

Fair Work | Fact Sheet

Institutional Changes

The Fair Work Act 2009 (Cth) (FW Act) aims to establish a new institutional framework for the administration of the federal industrial relations system, with Fair Work Australia (FWA) and the Fair Work Ombudsman replacing the tribunals, agencies and courts that made and enforced employment terms and conditions under the Workplace Relations Act 1996 (Cth).

FWA is intended to be a “one-stop shop” for information, advice and assistance on workplace issues, by merging the functions currently performed across 7 government agencies, including the Workplace Ombudsman and the Workplace Advocate, which will be replaced by the Fair Work Ombudsman. FWA will also include Fair Work Divisions in the Federal Court and the Federal Magistrate’s Court.

The Fair Work Minimum Wage Panel will be a part of FWA and will be responsible for reviewing minimum wages annually. This will take over this function from the Australian Fair Pay Commission (AFPC).

The other functions of FWA include:

- facilitating collective bargaining;
- approving enterprise agreements;
- dealing with unfair dismissal claims;
- dealing with industrial action; and
- settling workplace disputes.

Between July 2009 and January 2010 FWA will take over from the Australian Industrial Relations Commission (AIRC) and the agencies in administering the federal industrial relations system.

The transition from the current structure to the new structure is summarised in the table below:



Institutional Changes

Fair Work Ombudsman takes over from Workplace Ombudsman	1 July 2009
FWA takes over the work done by the AFPC and AFPC ceases to exist	31 July 2009
FWA takes over the work done by the AIRC and AIRC ceases to exist	31 December 2009
Changes to minimum wage determination take effect	1 January 2010
FWA takes over the work done by the Workplace Authority and Workplace Authority ceases to exist	31 January 2010



Find out more at:
www.fairworkaustralia.ahri.com.au