Disputes under awards & agreements

Types of disputes

The Fair Work Commission (the Commission) can assist with a dispute if the dispute arises under:

- a national system award or enterprise agreement containing the 'model term for dealing with disputes', or

- a national system award or agreement containing a dispute resolution procedure that allows for the Commission's assistance.

In this type of dispute the Commission can only exercise the powers outlined in the dispute resolution procedure or agreed to by the parties.

The Commission may assist with a dispute by mediation or conciliation, or by making a recommendation or expressing an opinion. The Commission may arbitrate the dispute if the dispute resolution procedure allows it or the parties agree.

The model dispute resolution procedure

Enterprise agreements are required to contain a procedure for dealing with disputes.


The model term provides for a party to the dispute to refer the matter to the Commission or its predecessor Fair Work Australia if discussions at the workplace level do not achieve a resolution.

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This fact sheet is not intended to be comprehensive. It is designed to assist in gaining an understanding of the Fair Work Commission and its work. The Fair Work Commission does not provide legal advice.