttoknow.org.au)

Dear Mr Chahine

## Freedom of Information request

I refer to your request received by the Fair Work Ombudsman (FWO) on 25 October 2018, made under the *Freedom of Information Act 1982 (FOI Act)* for:

*...information on the general details of the cases, and final outcomes of legal proceedings the FWO has brought before an employer. These documents will need to be specific in the matters of underpayment and or unfair dismissal/termination.*

The FWO publishes a significant amount information about the FWO's litigation activities on the FWO website<sup>1</sup>. We invite you to consider this information before contacting us again to revise the scope of your request.

You will find that the FWO website includes details about the legal proceedings instigated by the FWO, including the parties' names, the nature of each proceeding and the penalties imposed. You will also find links to the full decisions made in each case by the Federal Circuit Court of Australia.<sup>2</sup>

For information about unfair dismissal cases, please visit the website of the Fair Work Commission (FWC) or contact the FWC's FOI team.<sup>3</sup> The FWO's legal jurisdiction does not extend to cases relating to unfair dismissals.

Please consider whether the publically available information mentioned above satisfies your request and let us know if you still wish to make an application under the FOI Act for documents held by the FWO.

We will await to hear from you via [foi@fwo.gov.au](mailto:foi@fwo.gov.au).

If we do not hear from you before Monday 19 November 2018, we will consider your request as withdrawn.

<sup>1</sup> <https://www.fairwork.gov.au/about-us/our-role/enforcing-the-legislation/litigation>

<sup>2</sup> Here is a link to the litigation outcomes for the 2017-18 financial year:

<https://www.fairwork.gov.au/about-us/our-role/enforcing-the-legislation/litigation/2017-2018-litigation-outcomes>.

<sup>3</sup> Information about unfair dismissal is available on the FWC's website at: <https://www.fwc.gov.au/termination-of-employment/unfair-dismissal>

We would be happy to talk to you about the information you are seeking. If you would like to discuss the matter, please provide a contact telephone number via a private email address and a member of the FWO's Customer Feedback and Information access team will be in touch.

Yours sincerely



Annabel Kent  
Assistant Director, Customer Feedback and Information Access  
**Fair Work Ombudsman**