

## Information note: Fair Work Commission quarterly reports

This note accompanies reports published on the Fair Work Commission website on a quarterly basis. It provides detailed information about the source of the data contained in the quarterly reports.

Pursuant to section 654 of the *Fair Work Act 2009* (Cth) (the Act), the President of the Fair Work Commission (the Commission) is required to provide information prescribed in the *Fair Work Regulations 2009* (Cth) to the Minister for Employment and to the Fair Work Ombudsman. The prescribed information is set out in Part 1 and Part 2 of Schedule 5.2 to the Regulations. Additional information is provided in the reports in relation to unfair dismissal applications and to anti-bullying applications.

The quarterly reports are compiled primarily from administrative data<sup>1</sup> derived from the Commission's case management system called 'CMS+'.

The reports provide dynamic data at a point in time. Given the nature of the work of the Commission, the data is:

- capable of change as a matter progresses (i.e. where a matter subsequently settles or withdraws at a date later than the relevant quarter or a case is run over successive quarters) or where a settlement was not properly executed and/or complied with;
- subject to issues which arise in the collection of administrative data and;
- subject to changes in administrative practices that may affect time series analysis.

The dynamic nature of the data means that not all data in the quarterly reports will match the data in the Commission's annual reports for the relevant year. The Commission's annual report, which is tabled in the Australian Parliament each year, is the official statistical record of the Commission's activities for the financial year.

The table in this information note sets out: the name of the reporting item as described by the Regulations; the sources of data; how this data is used to report on an item and when the data is collected for reporting on an item.

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<sup>1</sup> For a discussion of the uses of administrative data see: ABS (2011) 'Quality Management of Statistical Outputs Produced From Administrative Data', March, Canberra.[ 1522.0]: <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/1522.0Main%20Features2Mar%202011?opendocument&tabname=Summary&prodno=1522.0&issue=Mar%202011&num=&view=>

## Data definitions

CMS+ is the case management system of the Fair Work Commission. This system uses a series of events and event descriptions as data markers. The events used to compile this report are:

**Matter type:** Applications are named by the section of the Act that gives rise to the ability to make the application. This is referred to in the table as a matter type description.

**Lodgment date:** The date the application was received by the Commission.

**Listings:** The scheduling of proceedings at the Commission. Listings include details such as who will preside over (hear) the matter and how the proceedings will be conducted.

**Listing date:** The date a proceeding occurred.

**Results:** Results are broad categories of descriptions of the way matters are managed and resolved. A result description can be the section of the Act that gives rise to the power to make a decision or order, such as granting an application or dismissing an objection. Other results can be the outcome of other functions of the Commission such as a settlement after a conference or conciliation or the withdrawal of an application.

**Result date:** The day the event occurs, such as the date a settlement is finalised or a decision is issued.

**Other events:** These events are used in some circumstances and are specifically designed and generated for reporting purposes, such as the 'commenced to deal' event which is used to measure the time from lodgment to the commencement of enquiries for anti-bullying matters.

Additional data is collected and stored in CMS+ or used in combination with CMS+ data. This data is described in the table below as:

**Survey form data:** Where additional information for a matter is sought, a survey form is generated after an initiating event is entered in CMS+. This digital form is completed by administrative staff with information supplied from Commission forms and from conversations with the parties.

**Measures of time:** The calculation of days between two prescribed events. These figures, unless otherwise indicated, are aggregated and averaged.

