



Industrial Relations Commission New South Wales

LGNSW EMPLOYMENT LAW SEMINAR

**SPEECH FOR 8 MAY 2025 AT SWISSOTEL, 68 MARKET STREET,
SYDNEY**

COMMISSIONER JANET MCDONALD

[Slide 1 – Tile Page]

- 1 Thank you for inviting me to speak to you today, here on the lands of the Gadigal people of the Eora Nation. Thank you, Ross, for your kind introduction.
- 2 I was invited today to give an update on trends; however I thought it might be more useful if I provided an update on developments at the Industrial Relations Commission itself as a lot has happened in a little over a year.

Key Events

- 3 **[Slide 2 – Key Events 2023 - 2024]** I thought it might help if I provide a bit of a timeline of key events starting with the important passing of the *Industrial Relations Amendment Act 2023* on **5 December 2023**, around nine months after the Labor State Government was elected. That Act, for all intents and purposes, restored the *Industrial Relations Act 1996* to the form it was in prior to the abolition of the Industrial Court in 2016. It also however, introduced the concept of ‘Mutal Gains Bargaining’ as a negotiation model for industrial parties to reach consensus on employment terms and conditions. That part of the Act commenced on **15 December 2023** however, so far there has been very little take up of the process by industrial parties. Indeed, our records indicate that only two matters have gone down the Mutual Gains Bargaining route since Chapter 2A was introduced – one of which is the Port Stephens Council Enterprise Agreement 2025-2028.

- 4 The more significant reforms brought about by the *Industrial Relations Amendment Act 2023* commenced on **1 July 2024**.
- 5 First and foremost was the re-establishment of the Industrial Relations Commission in Court Session – known as the Industrial Court and the swearing in of the Honourable Justice Ingmar Taylor, President, the Honourable Justice David Chin, Vice President and the Honourable Justice Jane Paingakulam, Deputy President.
- 6 The judges are based at 47 Bridge Street, Sydney and the Commissioners primarily remain at 10 Smith Street, Parramatta, but can, when necessary, sit in the city and as I will explain shortly, Commissioner O’Sullivan now sits every second Wednesday in Newcastle. Registries are available at both CBD and Paramatta locations.
- 7 The re-establishment of the Court meant that the presidential members of the Industrial Relations Commission can now exercise judicial functions such as proceedings for an offence prescribed in the *Industrial Relations Act*, contempt of the Commission, unfair contracts, proceedings for declarations of right and federal underpayment claims (the Industrial Relations Commission being an “Eligible State Court” under s 12 of the *Fair Work Act 2009* (Cth)).
- 8 Notably, prosecutions under the *Work Health and Safety Act 2011* were transferred from the District Court to the Industrial Court, together with various other work, health and safety matters, although prosecutions for Category 1 offences remain with the District Court. As of Tuesday, 6 May 2025, there were 163 active work, health and safety prosecutions before the Court.
- 9 The re-establishment of the Court meant there was a flurry of activity to ensure our Rules and Practice Notes were fit for purpose. While work in that regard continues, on 1 July 2024, literally minutes after the justices were sworn in, the Rules Committee met to promulgate amendments to the Industrial Relations Commission Rules 2022, approve new forms, and arrange for Criminal Practice Note No 1 to be issued and Practice Notes 2A (List of Authorities and

Legislation) and 32 (Usual Directions regarding Length, Presentation and Formatting of Documents) to be amended.

