

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Supplementary Budget Estimates 2013-2014**

Agency - Fair Work Commission

Department of Employment Question No. EM0111_14

Senator Cameron asked on 21 November 2013 , Hansard page 16

Question

FWC - 'Go Away Money' in unfair dismissal cases

Senator CAMERON: Have any of your commissioners, deputy presidents or any of the officers of the commission made any speeches or analysis on this issue of go-away money?

Ms O'Neill: None spring to mind, but I have to take that on notice.

Senator CAMERON: I would think so

Answer

The issue of 'go away' money has not been the subject of speeches nor presentations on record. The FWC publishes a record of speeches provided by members at <http://www.fwc.gov.au/index.cfm?pagename=aboutspeeches>.

This record may not constitute a full and complete record of all speeches as the published speeches are provided at the member's discretion. Accordingly, the issue of 'go away money' in regards to monetary settlement of unfair dismissal matters may have been raised, either directly or indirectly, in speeches or presentations by members of the Commission or its senior staff.

The General Manager's report into the operation of the first three years of the *Fair Work Act 2009 (Cth)* unfair dismissal system provides analysis of monetary settlements of unfair dismissal claims (see pages 34 - 37). This report is available on the Commission's website at <http://www.fwc.gov.au/documents/UDS.pdf>.

Information briefs prepared for senior managers have, from time to time, included discussion on the issue of 'go away' money, noting that records of outcomes of conciliation do not distinguish between compensation and other matters, such as outstanding entitlements.

Information about conciliation outcomes is available on the website at <http://www.fwc.gov.au/index.cfm?pagename=dismissalsOutcomes>.