

Private Sector Labour Relations Division Compliance and Enforcement Policy

The Private Sector Labour Relations Division

3. Ways of achieving compliance

There are various ways that Labour Relations seeks to achieve compliance.

an3 One informal but important way is advising employers and employees of their rights and obligations under State employment laws. Labour Relations does this through the Department's Wageline service, online education materials, seminars and media releases.

Where a formal complaint is made to Labour Relations by an employee that they have not received their correct entitlements, Labour Relations will generally conciliate

Labour Relations may, during a formal investigation, give an infringement notice to an employer in relation to breaches of prescribed record related requirements (see Section 9 of the Policy).

Labour Relations does not formally investigate every complaint that it receives, and exercises discretion in deciding which matters to investigate. Labour Relations has developed guidelines to assist determining whether

An employer may apply to the Industrial Magistrates Court for a review of the compliance notice on the ground that they have not committed the breach set out in the notice or that the notice does not comply with the requirements of the IR Act.

Enforceable undertaking

Labour Relations may decide to accept an enforceable undertaking from an employer where an industrial inspector reasonably believes that the employer has contravened:

- a provision of an industrial instrument such as an award;
- the LSL Act;
- a minimum condition of employment in the MCE Act;
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