- 10 On **12 August 2024** Karen Jones was appointed as Industrial Registrar and, on **20 December 2024**, three acting judges were sworn in, to assist the work of the Court, primarily in the area of work, health and safety prosecutions and Full Bench appeals. **[Slide 3 – Key Events 2024- 2025]**
- 11 The Honourable Justice Monika Schmidt AM was previously appointed as a Judge of the Industrial Court and Deputy President of the Industrial Relations Commission in 1993 before being sworn as judge of the Supreme Court in 2009. She sat on the New South Wales Court of Criminal appeal, before retiring in 2019. She continues to serve as an Acting Justice of the Supreme Court.
- 12 The Honourable Justice Robert Hulme was both a Crown Prosecutor and Public Defender before being appointed as a judge of the District Court in 2005, and of the Supreme Court of New South Wales in 2009. He also sat on the New South Wales Court of Criminal Appeal. He continues to serve as an Acting Justice of the Supreme Court following his retirement in 2022.
- 13 Lastly, the Honourable Justice Kite was the Chief Commissioner of the Industrial Relations Commission from 2017 to 2019, after having served as Acting Deputy President of the Commission and Acting Judge of the Industrial Court of New South Wales. Prior to his appointment, Acting Justice Kite was recognised as a leading Senior Counsel specialising in industrial relations and an accredited mediator with the New South Wales Bar Association.
- 14 On the same day that the acting justices were sworn in, the Full Bench made new Award Making Principles when it delivered its fourth decision as part of the *State Wage Case 2024*. I'll return to discuss that decision in slightly more detail shortly.
- 15 On **2 March 2025** the *Industrial Relations Amendment Act 2025* was assented to. This Act made various amendments to the *Industrial Relations Act* and

various other Acts, that had become necessary due to the previous amendments made to the *Industrial Relations Act* in July 2024, in particular in respect of the Court's criminal jurisdiction.

- 16 The Commission's old premises in Newcastle sadly closed last year, but starting on **26 March 2025**, the Commission is now sitting in the Newcastle Local Court building every second Wednesday. I am informed by Commissioner O'Sullivan, who is conducting those hearings, that they are popular, and indeed on some fortnights he is having to add a second day. Parties are encouraged when filing applications to identify if a matter is suitable to be heard in person in Newcastle. This can be done by emailing IRC.Registry@courtsnsw.gov.au. Parties should be aware that if a request is made to list a matter at Newcastle, the Commission may list the matter for mention by telephone on short notice, so that the Commission can ascertain whether it is appropriate for the matter to be listed in Newcastle and/or whether other arrangements need to be made to ensure all parties are able to attend.
- 17 On **7 April 2025** the Industrial Relations Commission Rules were further amended. Generally, the amendments made to the Rules, like those made by the 2025 Amendment Act, were made to cover off issues arising from the Commission's expanded jurisdiction. Two days later, on **9 April 2025** the *Industrial Relations Amendment (Transport Sector Gig Workers and Others) Act 2025* was assented to, although not all amendments wrought by that Act have commenced. This Act extends certain provisions of the *Industrial Relations Act* relating to contracts of carriage to transport sector gig workers, as well as transport companies with fewer than five vehicles.
- 18 It is likely that the Rules and Practice Notes will continue to evolve over the near term as the Commission beds down its revived and expanded jurisdiction and continues to enhance its efficiency and capacity. Consequently, parties should always check the current version of the Rules, Practice Notes and Forms when appearing in the Commission to ensure they are following the correct procedures.

Practice and Procedure Highlights

- 19 **[Slide 4 – Practice and Procedure Highlights - Rules]** In the short time I have to speak to you, I thought I might highlight a couple of aspects of the Commission’s practice and procedure that might be of particular interest and importance to this group.
- 20 The first is **Rule 2.5(1)(d)** of the Industrial Relations Commission Rules 2022. The focus of the President since he was sworn in has been to enhance the efficiency and capacity of the Commission to assist parties to resolve disputes. It started on the Court’s first day when the Rules Committee met and formally resolved to amend the Rules to allow electronic filing where documents cannot otherwise be filed using the Online Registry. The President and the Registrar and their teams have also been working hard to improve the functionality of the Online Registry and to get more of the Commission’s forms available for use through the Online Registry. Since January 2024, we have been rolling out improvements to the Online Registry as part of the Industrial Court Digitisation Project. These changes are all about making it easier and more convenient for users to file matters online. Since 1 July 2024, we have added 19 more forms—and a remaining 30 forms are on track to go live by the end of June 2025.
- 21 The second and third matters I wanted to highlight are the provisions applicable to the making of consent awards and enterprise agreements, in particular **Rules 6.8 and 6.9, the Award Making Principles, the Principles for Approval of Enterprise Agreements and of course, the relevant provisions of the Act.** Local Government NSW and the unions representing employees who work in Local Government have a rightly proud reputation for reaching agreement in respect of the Local Government (State) Award 2023 for over 30 years. Assuming that approach continues, the application for approval of future versions of that Award and other awards covering Local Government employees will presumably continue to be handled by Mr Dansie and his team. Nevertheless, not all councils are covered by the Local Government (State) Award, and from time-to-time applications are made for variations to Local Government awards during their term by consent. Similarly, there are

numerous registered enterprise agreements covering local government employees.

