



Australian Government

**Fair Work Building
& Construction**

FWO Referrals – A quick reference guide

This Guide seeks to provide Investigators with a simple and practical framework for managing and recording referrals to the Fair Work Ombudsman (FWO).

Background

As at 18 November 2013, the Government directed that matters involving wages and entitlements and sham contracting of workers in the commercial building and construction industry were to be dealt with by FWO.

Definitions

Informal Referrals occur when a person who contacts FWBC with an issue that is outside FWBC's jurisdiction is advised to contact the relevant agency and is provided with the contact details of that agency.

Formal Referrals occur when FWBC obtains information or evidence, from any source, regarding laws within the jurisdiction of another agency and FWBC provides that information to that agency.

Informal Referrals

Informal referrals to FWO are most likely to occur when a person contacts FWBC via the 1800 Hotline or Online Enquiries with a complaint or enquiry which falls into the jurisdiction of FWO, for example wages and entitlements or sham contracting. In this instance the caller should simply be connected directly to FWO and provided with the phone number for the FWO Infoline – 13 13 94.

Hardcopy complaint forms relating to wages and entitlements or sham contracting received via post should also be considered as an informal referral. In this instance the form and any attached documentation may be provided directly to the FWO office in your state, or be scanned and emailed to:

Registration and Assessment

c/o Assistant Director

fwbcreferrals@fwo.gov.au

And hardcopy documents sent via post to:

Registration and Assessment

c/o Assistant Director

GPO Box 9887

ADELAIDE SA 5001

Phone calls, online enquires and complaint forms as described above should be recorded on AIMS as a new 'Information' entity. On AIMS, the 'Outcome' should be recorded as 'Referred to Relevant Federal Agency', and the 'Agency Type Referred To' as 'FWO'. Any relevant emails or documents should be saved in Document Centre and linked to the Information entity.

Informal referrals such as this do not require approval, however a Quality Review will be undertaken by a Team Leader.

Formal Referrals

Formal referrals to FWO should be considered when FWBC obtains information relating to the jurisdiction of FWO in the course of an investigation, code activity or when conducting 457 visa monitoring activities.

Formal referrals require approval by a Team Leader. Where matters of a sensitive or potentially controversial nature are being considered for referral then the approval of a State or Regional Manager should be obtained.

Information obtained by FWBC that falls under the jurisdiction of FWO should be directed via email to:

Registration and Assessment
c/o Assistant Director
fwbc referrals@fwo.gov.au

And hard copy documents sent via post to:

Registration and Assessment
c/o Assistant Director
GPO Box 9887
ADELAIDE SA 5001

Recording of Information and AIMS

Formal referrals should be recorded in AIMS within the 'Formal Referral' entity and any correspondence or information /evidence send must be linked to it. The entity should be completed by the relevant Investigator and approved by a Team Leader.

In some instances, information may be referred to more than once agency. In this case a 'Formal Referral' entity will need to be completed for each referral.

Refer to the [AIMS Manual](#) for details.

FWBC is required to create, keep and maintain full and accurate records, this also applies to referrals. Refer to the [FWBC Records Management Policy – TRIM Records](#) for details.

Further Information

FWO Contact Points:

[REDACTED]
Director of Government & Parliamentary Policy
Email: [REDACTED]
Phone: [REDACTED]

Steven Ronson
Executive Director, Dispute Resolution & Compliance
Email: steven.ronson@fwo.gov.au
Phone: [REDACTED]

Tom O'Shea
Executive Director, Policy & Media
Email: Tom.O'Shea@fwo.gov.au
Phone: [REDACTED]

FWBC Contact Point:

Heather Hausler
Executive Manager Operations
Phone: [REDACTED]