**Other data:** Information compiled outside of CMS+.

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
<b>Part 1—Information and copies of documents to be provided to the Minister</b>						
<b>1</b>	<b>Awards</b>					
<b>1.1</b>	<b>The number of awards made in a quarter under section 157 of the Act</b>					
1.1(a)	determinations varying modern awards; and	CMS+ and other data	Results issuing determinations	Result date		
1.1(b)	modern awards; and	CMS+ and other data	Results making awards	Result date		
1.1(c)	determinations revoking modern awards;	CMS+ and other data	Results issuing determinations	Result date		
<b>1.2</b>	<b>The number of applications made in a quarter under section 158 of the Act for:</b>					
1.2(a)	the making of a determination varying or revoking a modern award under section 157 of the Act; or	CMS+ and other data	Matter type description	Lodgment date		
1.2(b)	the making of a modern award, under section 157 of the Act	CMS+ and other data	Matter type description	Lodgment date		
1.3	The number of determinations made in a quarter under section 161 of the Act varying modern awards	CMS+ and other data	Results issuing determinations	Result date		
<b>1A</b>	<b>Modern awards</b>					
1A.1	The number of determinations varying modern awards made in a quarter under item 5 of Schedule 5 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing determinations	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
1A.2	The number of determinations varying modern awards made in a quarter under item 7 of Schedule 5 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing determinations	Result date		
1A.3	The number of applications for take-home pay orders made in a quarter under item 9 of Schedule 5 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Matter type description	Lodgment date		
1A.4	The number of take-home pay orders made in a quarter under item 9 of Schedule 5 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing orders	Result date		
<b>1B</b>	<b>Modern enterprise awards</b>					
1B.1	The number of applications for modern enterprise awards made in a quarter under item 4 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Matter type description	Lodgment date		
1B.2	The number of modern enterprise awards made in a quarter under item 4 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results making awards	Result date		
1B.3	The number of applications for the FWC to terminate enterprise instruments made in a quarter under item 5 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Matter type description	Lodgment date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
1B.4	The number of terminations of enterprise instruments made in a quarter under item 5 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing orders	Result date		
1B.5	The number of variations of instruments made in a quarter under item 9 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing orders	Result date		
1B.6	The number of terminations of instruments made in a quarter under item 9 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	other data	NA	NA	If no application to modernise or terminate an enterprise instrument was received by the end of 31 December 2013, the instrument terminated after that date pursuant to Item 9(4) of the FW (TPCA) Act. The number provided for this item is the known enterprise instruments for which there were no application to modernise or terminate the instrument at 31 December 2013.	
1B.7	The number of applications for take-home pay orders made in a quarter under item 12 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Matter type description	Lodgment date		
1B.8	The number of take-home pay orders made in a quarter under item 12 of Schedule 6 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	CMS+ and other data	Results issuing orders	Result date		
<b>2</b>	<b>Enterprise agreements</b>					
2.1	The number of applications for the approval of enterprise agreements made in a quarter under section 185 of the Act	CMS+	Matter type description	Lodgment date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
Additional data	<i>Applications for approval of a single-enterprise agreement</i>	CMS+	Matter type description	Lodgment date		
Additional data	<i>Applications for approval of a multi-enterprise agreement</i>	CMS+	Matter type description	Lodgment date		
Additional data	<i>Applications for approval of a greenfields enterprise agreement</i>	CMS+	Matter type description	Lodgment date		
2.2	The number of applications for variations of an enterprise agreement made in a quarter under section 210 of the Act	CMS+	Matter type description	Lodgment date		
2.3	The number of applications for variations of an enterprise agreement made in a quarter under section 217 of the Act	CMS+	Matter type description	Lodgment date		
2.4	The number of enterprise agreements approved in a quarter under section 186 of the Act	CMS+	Results granting the application	Result date		
2.5	The number of enterprise agreements approved in a quarter under section 189 of the Act	CMS+	Results granting the application	Result date		
Additional data	<i>Enterprise agreements approved under s.190</i>	CMS+	Results granting the application	Result date		
Additional data	<i>Single-enterprise agreements approved</i>	CMS+	Results granting the application	Result date		
Additional data	<i>Multi-enterprise agreements approved</i>	CMS+	Results granting the application	Result date		
Additional data	<i>Greenfields enterprise agreements approved</i>	CMS+	Results granting the application	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
Additional data	<i>Applications to approve an enterprise agreement rejected</i>	CMS+	Results not granting the application	Result date		
2.6	The number of variations of enterprise agreements approved in a quarter under section 211 of the Act	CMS+	Results granting the application	Result date		
2.7	The number of variations of enterprise agreements approved in a quarter under section 217 of the Act	CMS+	Results granting the application	Result date		
<b>3</b>	<b>Bargaining orders</b>					
3.1	The number of applications for bargaining orders made in a quarter under section 229 of the Act	CMS+	Matter type description	Lodgment date		
3.2	The number of applications for serious breach declarations made in a quarter under section 234 of the Act	CMS+	Matter type description	Lodgment date		
3.3	The number of applications for majority support determinations made in a quarter under section 236 of the Act	CMS+	Matter type description	Lodgment date		
3.4	The number of applications for scope orders made in a quarter under section 238 of the Act	CMS+	Matter type description	Lodgment date		
3.5	The number of applications for the FWC to deal with disputes made in a quarter under section 240 of the Act	CMS+	Matter type description	Lodgment date		
3.6	The number of bargaining orders made in a quarter under section 230 of the Act	CMS+	Results issuing orders	Result date		
3.7	The number of serious breach declarations made in a quarter under section 235 of the Act	CMS+	Results issuing declarations	Result date		
3.8	The number of majority support determinations made in a quarter under section 237 of the	CMS+	Results issuing determinations	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
	Act					
3.9	The number of scope orders made in a quarter under section 238 of the Act	CMS+	Results issuing orders	Result date		
3.10	The number of decisions to deal with a dispute made in a quarter under section 240 of the Act	CMS+	Results determining, settling and not settling applications	Result date	This is a count of all matters resulted in the reporting period after intervention from the Commission. This does not include invalid applications or applications that are withdrawn.	
<b>4</b>	<b>Low-paid bargaining</b>					
4.1	The number of applications made for low-paid authorisations in a quarter under section 242 of the Act	CMS+	Matter type description	Lodgment date		
4.2	The number of low-paid authorisations made in a quarter under section 243 of the Act	CMS+	Results issuing authorisations	Result date		
4.3	The number of low-paid authorisations varied in a quarter under section 244 of the Act	CMS+	Results issuing authorisations	Result date		
<b>5</b>	<b>Single interest employer authorisations</b>					
5.1	The number of applications for single interest employer authorisations made in a quarter under section 248 of the Act	CMS+	Matter type description	Lodgment date		
5.2	The number of applications for variations of single interest employer authorisations to remove the employer's name from the authorisation made in a quarter under section 251 of the Act	CMS+	Matter type description	Lodgment date		



Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
5.3	The number of applications for variations of single interest employer authorisations to extend the period for which the authorisation is in operation made in a quarter under section 252 of the Act	CMS+	Matter type description	Lodgment date		
5.4	The number of single interest employer authorisations made in a quarter under section 249 of the Act	CMS+	Results issuing authorisations	Result date		
5.5	The number of single interest employer authorisations varied to remove the employer's name from the authorisation in a quarter under section 251 of the Act	CMS+	Results issuing authorisations	Result date		
5.6	The number of single interest employer authorisations varied to extend the period for which the authorisation is in operation in a quarter under section 252 of the Act	CMS+	Results issuing authorisations	Result date		
<b>6</b>	<b>Workplace determinations</b>					
6.1	The number of applications for consent low-paid determinations made in a quarter under section 260 of the Act	CMS+	Matter type description	Lodgment date		
6.2	The number of applications made for special low-paid workplace determinations in a quarter under section 260 of the Act	CMS+	Matter type description	Lodgment date		
6.3	The number of consent low-paid determinations made in a quarter under section 261 of the Act	CMS+	Results issuing determinations	Result date		
6.4	The number of special low-paid workplace determinations made in a quarter under section 262 of the Act	CMS+	Results issuing determinations	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
6.5	The number of industrial action related workplace determinations made in a quarter under section 266 of the Act	CMS+	Results issuing determinations	Result date		
6.6	The number of bargaining related workplace determinations made in a quarter under section 269 of the Act	CMS+	Results issuing determinations	Result date		
<b>7</b>	<b>Equal remuneration orders</b>					
7.1	The number of equal remuneration orders made in a quarter under section 302 of the Act	CMS+	Matter type description	Lodgment date		
Additional data	<i>Equal remuneration applications made under s.302</i>	CMS+	Results issuing orders	Result date		
<b>8</b>	<b>Transfer of business</b>					
8.1	The number of applications for orders relating to instruments covering a new employer and transferring employees made in a quarter under section 318 of the Act	CMS+	Matter type description	Lodgment date		
8.2	The number of applications for orders relating to instruments covering a new employer and non-transferring employees made in a quarter under section 319 of the Act	CMS+	Matter type description	Lodgment date		
8.3	The number of applications for variations of a transferable instrument made in a quarter under section 320 of the Act	CMS+	Matter type description	Lodgment date		
8.4	The number of orders made in a quarter under section 318 of the Act relating to instruments covering a new employer and transferring employees	CMS+	Results issuing orders	Result date	Includes both orders that transferable instrument covers and does not cover transferring employees or employers	