- 22 Recently, Commissioner Muir and I gave a seminar on consent applications for awards and for approval of enterprise agreements, in part because we were becoming concerned that parties were filing non-compliant materials when seeking to get a new award or variation to an existing award made by consent and when applying for approval of an enterprise agreement. That seminar and the accompanying slides are available to view on our website and we are about to publish the pro forma affidavit and guidance note that came out of that seminar, which will assist parties to effectively comply with the requirements of the Act, Rules, and Award Making Principles.
- 23 I urge any attendee that has the responsibility of applying for a consent award or for the approval of an enterprise agreement to watch the seminar if they did not attend it in person and in any event, to pay particular attention to the various requirements for approval of awards and enterprise agreements when making consent applications.
- 24 **[Slide 5 – Practice and Procedure Highlights – Practice Notes and other Guidance]**. Lastly, I just want to stress again the importance of users checking the Practice Note page on the Commission’s website every time they have a matter before the Commission. Practice Notes in every jurisdiction are amended reasonably frequently, but this is particularly so in respect of the Commission at present, as you can see from the information on the slide, due to its newly expanded jurisdiction and on-going improvements being made to the Commission’s information technology. Since the Court’s re-establishment, the Usual Directions have been amended a number of times, and I anticipate that further Practice Notes are likely to be issued in the future to assist the efficiency and capacity of the Commission, so it is vital that users make regular visits to our website to keep up-to-date.

Recent and Upcoming State Decisions

- 25 **[Slide 6 – State Wage Case 2024]** As some in the room will be aware, every year the Commission summonses the relevant parties to attend the Commission to address whether the Commission should adopt wholly or partly and with or without modification, the Fair Work Commission’s Annual Wage Review by passing on any increase in the rates of pay to State awards; and to review the Commission’s Award Making Principles (previously referred to as the Wage Fixing Principles). This matter is referred to as “the State Wage Case”.
- 26 It is fair to say that from 2011 to 2023 the State Wage Case assumed far less significance than it had previously. While the importance of the State Wage Case was significantly reduced following the commencement of the Howard Government’s enactment of the *Workplace Relations Amendment (Work Choices) Act 2005* in March 2006 and the creation of the national employment system, the importance of the State Wage Case was further diminished after 2011 due to the public sector wages cap – which of course did not apply to Local Government employees. - which meant that the Commission was unable to pass on any increase in rates above the cap. Further, for every year except 2020/2021, the State Government offered the maximum available increase on a rollover basis, which was accepted by the public sector unions. The result was that public sector parties fell out of practice at industrial negotiation and arbitration, and they had little incentive to review awards and consider how they ought to be modernised or consolidated. Consequently, during this period, the Commission’s principles relating to the making of awards and award review, overall, had little work to do.
- 27 The repeal of the wages cap reinstated, in respect of the public sector, the Commission’s broad and unfettered power to arbitrate and make awards where a dispute cannot be resolved by conciliation. That it is a broad power carries with it a need for guidelines so as to create the level of certainty that assists parties to resolve matters consensually. Consequently, the Commission used the State Wage Case 2024 as an opportunity to substantially rework the Wage

Fixing Principles, now renamed as the Award Making Principles. The Principles are the framework which guide the Commission to set award wages and employment conditions.

