



10 February 2016

Committee Secretary
Senate Standing Committees on Education and Employment
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary

Request to correct responses to questions on notice EMSQ15-00485 and EMSQ15-000483

The Fair Work Commission is seeking to correct its response to questions on notice EMSQ15-00485 and EMSQ15-000483.

Question EMSQ15-000485 asked the Commission:

Can you provide the number of unfair dismissal applications and general protections applications since the commencement of the Fair Work Act?

The Commission provided the following response:

Table – lodgments – unfair dismissal and general protections (involving dismissal) applications

Application type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
s.394 unfair dismissal	11 116	12 840	14 027	14 818	14 797	16 624
s.365 general protections (involving dismissal)	1188	1871	2162	2429	2879	3382

The number of s.394 Unfair Dismissal applications for 2014-15 should have been 14 624, not 16 624. The Commission seeks to correct its response to read:

Table – lodgments – unfair dismissal and general protections (involving dismissal) applications

Application type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
s.394 unfair dismissal	11 116	12 840	14 027	14 818	14 797	14 624
s.365 general protections (involving dismissal)	1188	1871	2162	2429	2879	3382

Question EMSQ15-00483 asked:

Has the FWC engaged consultants within the last 24 months to conduct reviews or analysis of the Commission's management of internal operations, management of travel or resourcing, or distribution of work amongst members of the Commission or its staff?

If so, has the FWC received the report, or a draft of the report?

- a) *Please provide the identity of the consultant; and*
- b) *Please provide the scope of their review;*
- c) *Please provide the cost of the review; and*
- d) *Please provide a copy of any report.*

The Commission provided the following response:

Identity of consultant	Scope of review	Cost of the review (incl. GST)	Copy of report provided?
Centre for Innovative Justice	Review of the unfair dismissal pro bono pilot program in Victoria	\$2200	Published on the Commission website (www.fwc.gov.au/documents/documents/resources/RMITProBonoPilotReview.pdf)
Inca Consulting Pty Ltd	Review of agreements pilot	\$10 753	Published on the Commission website (www.fwc.gov.au/documents/documents/resources/EA-pilot-review-final-report-May-2015.pdf)
Inca Consulting Pty Ltd	Review of General Protections Pilot	\$10 753	Published on the Commission website (www.fwc.gov.au/creating-fair-workplaces/research/general-protections-pilot-program)
RMIT	Review of changes in industry work of the Fair Work Commission	\$11 370	Report not finalised
KPMG	Comparative review of best practice in courts and tribunals, including	\$251 700	The report is intended to be made publicly available and can be provided to the Committee following internal consideration

	performance measures.		and discussion.
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The Commission has today identified 2 errors in the figures provided for this response.

The Commission seeks to correct its response to read:

Identity of consultant	Scope of review	Cost of the review (incl. GST)	Copy of report provided?
Centre for Innovative Justice	Review of the unfair dismissal pro bono pilot program in Victoria	\$2200	Published on the Commission website (www.fwc.gov.au/documents/documents/resources/RMITProBonoPilotReview.pdf)
Inca Consulting Pty Ltd	Review of agreements pilot	\$10 753	Published on the Commission website (www.fwc.gov.au/documents/documents/resources/EA-pilot-review-final-report-May-2015.pdf)
Inca Consulting Pty Ltd	Review of General Protections Pilot	\$10 753	Published on the Commission website (www.fwc.gov.au/creating-fair-workplaces/research/general-protections-pilot-program)
RMIT	Review of changes in industry work of the Fair Work Commission	\$12 507*	Report not finalised
KPMG	Comparative review of best practice in courts and tribunals, including performance measures.	\$252 300	The report is intended to be made publicly available and can be provided to the Committee following internal consideration and discussion

*The Commission has not made payment in full for this review. As at 10 February 2016, the Commission has paid \$9 900.

Consultants engaged to undertake internal and external audit functions and specific project reviews have not been included.

The Commission would like to apologise for any inconvenience this has caused.

Yours sincerely

Adele McKenzie
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 Reporting, Planning & Legal team
 Fair Work Commission