

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2015 - 2016

Agency - Fair Work Building and Construction

Department of Employment Question No. EMSQ16-000177

Senator Cameron asked on 12 February 2016 on proof Hansard page 62

Question

FWBC - Cost of matters

Senator CAMERON: Okay. I appreciate that. How much have matters in the bullying jurisdiction of the Fair Work Commission cost?

Mr Corney: I think there was a response to that. There was an amount of something in the order of \$51,000, I think, which was the legal fees.

Senator CAMERON: I am happy with that figure. You can check it for accuracy.

Mr Corney: That was what was announced.

Senator CAMERON: In those terms I am happy for that and for you to check it. There were only two actions. What was the cause of these actions?

Mr Corney: Just to clarify, we are talking about the two judicial review actions, are we?

Senator CAMERON: Any workplace related legal proceedings of any kind against the organisation.

Mr Corney: That is a far broader question than what was put. I will take it on notice to total those over time, Senator.

Senator CAMERON: So you do have some?

Mr Corney: Yes, certainly.

Senator CAMERON: Since October 2013?

Mr Corney: Since October 2013, all matters in courts and tribunals that relate to employment related matters, is that your question?

Senator CAMERON: How many workplace related legal proceedings of any kind have been commenced against Fair Work Building and Construction since October 2013? Can I just clarify that so that there is no concern about privacy and all of this argument. I want the cause of the action, the jurisdiction, the cost and the result.

Mr Corney: Certainly.

Answer

Fair Work Commission matters until 31 January 2016: \$51,335.92.

Workplace related legal proceedings since October 2013 until 31 January 2016:

Cause	Venue	Cost	Outcome
Matter 1: Judicial review under the Administrative Decisions (Judicial Review) Act	Federal Circuit Court	\$387.10	Interlocutory Hearing 3 May 2016; Final Hearing 19/20 October 2016.
Matter 2: Part 3 -1 <i>Fair Work Act</i> General protections provisions	Fair Work Commission	\$59,254.96	Action discontinued by Applicant.

Matter 3: <i>Fair Work Act:</i> Unfair Dismissal	Fair Work Commission	\$10,441.32	Action discontinued by Applicant.
Matter 4: <i>Fair Work Act:</i> Unfair Dismissal	Fair Work Commission	\$12,345.26	Action discontinued by Applicant.
Matter 5: <i>Fair Work Act:</i> Unfair Dismissal	Fair Work Commission	\$13,239.00	Action discontinued by Applicant.
Matter 6: Judicial review under the Administrative Decisions (Judicial Review) Act + others	Federal Circuit Court, Fair Work Commission, Australian Human Rights Commission	\$59,105.55	Action discontinued by Applicant.
Matter 7: Application under Sex Discrimination Act	Australian Human Rights Commission	\$34,784.86	Action discontinued by Applicant.