- 28 Notably, two of Award Making Principles do not apply to Local Government. The first is the Value of Money Principle which is a new principle directed toward the maintenance of the real value of award rates of pay, having regard to inflation and changes in the cost of living. This principle, which does not apply automatically, applies only to the public sector, on the basis that Local Government has had a long and successful history of award negotiations, such that the Full Bench considered that it was not necessary for the principle to apply to that sector.
- 29 The other is the Productivity and Efficiency Principle. Local Government NSW successfully persuaded the Full Bench that applications for wage and salary increases based on productivity or efficiency measures are incongruent with the character of the Local Government (State) Award, which is a skills-based award in which wage and salary increases are tied to the acquisition and use of skill. The lack of any application having ever been made by a relevant union under earlier iterations of this principle evidenced that fact.
- 30 The State Wage Case for 2025 will commence shortly, after the delivery of the Fair Work Commission's Annual Wage Review, and I expect that the Award Making Principles may be further revised at that time.
- 31 **[Slide 7 – Award Review Principles Case 2025]** The second set of proceedings the Commission has initiated is the upcoming 2025 Award Review Principles Case. Section 19 of the *Industrial Relations Act* requires the Commission to review each award every three years, to modernise awards, consolidate awards relating to the same industry, and rescind obsolete awards.
- 32 The current Principles for Award Review were made in way back in 1998. We have initiated proceedings to review those Principles, to determine if they remain fit for purpose.

- 33 Parties have been asked to make submissions on whether awards should have an obligation for plain English drafting, whether award clauses should have a consistent order and format, whether there should be a presumption in favour of consolidating awards and/or standardising conditions that apply to employees employed by the same section or part of the public sector, the need for the Principles to reflect the introduction of mutual gains bargaining in the *Industrial Relations Act*, the procedure by which award review proceedings should be conciliated, whether awards should be reviewed in batches focusing on groups of awards that affect related employees, and whether and how any productivity improvements arising from award reviews and modernisation should be recognised.
- 34 **[Slide 8 – Superannuation Case 2025]** The proceedings which we have most recently initiated is the upcoming 2025 Superannuation Case. In last year’s State Wage Case, the Full Bench resolved to delete the Superannuation Principle, which was no longer fit for purpose. However, many existing State awards do not have a provision for superannuation. That is out of step with Federal awards, which include a term stipulating that the employer must make contributions for the benefit of their employees to at least the level required to meet the superannuation guarantee legislation. There is a real question as to why state public sector employees – and potential Local Government employees - should not be able to enforce an underpayment of their superannuation entitlement as a breach of their award. So, we have invited parties to make submissions on whether a Full Bench ought to establish one or more model superannuation clauses for public sector awards.
- 35 **[Slide 9 – Principles for Approval of Enterprise Agreements]** While not yet slated, I expect that in the not-too-distant future, the Commission will also call on a State case in respect of the Principles for Approval of Enterprise Agreements, which were last reviewed in 2022.
- 36 **[Slide 10 – EA Checklist]** As I outlined in the seminar on consent awards and enterprise agreements that I did with Commission Muir, it is essential that parties seeking approval of an enterprise agreement have regard to the

Principles and to the provisions of the Act and the Rules, but as I also acknowledged, it is a bit of minefield that is rather hard to navigate. While I again commend users to watch our seminar online if they missed it, can I also commend the decision of the President in *State Super Enterprise Agreement 2024 – 2027*[2024] NSWIRComm 8. At the end of the decision, the President provides a very helpful checklist, a version of which should also be put up on our website in the near future.

Assisting Parties

37 **[Slide 11 – Assisting Parties]** We are making various improvements to the way we operate to keep parties up to date on what is happening at the Commission and help them to efficiently resolve disputes.

38 We are in the process of a major update of our website, both in content and user experience. We plan to have information pages, providing guides as to our most common applications.

39 A key improvement that are we hoping to finalise this year is an overhaul of our Awards page. We intend to start publishing Awards directly on our website, rather than by providing links to the Industrial Gazette. We aim to have all awards in a searchable online up-to-date consolidated form.

40 Last year we commenced having a dedicated webpage for major cases, starting with the 2024 State Wage Case, containing all the materials filed, along with full transcript and decisions.

41 We are improving efficiency by starting the move towards paperless hearings. Recent amendments to practice notes now encourage the use of electronic court books, and increasingly orders are being made for materials in large matters to be filed in electronic format only.

42 As I have mentioned, we continue to expand the number of forms that can be filed via the online registry. We are currently running weekly virtual sessions for users who want assistance on how to use our new online filing services, on

Tuesdays at 1.00 pm. You can find all the details about these seminars and sessions on our website and social media.