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
8.5	The number of orders made in a quarter under section 319 of the Act relating to instruments covering a new employer and non-transferring employees	CMS+	Results issuing orders	Result date	Includes both orders that transferable instrument covers and does not cover transferring employees or employers	
8.6	The number of variations of transferable instruments made in a quarter under section 320 of the Act	CMS+	Results issuing orders	Result date		
<b>9</b>	<b>General protections—compliance</b>					
9.1	The number of applications for the FWC to deal with disputes made in a quarter under section 365 of the Act	CMS+	Matter type description	Lodgment date		
9.2	The number of applications for the FWC to deal with disputes made in a quarter under section 372 of the Act	CMS+	Matter type description	Lodgment date		
Additional data	<i>Disputes made under s.365 that have been finalised</i>	CMS+	Results determining, settling, not settling and withdrawing applications	Result date		
9.3	The number of certificates issued in a quarter under section 369 of the Act to the effect that the FWC is satisfied that all reasonable attempts to resolve a dispute have been, or are likely to be, unsuccessful	CMS+	Results not settling an application and issuing a certificate	Result date	From 1 January 2014 certificates are issued under section 368. This figure includes certificates issued under either section 368 or section 369.	
Additional data	<i>Disputes made under s.372 that have been finalised</i>	CMS+	Results determining, settling, not settling and withdrawing applications	Result date		
<b>10</b>	<b>Unfair dismissal</b>					
10.1	The number of applications for orders granting a remedy made in a quarter under section 394 of the Act	CMS+	Matter type description	Lodgment date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
10.2	<b>For applications for an order granting a remedy dealt with in a quarter under section 394 of the Act:</b>					
10.2(a)	(a) the number of applications in relation to which the dismissal was found to be unfair, including:	CMS+	Results granting the application	Result date		
10.2(a)(i)	(i) the number of orders made in the quarter under section 391 of the Act for a person's reinstatement; and	CMS+	Results granting an application and ordering reinstatement	Result date		
10.2(ii)	(ii) the number of orders made in the quarter under section 392 of the Act for the payment of compensation to a person; and	CMS+	Results granting an application and ordering compensation	Result date		
10.2(b)	(b) the number of applications that related to a small business employer; and	CMS+ and survey data	Survey data responses	Result date at the time of conciliation	Data reported in the period it is collected based on information provided by the respondent where available. If a conciliation was not conducted, data is not collected	

