



## Privacy notice

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### Fair Work Commission Online Lodgment Service

**For privacy enquiries contact:**

The Privacy Officer  
Fair Work Commission  
Email: [privacy@fwc.gov.au](mailto:privacy@fwc.gov.au)  
Post: GPO Box 1994, Melbourne VIC 3001

#### About this notice

The Fair Work Commission Online Lodgment Service (OLS) is an online platform for the lodgment of Fair Work Commission (Commission) forms and supporting documents.

In order to use the OLS, users need to create an account. The purpose of this notice is to explain how the Commission collects personal information when users create an OLS account, and how the Commission uses and discloses that personal information. The Commission is required to comply with the *Privacy Act 1988* (Cth).

Each of the Commission's forms has a privacy notice that explains how the Commission collects, uses and discloses personal information in connection with that form. If you are lodging a form through the OLS, you should read the privacy notice for that form in addition to this privacy notice.

#### Why we collect personal information

Creating an OLS account allows users to fill out and save forms for future use; view, edit and delete forms that have been saved but not lodged; lodge forms and supporting documents; view information about their cases; and view documents that they have previously lodged.

In creating an account, users need to provide their full name, email address, phone number and address and create a password. The Commission collects the information that users provide in the course of using the OLS, including the information contained in forms that the user has saved but not lodged and in forms and other documents that the user has lodged. This may include personal information about the user or about other individuals.

The Commission collects personal information for the primary purpose of enabling users to use the OLS to lodge applications and other documents with the Commission so that the Commission can deal with them in accordance with its powers and functions under the *Fair Work Act 2009* (Cth).

If the Commission did not collect this personal information, users would not be able to use the OLS to fill out and save forms for future use; view, edit or delete forms that have been saved but not lodged; lodge forms and supporting documents; view information about their cases; or view documents that they have previously lodged.

The Commission may contact users from time to time using the details they provided to create their account to ask for feedback about the OLS or to give users information about the OLS, such as new or updated forms.

## Use and disclosure of personal information

The OLS is hosted by the Commission.

The OLS stores the information provided by users in the course of using the OLS, including their name and contact details, and how they have used the OLS such as the forms that have been accessed, the information contained in forms that the user has saved (whether not those forms have been lodged) and the status of users' cases, including forms and supporting documents that users have lodged. This information is stored in the Commission's cloud-based infrastructure. Records (such as applications, draft applications etc) created through the OLS will be managed as with other records before the Commission, in accordance with the relevant records authorities and the Commission's normal administrative process (**NAP**) policy. Users will also be notified that a draft application will be deleted within a particular timeframe.

The Commission or its contractors may access, on a confidential basis, personal information that is stored on the OLS for professional development purposes; to conduct research projects related to the Commission's functions; to identify improvements to Commission processes and procedures; to verify users' details if they have trouble creating or accessing their account; to ensure the OLS is secure; for system maintenance; and to resolve technical malfunctions.

The Commission may track users' progress in filling out forms that have been saved but not lodged and track the status of users' cases, including forms and supporting documents that users have lodged.

Where the OLS allows a user to ask questions or give feedback, the Commission will collect any personal information supplied by the user and may use their contact details to respond to them.

The Commission may disclose personal information that is stored on the OLS to members of the public or specified persons or bodies pursuant to:

- section 655 of the *Fair Work Act 2009* (Cth), which provides that the President may disclose, or authorise the disclosure of, information acquired by the Commission in the performance of its functions if the President reasonably believes that it is necessary or appropriate to do so in the course of performing Commission functions or that it is likely to assist in the administration or enforcement of a Commonwealth or State or Territory law;
- an order that requires the Commission to produce documents to a court or tribunal;
- an Australian law under which the Commission may be required or authorised to disclose documents, such as the *Freedom of Information Act 1982* (Cth);
- a contract under which the Commission engages a contracted service provider to assist the Commission in carrying out its functions and activities; and
- other purposes or circumstances permitted by the *Privacy Act 1988* (Cth).

Users' passwords will not be disclosed to the Commission, its contractors or any third parties.

The OLS uses cookies to see patterns in usage. A cookie is a small text file that the OLS' server puts on a user's hard drive, that shows that the user has visited the website more than once. Cookies remember the user's browser between page visits.

When a user accesses the OLS, the Commission records the following anonymous information for statistical purposes: the server address; the operating system (such as Windows or Mac); the top-level domain name (such as .com, .au); the date and time; the pages looked at and forms accessed; when the user last visited the OLS; and the browser used (such as Chrome or Edge).

When a user is accessing the OLS, the Commission provides encrypted connections between the browser running on the user's device and the OLS or services that use third party validated certificates. The encryption process that the Commission uses is Secure Socket Layer (SSL).

## Payment of lodgement fees

If a user chooses to pay an application lodgement fee using the secure credit card payment facility, they are asked to provide credit card details. The user provides this information to the Commission's credit card service provider to process the transaction. The information required to carry out the transaction is entered by the user directly into the third party's secure payment site, and may be retained by the third party to facilitate future transactions including refunds or to meet legal obligations. Transactions are processed using industry standard encryption protocols.

The user's contact information is kept by the Commission to process transactions. It will not be published or passed onto any other third parties. The Commission does not retain any credit card information from the online payment process.

## For more information

The Commission's [Privacy policy](#), contains information about how users can access and seek correction of personal information that is held by the Commission; how they can complain about a breach of privacy; and how the Commission deals with privacy complaints.

Any concerns or complaints about privacy should first be made in writing to:

Privacy  
The Privacy Officer  
Fair Work Commission  
Email: [privacy@fwc.gov.au](mailto:privacy@fwc.gov.au)  
Post: GPO Box 1994, Melbourne VIC 3001