- 43 We will soon be publishing a policy on live streaming of hearings, which will allow parties to seek to have non-participants given access to view proceedings.
- 44 We hold several in-person and online seminars throughout the year addressing different aspects of our jurisdiction. Our Education Committee has run four seminars so far, which are targeted towards practitioners who regularly appear before us.
- 45 We have established three user groups as consultation committees. The Industrial Relations Commission User Group, which has representatives from and nominated by Unions NSW along with employer representatives nominated by the Premiers' Department as well as Local Government NSW and the transport industry. The Industrial Court User Group, which has representatives from the Bar Association and Law Society and work, health and safety regulators and a representative from community legal centres. And, importantly for all of you, the Local Government User Group which has representatives from Local Government NSW and each of the unions who represent employees of local councils.
- 46 We are also keen to meet with unions and employer representatives from time to time as new legislative changes affecting certain industries commence. For example, the President will soon be meeting with union and employer representatives from the transport sector to get a clearer understanding of the likely workload ramifications of the recent amendments to the *Industrial Relations Act* relating to transport sector gig workers.

Efficient Resolution of Disputes

- 47 **[Slide 15 – Improving Efficiency]** The Commission has been doing a number of things internally to continue to improve how we can resolve applications efficiently.

- 48 We have published on our website a protocol regarding delivery and delay in decisions, which sets out the timeframe within which parties should expect decisions to be handed down. We aim to hand down all decisions within three months of the final hearing date or close of written submissions, although large or complex matters such as appeals may take up to six months. The number of decisions which exceed this timeframe will be reported in our Annual Report. The protocol permits parties to make confidential enquiries to the President's Associate or the Registrar regarding the status of a delayed decision.
- 49 We are already starting to see improvements in how efficiently we are handing down decisions. The Commission continues to have most of its decisions handed down within three weeks.
- 50 **[Slide 16 – Decisions]** If we look at a comparison between the first six months of 2024 and the last six months of 2024, while the number of decisions handed down increased from 41 during the first six months of 2024 to 59 during the last six months of 2024 the percentage of decisions that took longer than 12 weeks to hand down reduced from 27% to 20%.
- 51 **[Slide 17 – Lodgements]** The increase in decisions corresponds with the increased number of proceedings lodged in the Industrial Commission since the Court's re-establishment, which went up from 389 during the last six months of 2023 to 475 during the last six months of 2024. That is a 22% increase. Adding the 24 civil proceedings (which includes our federal jurisdiction) and 143 criminal proceedings which were lodged in the Industrial Court, the total number of lodgements went up by 65%.
- 52 **[Slide 18 – Listing times]** It is also worth mentioning our internal time standards for the period between filing and first listing a matter. We aim to list urgent industrial disputes within one day of their filing, and all matters, bar the approvals of enterprise agreements, should be listed for conciliation or directions within 14 days at the most. Following a failed conciliation the arbitration for an unfair dismissal or victimisation case should commence within

12 weeks. In that regard, we need the parties' cooperation to assist us to meet these time standards.

53 If it will assist a matter to proceed with greater efficiency and productivity, we are always willing to travel from our usual premises in the CBD and Parramatta.

54 Finally, we are in the process of setting up a virtual courtroom. It is not intended to be a substitute for in-person hearings, but it will be particularly useful for hearing urgent listings and once operational will be used in preference to telephone conferences.

Conclusion

55 Thank you again for inviting me to speak at your conference. I hope the balance of the conference is as enjoyable as it is enriching.

56 And thank you to those of you who have appeared before us over the last year. It is an exciting time for industrial relations in New South Wales and we are grateful for your assistance.

LOCAL GOVERNMENT NSW INDUSTRIAL RELATIONS COMMISSION UPDATE

Commissioner Janet McDonald

OFFICE OF
INDUSTRIAL
REGISTRAR

INDUSTRIAL RELATIONS COMMISSION
OF NEW SOUTH WALES
INDUSTRIAL COURT
OF NEW SOUTH WALES

KEY EVENTS – 2023-2024

5 Dec
2023

Industrial Relations Amendment Act 2023 - assented to

15 Dec
2023

Chapter 2A – Mutual Gains Bargaining - commenced operation

1 July
2024

Most amendments under made by the *IR Amendment Act 2023* commenced including:

