Unfair dismissal conciliation research

Friday, 19 November 2010

Fair Work Australia today released the findings of independent research commissioned to examine the new conciliation process for unfair dismissal applications introduced from 1 July 2009.

The research examined the experiences of applicants, respondents and their representatives with the tribunal's administration of unfair dismissal applications, from the making of an application through to the conclusion of the new conciliation process conducted by Fair Work Australia employed conciliators.

The key changes in the conciliation process are the use of a dedicated team of qualified staff to conduct the conciliations and the use of telephone conferences in most cases.

More than 90% of the conciliations are conducted by telephone conference and more than 80% of the applications conciliated are settled by agreement between the parties.

The research was conducted by TNS Social Research, following an open tender process. It principally comprised a national telephone survey drawn from the 5423 applicants, respondents and representatives who had dealt with an unfair dismissal application between 1 February and 20 July 2010 and who had previously consented to take part in the research.

A total of 1100 telephone interviews were completed involving 500 applicants, 500 respondents and 100 representatives, with each interview lasting an average of approximately 16 minutes. Quotas were used to ensure those interviewed formed a representative sample. They included persons from metropolitan and regional areas across all states and territories of Australia.

The independent research shows that overall satisfaction with Fair Work Australia's administration of unfair dismissal applications is high with 86% of applicants, 82% of respondents and 87% of representatives reporting they were satisfied or extremely satisfied with the service provided by Fair Work Australia.

The new conciliation process has been well received by most participants. Some 78% of applicants, 81% of respondents and 58% of representatives agreed or strongly agreed the conciliation of an unfair dismissal application by telephone conference works well.

Further, some 86% of applicants and 88% of respondents considered that having the conciliation over the telephone was convenient and cost effective, while 72% of applicants and 59% of respondents reported that having the conciliation over the telephone was more comfortable than being in the same room with the other party.

The overall ratings for the Fair Work Australia conciliators are also high, with 86% of applicants, 89% of respondents and 92% of representatives expressing that they were satisfied or extremely satisfied with the conciliators.