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
10.2(c)	(c) the number of applications dismissed because dismissal was found to be fair; and	CMS+	Results not granting the application	Result date	Formerly inclusive of applications dismissed without a full consideration of the merits.	Administration processes changed in early 2013. The result used to count this item was previously used to record all applications that were dismissed, including those dismissed without consideration of the merits because an applicant failed to prosecute their case by failing to file submissions or appear at a hearing. Recent changes have seen some of these types of applications categorised differently. These are counted at Item 10.2(ca) and in the unfair dismissal quarterly report.
10.2(ca)	(ca) the number of applications dismissed in a quarter under section 399A of the Act; and	CMS+	Results dismissing an application under s.399A	Result date		
10.2(d)	(d) the number of claims dismissed because the dismissal was consistent with the Small Business Fair Dismissal Code; and	CMS+ and survey data	Survey data attached to a result describing a decision about jurisdiction	Result date		
10.2(e)	(e) the number of claims dismissed because the dismissal was a case of genuine redundancy; and	CMS+	Survey data attached to a result describing a decision about jurisdiction	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
10.2(f)	the number of cases dismissed for want of jurisdiction; and	CMS+	Jurisdiction results upholding an objection	Result date	Includes matters dismissed for the following reasons: Application up to and including 7 days late and; Application more than 7 days late and; Multiple applications and; Minimum period of employment not served and; No award, agreement or high income employee and; Applicant not dismissed and; Termination consistent with Small Business Fair Dismissal Code and; Genuine redundancy and; Irregular casual employee; and Employer not national system employer and; Frivolous, vexatious and; No reasonable prospect of success.	Business processes changed in June 2014 with regards to applications lodged outside the statutory 21 days. The application to extend time is now dealt with prior to conciliation. This has seen an overall increase in the number of matters dismissed for this reason as previously they may have settled or withdrawn after conciliation.
10.2(g)	the number of cases settled without a decision being made; and	CMS+	Results settling, not settling and withdrawing applications	Result date	All matters finalised except by substantive decision or for want of jurisdiction.	This is a count of all matters with a result other than by decision or order. It includes matters settled and withdrawn. This is not the figure used in the settlement rate.
10.2(h)	(h) the time from the date of the application to the date of judgement; and	CMS+	Time between lodgment date and results date.	Lodgment date and result date. Calculations made by administrative staff	Judgment means all matters finalised by substantive decision or for want of jurisdiction, inclusive of applications finalised by dismissal under ss399A and s587. The calculation is based on the average number of days from the date of application to the date of decision.	

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
10.2(i)	(i) the number of cases settled by the conduct of 1 or more conferences; and (j) the number of cases settled by hearing	CMS+	NA		Data not currently available	Business process changed in 2014. The data used to report on this item has also changed and no longer accurately reflects this item
10.3	The number of applications for the FWC to deal with disputes for which the FWC had allowed a further period for the application to be made that were made in a quarter under section 394 of the Act	CMS+	Information from an activity form generated by a jurisdiction result	Result date.		Business processes changed in June 2014 for the handling of applications lodged outside the statutory 21 days. The application to extend time is now dealt with prior to conciliation. This has seen an overall increase in the number of matters where time has been extended as previously they may have settled or withdrawn after conciliation.
10.4	The number of orders for costs against a lawyer or a paid agent made in a quarter under section 401 of the Act	CMS+	Results granting the application	Result date		
10.5	The number of costs orders made against a party to a matter in a quarter under section 400A of the Act	NA	NA		Data not currently available	New requirement, not yet captured by CMS+
Additional Data	Application dismissed under ss. 399A and 587	CMS+	Results dismissing applications under ss399a and s.587	Result date	Previously reported within items 10.2(c) and 10.2(f)	Applications dismissed without consideration of the merits because an applicant failed to prosecute their case by failing to file submissions or appear at a hearing. Administration processes changed in early 2013. The result used to count this item was previously used to record all applications that were dismissed, including those dismissed after consideration of the merits

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
<b>11</b>	<b>Protected action ballots and industrial action</b>					
Additional data	<i>Applications for protected ballot orders made under s.437</i>	CMS+	Matter type description	Lodgment date		
11.1	The number of applications to vary protected ballot orders made in a quarter under section 447 of the Act	CMS+	Matter type description	Lodgment date		
11.2	The number of applications to revoke protected ballot orders made in a quarter under section 448 of the Act	CMS+	Matter type description	Lodgment date		
11.3	The number of applications to extend periods in which industrial action is authorised made in a quarter under section 459 of the Act	CMS+	Matter type description	Lodgment date		
11.4	The number of applications for orders varying the proportion by which an employee's payments are reduced made in a quarter under section 472 of the Act	CMS+	Matter type description	Lodgment date		
Additional data	<i>Orders made under s.437 for a protected ballot order</i>	CMS+	Results issuing orders	Result date		
11.5	The number of orders made in a quarter under section 447 of the Act to vary a protected ballot order	CMS+	Results issuing orders	Result date		
11.7	The number of extensions made in a quarter under section 459 of the Act to extend a period in which industrial action is authorised	CMS+	Results issuing orders	Result date		
11.8	The number of orders made in a quarter under section 472 of the Act varying the proportion by which an employee's payments are reduced	CMS+	Results issuing orders	Result date		
<b>12</b>	<b>Right of entry</b>					



Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
12.1	The number of applications for orders relating to access to non-member records made in a quarter under section 483AA of the Act	CMS+	Matter type description	Lodgment date		
12.2	The number of applications for orders relating to a dispute about the operation of Part 3-4 of the Act made in a quarter under section 505 of the Act	CMS+	Matter type description	Lodgment date		
12.3	The number of orders relating to access to non-member records made in a quarter under section 483AA of the Act	CMS+	Results issuing orders	Result date		
12.4	The number of orders relating to a dispute about the operation of Part 3-4 of the Act made in a quarter under section 505 of the Act	CMS+	Results issuing orders	Result date	Count of orders issued when the application is granted. Orders issued when dismissing an application are not included in the data.	
12.5	The number of actions restricting the rights that are exercisable under Part 3-4 of the Act by an organisation, or officials of an organisation taken in a quarter under section 508 of the Act	CMS+	Results issuing orders	Result date		
12.6	The number of entry permits revoked in a quarter under section 510 of the Act	CMS+	Results revoking entry permits	Result date		
12.7	The number of entry permits suspended in a quarter under section 510 of the Act	CMS+	Results suspending entry permits	Result date		
12.8	The number of applications for entry permits made in a quarter under section 512 of the Act	CMS+	Matter type description	Lodgment date		
12.9	The number of applications for exemption certificates made in a quarter under section 519 of the Act	CMS+	Matter type description	Lodgment date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
12.1	The number of applications for affected member certificates made in a quarter under section 520 of the Act	CMS+	Matter type description	Lodgment date		
12.11	The number of entry permits issued in a quarter under section 512 of the Act	CMS+	Results issuing entry permits	Result date		
12.12	The number of exemption certificates issued in a quarter under section 519 of the Act	CMS+	Results issuing a certificate	Result date		
12.13	The number of affected member certificates issued in a quarter under section 520 of the Act	CMS+	Results issuing a certificate	Result date		
<b>13</b>	<b>Miscellaneous—disputes</b>					
13.1	The number of applications for the FWC to deal with disputes in relation to a refusal by an employer to a request by an employee for flexible working arrangements made in a quarter under section 739 of the Act	CMS+	Matter type description	Lodgment date		
13.2	The number of applications for the FWC to deal with disputes made in a quarter under section 773 of the Act	CMS+	Matter type description	Lodgment date		
13.3	The number of certificates issued in a quarter under section 777 of the Act to the effect that the FWC is satisfied that all reasonable attempts to resolve a dispute have been, or are likely to be, unsuccessful	CMS+	Results not settling an application and issuing a certificate	Result date	From 1 January 2014, certificates are issued under s778. This figure includes certificates under either s777 or s778.	
<b>13A</b>	<b>Registered organisations</b>					
13A.1	The number of applications for registration made in a quarter under section 18A, 18B or 18C of Schedule 1 to the <i>Fair Work (Registered Organisations) Act 2009</i> by:					

