

Question on Notice

No. 426

Asked on Wednesday 29 March 2006

MR ROBERTS ASKED THE MINISTER FOR EMPLOYMENT, TRAINING AND INDUSTRIAL RELATIONS AND MINISTER FOR SPORT (MR BARTON)—

QUESTION

With reference to the Queensland Industrial Relations system—

Will he provide details of (a) the number of unfair dismissal claims lodged and (b) the number of unlawful dismissal claims lodged for each of the last five reporting periods?

ANSWER

Unlike the federal system the Queensland industrial relations system does not distinguish between unfair and unlawful dismissals. An application for reinstatement can be filed claiming the reason for dismissal was harsh unjust or unreasonable or was for an invalid reason. Invalid reasons include similar reasons to the unlawful termination provisions of the federal legislation such as temporary absence due to illness or injury, discrimination, union membership or activity, refusing to sign a workplace agreement and taking parental leave.

All applications filed for reinstatement are on the basis of the dismissal being unfair. Separate records in relation to whether the dismissal is unfair because it is harsh, unjust or unreasonable or because it is for an invalid reason are not kept.

The number of applications for reinstatement (unfair dismissal claims) filed for each of the last five reporting periods is as follows;

2004/2005 – 1469
2003/2004 – 1575
2002/2003 – 1671
2001/2002 – 1726
2000/2001 – 1832

It is estimated that 80% of applications are finalised without the need for arbitration. This clearly demonstrates the efficiency of the Queensland Industrial Relations system with its emphasis on simple, user friendly and informal proceedings.