



FairWork  
Commission

# Corporate PLAN

2018-19

Covering reporting periods 2018-19 to 2021-22

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# 1 MESSAGE FROM THE GENERAL MANAGER

## STATEMENT OF PREPARATION

As the accountable authority of the Fair Work Commission, I present the Fair Work Commission Corporate Plan 2018-22, which covers the 2018-19 to 2021-22 reporting periods, as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.

We will report against this Corporate Plan and the 2018-19 Portfolio Budget Statements in the annual performance statements that will form part of the Commission's 2018-19 Annual Report.

**Bernadette O'Neill**

General Manager



Fair Work Commission

31 August 2018

## 2 PURPOSE

Through its role as Australia's national workplace tribunal, the Fair Work Commission (Commission) supports simple, fair and flexible workplace relations for employees and employers.

The Commission's primary purpose is to exercise its functions and powers in accordance with the *Fair Work Act 2009* (Fair Work Act) including:

- dealing with unfair dismissal claims
- dealing with anti-bullying claims
- dealing with general protections and unlawful termination claims
- setting the national minimum wage and minimum wages in modern awards
- making, reviewing and varying modern awards
- assisting the bargaining process for enterprise agreements
- approving, varying and terminating enterprise agreements
- making orders to stop or suspend industrial action
- dealing with disputes brought to the Commission under the dispute resolution procedures of modern awards and enterprise agreements
- determining applications for right of entry permits
- promoting cooperative and productive workplace relations and preventing disputes

### How the elements of our plan integrate



## PORTFOLIO BUDGET STATEMENTS

The Commission is responsible for delivering a single planned outcome as set out in the Portfolio Budget Statements 2018-19:

*“Simple, fair and flexible workplace relations for employees and employers through the exercise of powers to set and vary minimum wages and modern awards, facilitate collective bargaining, approve agreements and deal with disputes.”*

The Commission delivers a single program of dispute resolution, minimum wage setting, orders and approval of agreements.

The Commission’s major priorities for 2018-19 include:

- ensuring that the community understands the role of the Commission and recognises it as an independent and expert workplace relations tribunal
- ensuring that the Commission is accessible to all Australians, recognising the community’s diverse needs and expectations
- ensuring that the Commission is efficient, accountable and transparent
- ensuring that the Commission is a highly skilled and agile organisation in which its people, processes, systems and technology are aligned to deliver high quality, efficient and effective services to the community

# 3 OPERATING ENVIRONMENT

## History

Australia's first national workplace relations tribunal, the Commonwealth Court of Conciliation and Arbitration, was established more than a century ago in 1904.

Since then, the tribunal has undergone many changes in jurisdiction, name, function and structure in line with substantial legislative, social and economic changes. The tribunal has endured by successfully adapting to changes in its legislative environment and through being an independent and expert dispute resolution service.

## Setting

In recent years the Commission has seen a significant shift in the composition of its work. The nature of the Commission's work has changed—from collective to individual dispute resolution. This shift towards individual dispute resolution arises from legislative change and other workplace changes.

The changing nature of the Commission's work has had implications for our stakeholders. Parties appearing before the Commission are no longer predominantly experienced workplace relations participants, such as unions, employers and employer organisations, who are familiar with the legislative landscape and the Commission's processes. The majority of parties are now individual employees and employers, many of whom are self represented.

We are continuing to improve the information we provide about the legislation we administer and our procedures in order to be more accessible to people with limited knowledge of workplace relations.

## Cooperation

The Commission operates within the broader workplace relations framework and works with other Commonwealth agencies that also have a role to play, such as the Fair Work Ombudsman and the Registered Organisations Commission. Some, although not all, of the functions that were previously exercised by the Commission's General Manager under the *Fair Work (Registered Organisations) Act 2009* are now exercised by the Registered Organisations Commissioner.