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
13A.1(a)	(a) an employer association; or	CMS+	Matter type description	Lodgment date		
13A.1(b)	(b) an employee association; or	CMS+	Matter type description	Lodgment date		
13A.1(c)	(c) an enterprise association	CMS+	Matter type description	Lodgment date		
13A.2	The number of applications for orders made in a quarter under section 133 of Schedule 1 to the <i>Fair Work (Registered Organisations) Act 2009</i>	CMS+	Matter type description	Lodgment date		
13A.3	The number of orders made in a quarter under section 133 of Schedule 1 to the <i>Fair Work (Registered Organisations) Act 2009</i>	CMS+	Results issuing orders	Result date		
13A.4	The number of applications for representation orders made in a quarter under section 137A of Schedule 1 to the <i>Fair Work (Registered Organisations) Act 2009</i>	CMS+	Matter type description	Lodgment date		
13A.5	The number of representation orders made in a quarter under section 137A of Schedule 1 to the <i>Fair Work (Registered Organisations) Act 2009</i>	CMS+	Results issuing orders	Result date		
13A.6(a)	(a) applications for recognition made in a quarter under clause 1 of Schedule 2 to the <i>Fair Work (Registered Organisations) Act 2009</i> ; and	CMS+	Matter type description	Lodgment date		
13A.6(b)	b) applications for orders cancelling recognition made in a quarter under clause 3 of that Schedule	CMS+	Matter type description	Lodgment date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
13A.7	b) applications for orders cancelling recognition made in a quarter under clause 3 of that Schedule	CMS+	Matter type description	Lodgment dates		
13A.8	The number of orders cancelling recognition made in a quarter under clause 3 of Schedule 2 to the <i>Fair Work (Registered Organisations) Act 2009</i>	CMS+	Results issuing orders made on dates within the quarter	Result date		
<b>13B</b>	<b>Transitional instruments</b>					
13B.1	The number of applications for conditional terminations made in a quarter under item 18 of Schedule 3 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	These items cannot be counted	NA	NA	There is no requirement to apply for a termination under this part. The termination is an outcome of an agreement approved under s185.	
13B.2	The number of conditional terminations made in a quarter under item 18 of Schedule 3 to the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i>	These items cannot be counted	NA	NA	There is no requirement to order a termination under this part. The termination is an outcome of an agreement approved under s185.	
<b>Unfair dismissals report</b>						
1	<b>Lodgments</b>					
1.1	Number of applications for orders granting a remedy made under s.394[1]	CMS+ (same as 10.1 part 1)	Matter type description	Lodgment date		
2	<b>Finalised matters</b>					
2.1	Applications finalised prior to conciliation	CMS+	Results withdrawing applications	Result date. Additional calculations made by administrative staff	Conciliation refers to conciliations conducted by Commission employees, not Members of the Commission. A count of Applications that have been withdrawn prior to conciliation. Does not include applications	

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
					dismissed by the Commission prior to conciliation pursuant to sections 399A or 587.	
2.2	Applications settled at conciliation	CMS+	Results settling an application	Result date. Additional calculations made by administrative staff	Conciliation refers to conciliations conducted by Fair Work Commission employees.	
2.3	Applications not settled at conciliation	CMS+	Results not settling an application	Result date. Additional calculations made by administrative staff	Conciliation refers to conciliations conducted by Fair Work Commission employees.	
2.4	Applications finalised after conciliation and before a formal proceeding before a Fair Work Australia member	CMS+	Results settling or withdrawing applications	Result date. Additional calculations made by administrative staff		
2.5	Applications withdrawn after conference/hearing and before decision	CMS+	Results settling or withdrawing applications	Result date. Additional calculations made by administrative staff	Does not include applications dismissed by the Commission prior to conciliation pursuant to sections 399A or 587.	
2.6	Applications finalised by a decision	CMS+	Results upholding an objection, granting and not granting the application	Result date		
Table 1	Arbitrated final results	CMS+	Results granting and not granting an application	Calculated by administrative staff from data in item 2.6		
Table 2	Arbitrated proceedings merits results	CMS+	Results granting and not granting an application	Calculated by administrative staff from data in item 2.6		
3	<b>Analysis</b>					
3	Number of conciliations held	CMS+	Results settling and not settling an application	Result date.. Additional calculations made by administrative staff	Includes all settled and not settled conciliations before a conciliator. Does not include applications withdrawn after conciliation. Conciliation refers to conciliations conducted by Fair Work	

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
					Commission employees	
3.2	Applications finalised at or prior to conciliation	CMS+	Results settling or withdrawing applications	Result date. Additional calculations made by administrative staff		
3.3	Applications finalised prior to a decision	CMS+	Results settling or withdrawing applications	Result date		
4	<b>Mode of conciliation</b>					
4.1	Conciliations conducted by telephone	CMS+	Information from an activity form generated by a result	Result date. Additional calculations made by administrative staff	May not include applications that are withdrawn after conciliation	
4.2	Conciliations conducted in person	CMS+	Information from an activity form generated by a result	Result date. Additional calculations made by administrative staff	May not include applications that are withdrawn after conciliation	
4.3	Conciliation by video conference/other	CMS+	Information from an activity form generated by a result	Result date. Additional calculations made by administrative staff	May not include applications that are withdrawn after conciliation	
5	<b>General protections</b>					
5.1	Number of applications for FWC to deal with dismissal disputes made under s.365	CMS+	Matter type description	Lodgment date		
6	<b>Disputes</b>					
6.1	Number of applications for FWC to deal with dismissal disputes made under s.773	CMS+	Matter type description	Lodgment date		
7	<b>Settlement Rate</b>					