- **Re-Establishment of Industrial Court** – President Ingmar Taylor, Vice President David Chin and Deputy President Paingakulam
- Judges based at 47 Bridge Street, Sydney (Commissioners remain at 10 Smith Street, Parramatta), Registries available at both locations
- Judicial functions such as proceedings for an offence prescribed in the IR Act, contempt of the Commission, unfair contracts and proceedings for declarations of right returned to the Industrial Court
- Jurisdiction for various **Work Health and Safety matters** transferred from District Court to the Industrial Court, in particular Category 2 and 3 offences under the Work Health and Safety Act 2011
- Industrial Relations Commission Rules 2022 substantially amended, new forms approved, Criminal Practice Note No 1 made and Practice Notes 2A (List of Authorities and Legislation) and 32 (Usual Directions regarding Length, Presentation and Formatting of Documents) amended

12 Aug
2024

Industrial Registrar Karen Jones appointed



KEY EVENTS – 2024-2025

20 Dec
2024

Justice Robert Hulme, Justice Monika Schmidt AM and Justice Peter Kite appointed Acting Justices and Acting Deputy Presidents of the Industrial Court

- New Award Making Principles made – *State Wage Case 2024*

2 Mar
2025

Industrial Relations Amendment Act 2025 - assented to and largely commenced (to make various amendments to the IR Act and other Acts primarily dealing with the Court's criminal jurisdiction and to remedy various overlooked provisions)

26 Mar
2025

IRC commenced sitting at Newcastle Local Court every second Wednesday

7 April
2025

Industrial Relations Commission Rules 2022 – further amended

9 April
2025

Industrial Relations Amendment (Transport Sector Gig Workers and Others) Act 2025 assented to (not all amendments have commenced) Extends certain provisions of the *IR Act* relating to contracts of carriage to transport sector gig workers as well as transport companies with fewer than 5 vehicles



Practice and Procedure Highlights

Industrial Relations Commission Rules 2022

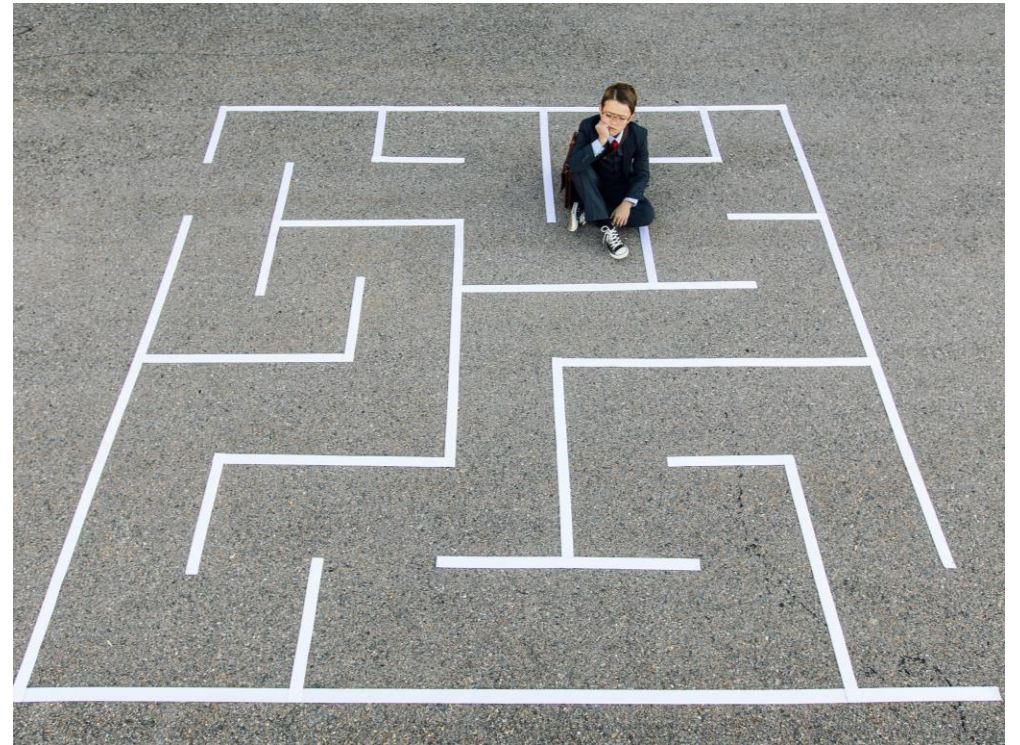
- **Rule 2.5(1)(d) documents can be filed by email if they cannot be filed using Online Registry**
- **Rule 6.8, Practice Note 6 and Award Making Principles (and the Act) must be followed when applying for a consent award – template affidavit on website**
- **Rule 6.9 and Principles for Approval of EAs (and the Act) must be followed when applying for approval of an Enterprise Agreement**