## 4 CULTURE

The Commission's culture is underpinned by the Australian Public Service (APS) values of impartial, committed to service, accountable, respectful and ethical. The organisation will continue to foster a culture that entrenches and demonstrates these values in all that it does. The APS values guide staff in their daily work and in their interactions with colleagues and the community. They are also embedded in the Commission's recruitment, induction and performance management processes.

The organisation is focused on three dimensions: innovation, collaboration and service excellence.

### INNOVATION

Staff will be innovative, agile and responsive. Technology will be adopted to replace manual tasks with higher value activities and we will encourage and reward innovation and create an environment that cultivates new ideas.

### COLLABORATION

Staff will work collaboratively across the organisation to share knowledge, foster a shared sense of purpose, achieve goals and strive to surpass community expectations.

### SERVICE EXCELLENCE

Staff will continue to be user focused, making users' needs central to the development of processes and service delivery so that services will be accessible, efficient, reliable and of the highest possible standard.

# 5 CAPABILITY

## Workforce capability

A skilled and capable workforce is a key enabler of the Commission's performance, directly affecting our ability to respond to a changing environment while continuing to deliver services of the highest standard. A key strategy within this plan is to develop workforce capability.

## Capital investment and ICT capability

The Commission is making a significant capital investment by replacing its case management system. This will provide added functionality and improve workflow efficiency and timeliness while improving data quality, accessibility and reporting. The new case management system, which will launch early in the 2018-19 financial year, will also enable the public to lodge, monitor and manage their cases through a portal.

## Risk oversight and management

As the Accountable Authority, the General Manager, is responsible for ensuring the Commission meets the requirements of the *Public Governance, Performance and Accountability Act 2013*. The Commission will ensure that high standards of governance, performance and accountability are met, that public resources are managed properly and that meaningful information is provided to Parliament and the public, including through the Commission's annual report.

The Commission will continue to embed a contemporary risk management culture and practices across the organisation, in line with the risk management framework introduced by the *Public Governance, Performance and Accountability Act 2013*. We actively manage risk, including through our risk register, internal audit program and by maintaining a majority of our Audit Committee members as external to the organisation

The Commission's risk management framework establishes processes for managing risk at the operational and strategic level. The main elements of the risk management framework adopted by the Commission are the Risk Management Plan, the internal audit function, the Work Health and Safety Management System and the Fraud Control Plan.

The Commission assesses its risk maturity level annually through the Comcover Benchmarking Survey. Over the next four years covered by this plan, the Commission aims to improve on the risk maturity target outlined in the 2017-18 survey results.

## Key risks

The risk that is most relevant to the Commission's day to day operations is maintaining our reputation as an independent and expert workplace relations tribunal that is accessible to all Australians. We maintain our reputation by performing statutory functions and exercising associated powers according



to our legislative mandate in a manner that is fair and just; quick, informal and avoids unnecessary technicalities; open and transparent; and that promotes harmonious and cooperative workplace relations.

Members of the tribunal are supported in performing their statutory functions by Commission staff. This makes the attraction, retention and promotion of quality staff an associated risk, mitigated by building and maintaining workforce capability.

Another significant and associated risk concerns ensuring that the information we provide to tribunal users and to the Australian community is accurate, up to date and relevant to their needs. By continuing to improve the quality of our information, we help tribunal users understand our processes and their likely outcomes so they can participate with confidence in cases before the Commission.

# 6 PERFORMANCE

The Commission will focus on delivering the following strategies to achieve intended results, which will be measured by the performance measures set out in this plan and Key Performance Indicators (KPIs) from the 2018-19 Portfolio Budget Statements.

## ACTIVITY ONE:

### Powers and functions are exercised in accordance with the Fair Work Act 2009

#### Delivery strategies

In exercising powers and functions, the Commission will improve the services that it provides to the community by:

- Engaging with the community in order to better understand user needs and to tailor services appropriately
- Developing our organisational capability to deliver services of the highest standard

#### INTENDED RESULT

The community understands the role of the Commission and recognises it as an independent and expert workplace relations tribunal.

