Workplace Complaints Analytics

Workplace Complaints Analytics is a comprehensive searchable collection of Workplace Complaints cases, where the specific details of each case have been identified to allow users to conduct specialised research.
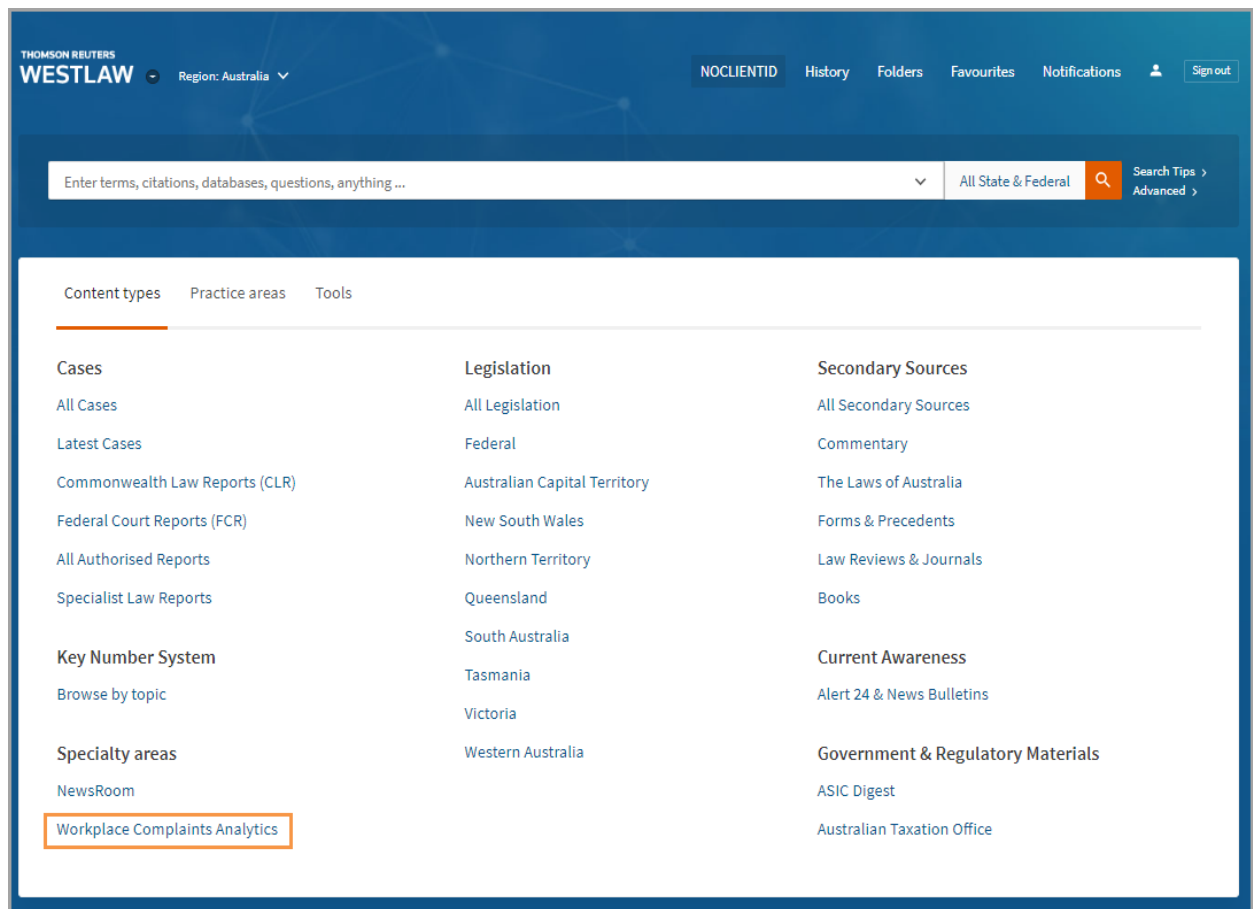
Workplace Complaints Analytics will help you to advise clients on the costs, timing, and likely outcomes of their matter by understanding the most probable results from cases that have already taken place.