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
7.1	Settlement rate of applications at conciliation	CMS+	Results settling and not settling an application	Result date. A calculation of the ratio of settled and not settled results made by administrative staff		
<b>Anti-Bullying quarterly report</b>						
1	Number of applications under s789FC	CMS+	Matter type description	Lodgment date		
2	Time from lodgment to commenced to deal with it	CMS+	Matter type description and 'commenced to deal with' file note	'Commenced to deal with' file note entry date. A calculation of the time from lodgment to a file note commencing to deal with the application made by administrative staff	Pursuant to section 789FE, the Commission must start to deal with an application within 14 days after the application is made. Matters are considered dealt with where the case management team, acting under delegation from the President, commences making enquiries for the purposes of gathering information for the Panel Head to assess how a matter should be progressed through the Commission, i.e. whether the matter is dealt with by a Commission Member or a staff mediator.	
3	Applications withdrawn early in case management process	CMS+	Results withdrawing an application	Result date	Applications withdrawn with case management team or with Panel Head prior to substantive proceedings.	
4	Applications withdrawn prior to Conference of Hearing	CMS+	Results withdrawing an application	Result date		
5	Applications resolved during the course of proceedings	CMS+	Results determining, settling and withdrawing applications	Result date	Includes matters that are resolved as a result of a listed conference, hearing, mention or mediation before a Commission Member or listed mediation by a staff member.	
6	Applications withdrawn after a Conference or Hearing and before decision	CMS+	Results settling or withdrawing applications	Result date		

Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
7	Applications finalised by a decision	CMS+	Results granting and not granting an application	Result date		
8	Jurisdictional objection upheld - application dismissed	CMS+	Jurisdiction results upholding an objection	Result date		
9	Application dismissed - bullying at work not found and/or no risk of bullying continuing	CMS+	Results not granting the application	Result date		
10	Application dismissed - s.587	CMS+	Results not granting the application	Result date		
11	Application granted - worker at risk of continued bullying at work, order issued	CMS+	Results granting the application	Result date		
12	Application granted - worker at risk of continued bullying at work, order yet to be issued	CMS+	Results granting the application	Result date		
13	Application granted - worker at risk of continued bullying at work, further decision and order issued	CMS+	Results granting the application	Result date		
	<b>FWC Staff conducted mediations</b>					
14	Number of applications subject to mediations	CMS+	Listings for mediation	Listing date		
15	Number of mediations conducted by telephone	CMS+	Listings for mediation	Listing date		
16	Number of mediations conducted in person	CMS+	Listings for mediation	Listing date		
17	Number of mediations by video conference/other	CMS+	Listings for mediation	Listing date		
	<b>Demographic information</b>				Based on information provided by the parties where contact can be made. Totals will not necessarily add up to the total number of applications received.	



Item no	Regulatory description	Data Source (CMS+ or other)	CMS+ data used to report against this item	Data collection time	Quarterly report footnotes	Data changes and additional information
18	Type of applicant worker	CMS+	Information from an activity form generated by the commenced to deal with application file note	When the information is provided by the applicant	Based on information provided by the applicant in the application.	
19	Size of business	CMS+	Information from an activity form generated by the commenced to deal with application file note	When the information is provided by the employer	"Employees" in terms of business size refers to employees and individual contractors where known and as indicated by parties to the matter.	
20	Worker alleges unreasonable behaviour is engaged by:	CMS+	Information from an activity form generated by the commenced to deal with application file note	When the information is provided by the applicant	Based on information provided by the applicant in the application.	
21	Industries	CMS+	Each file, when it is lodged, is assigned an industry.	Lodgement date	Industries with no applications made are not included. Not consistent with ASIC industry codes.	