Practice and Procedure Highlights

Practice Notes and Other Guidance

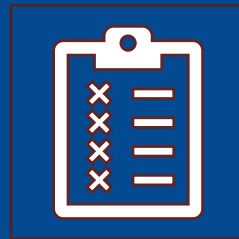
- **Practice Note 31 A – Production of and Access to Summoned Material (amended 2/8/24)**
- **Practice Note 32 – Filing, Length, Presentation and Formatting of Documents (amended 4/4/25)**
- **Practice Note 33 – Use of Generative Artificial Intelligence (Gen AI) (made 14/2/25)**
- **Usual Directions (amended 1/11/24)**



STATE WAGE CASE 2024



Award Making Principles
State Wage Case 2024 (No 4)
[2024] NSWIRComm 25



Productivity and Efficiency
Principle and Value of Money
Principle do not apply to Local
Government Awards



State Wage Case
2025

ANNEXURE F
Industrial Relations Act 1996
Principles for Review of Awards under s 19 of the 1996 Act
STATE DECISION 1998

Preamble

These are the principles which apply to the conduct of award reviews under s 19 of the *Industrial Relations Act* 1996 (NSW). They take effect from 18 December 1998 and remain in force until further order of the Commission.

Any changes to an award as a result of such a review will be made consistently with the *State Wage Case* principles and the 1996 Act.

The purpose of the review

(1) Section 19(2) specifies the purpose of a review to be “to modernise awards, to consolidate awards relating to the same industry and to rescind obsolete awards”.

The review timeframe

(2) Section 19(1) of the 1996 Act requires each award to be reviewed at least once in every three years.

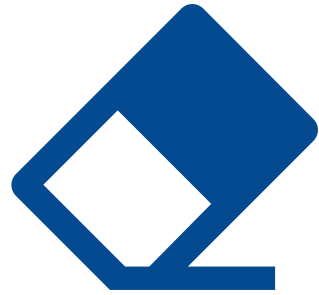
(3) An award review may be commenced by:

(a) the Commission; or
(b) the Commission on the application of the award; or

that at least once every three
s on the record maintained
k councils and others who
applications affecting that

