

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Budget Estimates 2012-2013**

**Agency - Fair Work Australia**

**DEEWR Question No. EW0019\_13**

**Senator Abetz provided in writing.**

**Question**

**FWA - Cost of providing conciliation services for Unfair Dismissal**

1. What has been the total cost of providing conciliation services for:
  - a. Unfair dismissal;
  - b. Adverse Action; and
  - c. Other areas
  
2. What have been the sizes of the businesses (by any available measure) in each particular area mentioned in (1)?

**Answer**

*Fair Work Australia has provided the following response.*

- (1) (a) The total cost of providing conciliation services for unfair dismissal applications cannot be precisely identified. The total remuneration cost for conciliators for 2011-12 was \$3.708M (including leave accruals, superannuation etc). There were 11,118 conciliations conducted in 2011-12, equating to approximately \$333 per conciliation. Other costs incurred cannot be solely attributed to the conduct of conciliations, such as administrative support and accommodation, which have not been included for the purpose of this answer.  
  
(b) and (c) Conferences for adverse action applications and other matters are conducted by members of the tribunal as part of their statutory duties under the *Fair Work Act 2009*. The costs of members conducting conciliation in any matter cannot be separately identified.
  
- (2) In relation to applications for an unfair dismissal remedy (S394 Fair Work Act), for the period 1 July 2011 to 30 June 2012 where matters were conciliated, the size of businesses based on information provided by the respondent, were as recorded in the table below.

<b>Number of Employees</b>	<b>2011-12</b>
<b>1-14</b>	<b>2314</b>
<b>15-99</b>	<b>3374</b>
<b>100+</b>	<b>4599</b>
<b>Unknown*</b>	<b>860</b>
<b>Total</b>	<b>11147</b>

\* Unknown as information not provided or number of employees in dispute

Parties to proceedings under sections 365 and 372 of the Fair Work Act and most other matters before Fair Work Australia (not related to unfair dismissal) are not required to provide information about the size of the business. Accordingly, Fair Work Australia is unable to provide information about the sizes of the businesses (by any available measure) in relation to adverse action and other matters.