Our role

What is the Fair Work Commission?
The Fair Work Commission (the Commission) is the national workplace relations tribunal. It is an independent body with power to carry out a range of functions including:

- providing a safety net of minimum conditions, including minimum wages, in awards
- facilitating good faith bargaining and the making of enterprise agreements
- granting remedies for unfair dismissal
- regulating the taking of industrial action
- resolving a range of collective and individual workplace disputes through conciliation, mediation and in some cases arbitration
- functions in connection with workplace determinations, equal remuneration, transfer of business, general workplace protections, right of entry and stand down.

The work of the Fair Work Commission is carried out by Commission members with the support of administrative staff.

How was the Commission established?
Fair Work Australia (now the Fair Work Commission) began operation on 1 July 2009 following the enactment of the Fair Work Act 2009 and associated transitional legislation. The new tribunal assumed the functions of the Australian Industrial Relations Commission and the Australian Industrial Registry (both date back to 1904) and the Australian Fair Pay Commission (established in 2005) and some of the functions of the Workplace Authority (established in 2007). It was renamed the Fair Work Commission on 1 January 2013 following enactment of the Fair Work Amendment Act 2012.

The Commission is part of Australia’s national workplace relations system which also includes the Fair Work Ombudsman, Fair Work Building and Construction and the Fair Work divisions of the Federal Court of Australia and the Federal Circuit Court of Australia.

What is the relevant legislation?
The Commission operates under the Fair Work Act 2009. It also has responsibilities relating to the registration of unions and employer associations and their financial accountability. This work is governed by the Fair Work (Registered Organisations) Act 2009.

What is the role of the General Manager?
The General Manager is a statutory appointee who assists the President of the Fair Work Commission and oversees the administration of Commission staff.

Together the General Manager and Commission staff constitute a statutory agency with the General Manager the head of the agency.

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