**AWARD REVIEW PRINCIPLES
CASE 2025**

SUPERANNUATION CASE 2025

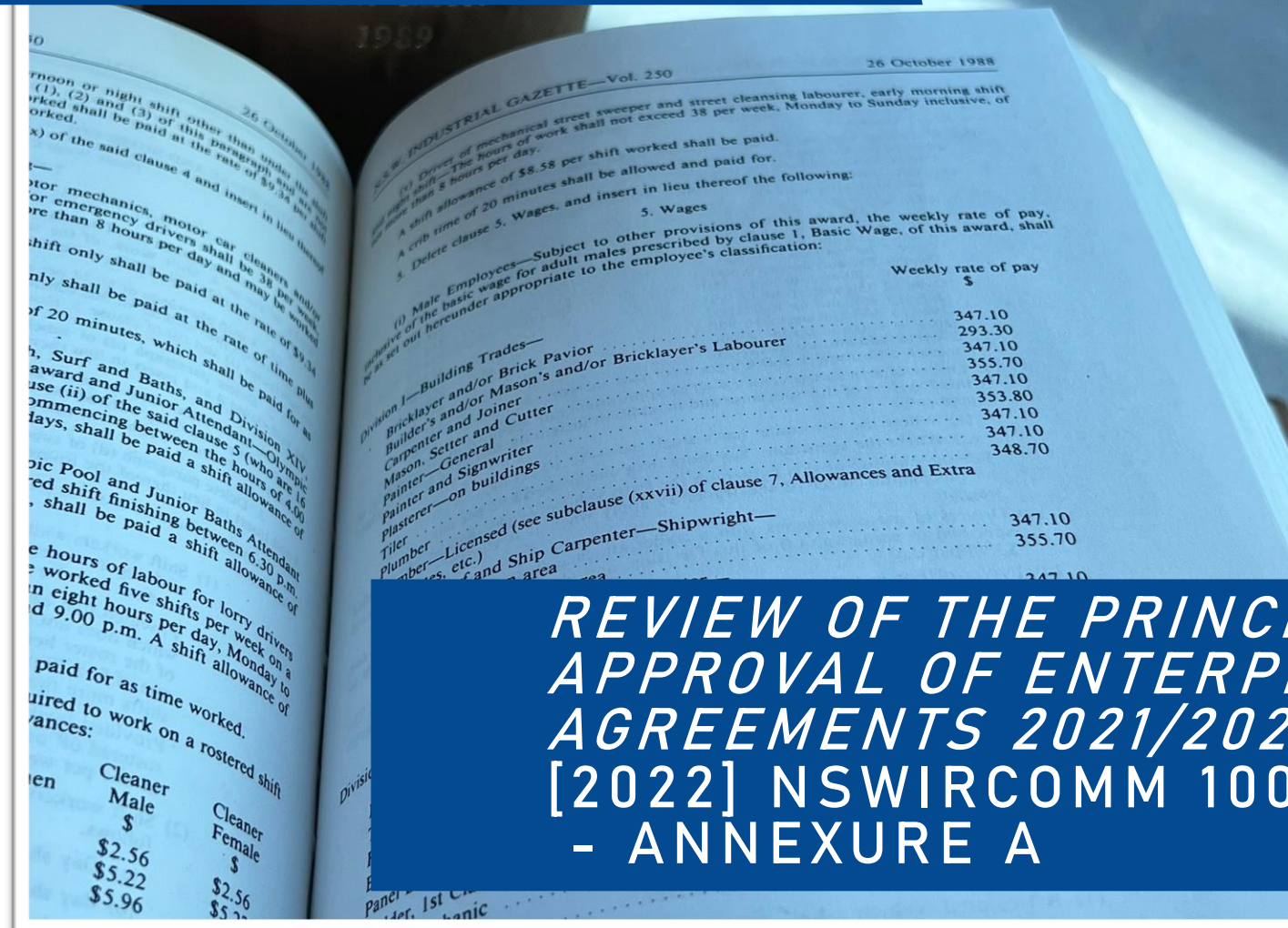


Deletion of Superannuation
Principle



Many awards do not have a
superannuation clause

PRINCIPLES FOR APPROVAL OF ENTERPRISE AGREEMENTS



REVIEW OF THE PRINCIPLES FOR APPROVAL OF ENTERPRISE AGREEMENTS 2021/2022 [2022] NSWIRCOMM 1005 - ANNEXURE A

EA Checklist



*State Super Enterprise
Agreement 2024 – 2027*

[2024] NSWIRComm 8

ASSISTING PARTIES

Website Updates

In-person and online seminars

Consultation committees

Meetings with industrial representatives



IMPROVING EFFICIENCY

Protocol regarding delivery and delay in decisions

Time standards for the period between filing and first listing a matter

Remote and online hearings



	Decisions handed down in the 6 months Jan 2024 to June 2024	Decisions handed down in the 6 months July 2024 to December 2024
Number of decisions	41	59
Decisions handed down after 12 weeks	11 (26.8%)	12 (20.3%)

	July to December 2023	July to December 2024	Percentage Increase
Civil lodgements in the Commission	389	475	+22%
Civil lodgements in the Court	-	24	
Criminal lodgements in the Court	-	143	
Total lodgements	389	642	+65%

Nature of dispute	List for Conciliation/Directions
Urgent Industrial Disputes	2 hours – 1 day
Industrial Disputes	2 hours – 7 days
Unfair Dismissals Victimisation Applications	7 – 14 days
Approval of enterprise agreements	Compliance check; 28 days

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