

## **Senate Standing Committee on Education and Employment**

### **QUESTIONS ON NOTICE Budget Estimates 2017 - 2018**

**Agency - Fair Work Commission**

**Department of Employment Question No. EMSQ17-004104**

**Senator Abetz asked on 30 May 2017 on proof Hansard page 13**

#### **Question**

##### **FWC - Ms Wells and anti-bullying orders**

Senator ABETZ: Right. And that would have been discovered whilst this matter was with the Fair Work Commission, because it was seized of the matter before it being referred to the Registered Organisations Commission. And I note an article of 4 July 2015 about a Federal Court case that Ms Wells was involved in, where it states:

A senior Fair Work commissioner responsible for anti-bullying orders and who plans to lecture publicly on the subject has been accused of workplace bullying and intimidation. Now is it true that Ms Wells hears applications for anti-bullying orders?

Ms O'Neill: There is not a delineation of particular members generally having particular matter types, but I do not know as a matter of fact whether Deputy President Wells has been allocated and dealt with any anti-bullying matters. I am happy to take that on notice.

Senator ABETZ: All right, can you take that on notice? Thank you.

#### **Answer**

Since her appointment to the Fair Work Commission (Commission) on 5 August 2013, Deputy President Wells has dealt with a number of Commission anti-bullying applications.

Consistent with past practice, the Commission regrets that it cannot provide details of the allocation of matters to individual Members, because to do so would compromise the essential independence of the Commission. This was explained at length, for example, in the Commission's response to question on notice EMSQ15-000488.

Where anti-bullying applications result in substantive Decisions, the Decisions are published on the Commission's website.