#### PERFORMANCE MEASURE AND TARGETS

Performance measures and targets	PBS	Data Source	2018-19	2019-20	2020-21	2021-22
Survey 80 per cent of parties in individual matters following a staff conference or conciliation	No	Survey forms	✓	✓	✓	✓
At least 80 per cent of survey respondents in individual matters following a staff conference or conciliation are satisfied that their conference conciliator was even handed	No	Survey forms	✓	✓	✓	✓
Report on the activities that involved consultation with users about improving service delivery	No	Internal report	✓	✓	✓	✓

## Delivery strategies

The Commission will improve its provision of information and service delivery by:

- Assessing the accessibility of our services and information
- Where appropriate, adopting new technology to improve our services
- Adopting appropriate design and user experience principles in delivering services.

### INTENDED RESULT

The Commission is accessible to all Australians, recognising the community's diverse needs and expectations.

### PERFORMANCE MEASURE AND TARGETS

Performance measures and targets	PBS	Data Source	2018-19	2019-20	2020-21	2021-22
At least 80 per cent of survey respondents in individual matters following a staff conference or conciliation found information on the Commission's website was easy to understand	No	Survey forms	✓	✓	✓	✓
At least 80 per cent of survey respondents in individual matters following a staff conference or conciliation are satisfied with the relevance of information provided by the Commission	No	Survey forms	✓	✓	✓	✓
At least 75 per cent of survey respondents in individual matters following a staff conference or conciliation are satisfied with information provided by the Commission about its processes	No	Survey forms	✓	✓	✓	✓
Monitor and report on the use of technology that has been implemented in order to improve access to, or delivery of, Commission services	No	Internal report	✓	✓	✓	✓

## Delivery strategies

The Commission will continue to benchmark our performance and develop reporting capability in order to demonstrate timeliness in service delivery and to ensure transparency and accountability:

### INTENDED RESULT

The Commission is efficient, accountable and transparent.

**PERFORMANCE MEASURE AND TARGETS**

Performance measures and targets	Target	PBS	Data Source	2018-19	2019-20	2020-21	2021-22
Improve or maintain the median time elapsed from lodging applications to finalising conciliations in unfair dismissal applications	34 days	Yes	Annual report	✓	✓	✓	✓
Annual wage review to be completed to enable an operative date of 1 July	30 June	Yes	Published decision	✓	✓	✓	✓
Improve or maintain the median agreement approval time for agreements approved without undertakings	32 days	Yes	Annual report	✓	✓	✓	✓

## ACTIVITY TWO: Organisational capability is enhanced

**Delivery strategies**

Underpinning our delivery of Activity One, the Commission will continue to develop its organisational capability by:

- Continuing to improve the capabilities and skills of its workforce as the key enabler of performance
- Implementing a learning management system
- Reviewing and strengthening governance structures and processes
- Demonstrating the cultural pillars of innovation, collaboration and service excellence
- Embedding contemporary risk management practices in operational activities

**INTENDED RESULT**

The Commission is a highly skilled and agile organisation in which its people, processes, systems and technology are aligned to deliver high quality, efficient and effective services to the community.

**PERFORMANCE MEASURE AND TARGETS**

Performance measures and targets	PBS	Data Source	2018-19	2019-20	2020-21	2021-22
Maintain or improve the number of professional development plans that specify individual and/or organisational professional development goals *2017-18 achievement was 100%	No	Internal reporting	✓	✓	✓	✓
At least 30 per cent of staff are offered an opportunity to experience work outside their usual role, participate in a cross organisational project or be involved in a service improvement project	No	Internal reporting	✓	✓	✓	✓

## CONTACT US

Online

[fwc.gov.au](http://fwc.gov.au)

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If you need an interpreter, call TIS National on **131 450**



If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.  
For more information visit [relayservice.gov.au](http://relayservice.gov.au)



To view our YouTube channel visit [youtube.com/user/FairWorkAu](https://youtube.com/user/FairWorkAu)