Workplace Complaints Analytics contains specialised summaries of the cases focusing on action type, type of dispute, jurisdictional issues, remedy, successful party and key factors that influence the outcome.
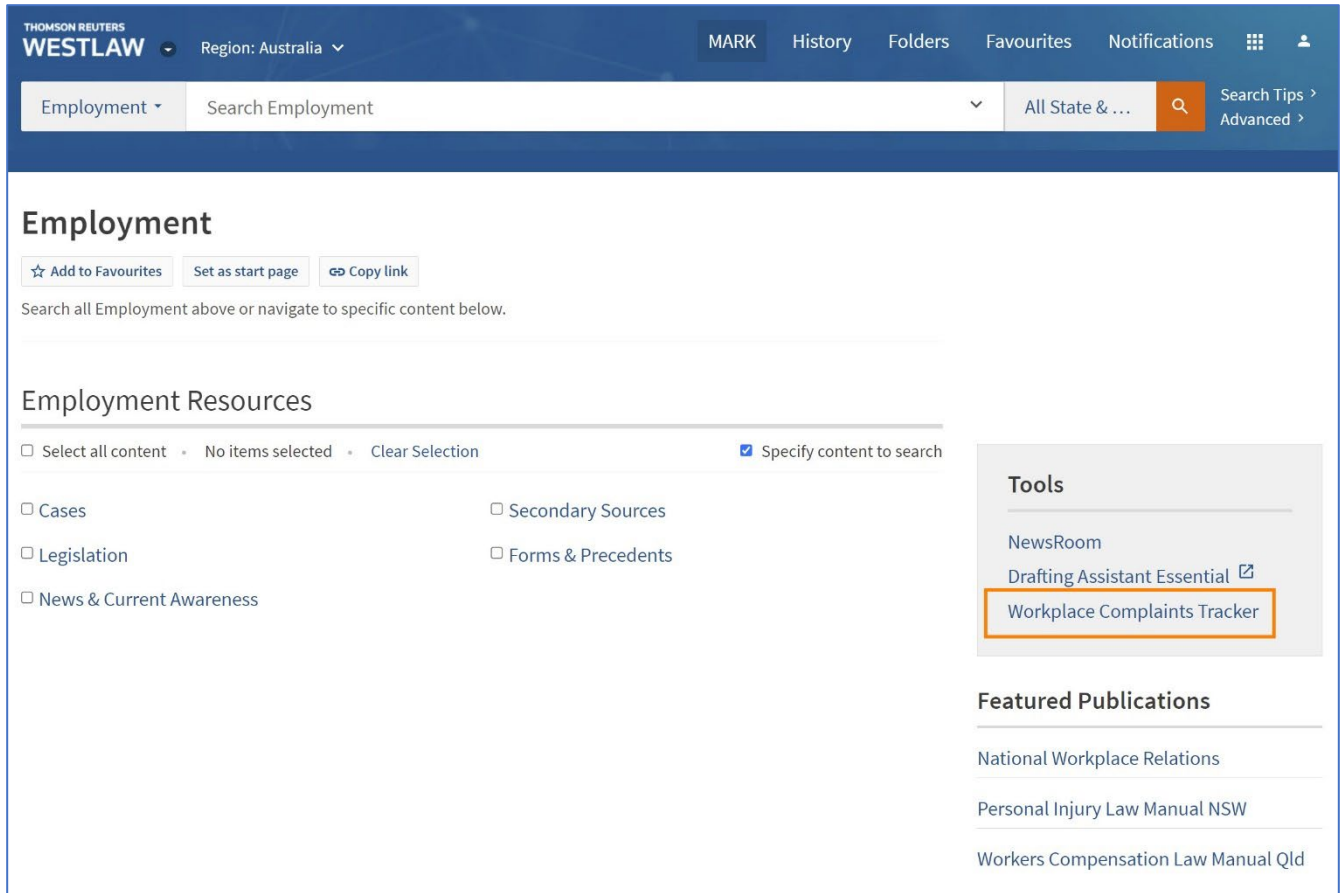
Finding Workplace Complaints Analytics

You can find the tracker from the homepage:
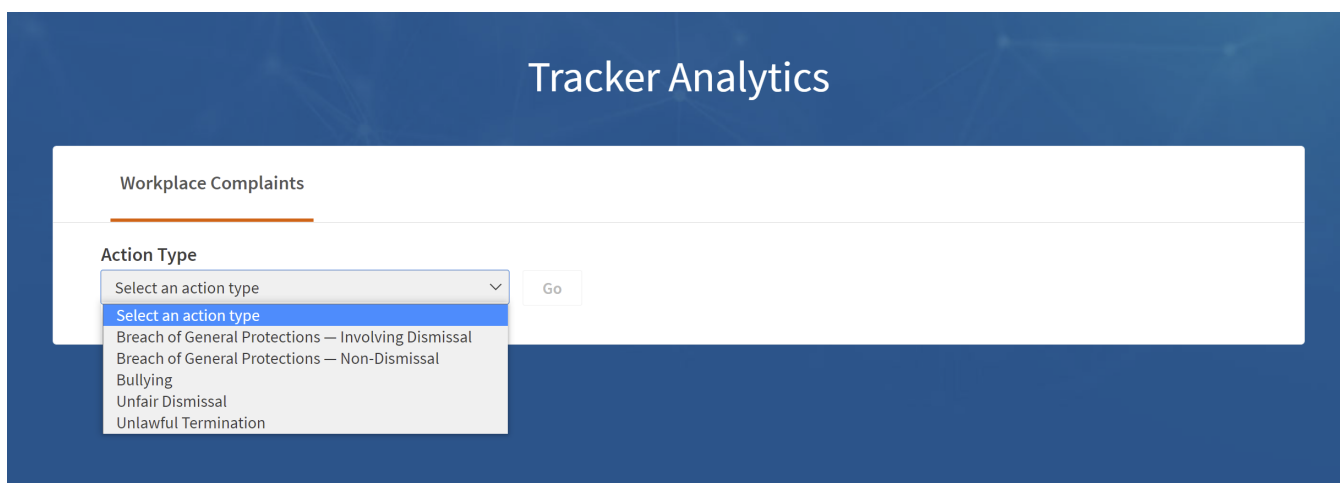
- Specialty areas > Workpace Complaints Analytics

You can also locate the Workplace Complaints Analytics in the Employment Law Practice Area.

Click Practice areas tab > select Employment > select Workplace Complaints Tracker on the right.

How to locate an Action Type

Select the required action type from the drop-down list and click on Go.

Using the Workplace Complaints Tracker Results Page

On the results page, the graphic shows a breakdown of the successful party for all of the cases concerning that action type contained in the Workplace Complaints Tracker database.

1. The Data Visualisation shows the successful party and number of results. It is interactive so you can click on the diagram or the results categories to narrow results for the successful party type, Case summaries appear under the diagram.
2. Case summaries show the party names, court, judgment date citations, action type and the amount of any financial award.

Refining Results – adding keywords

You can refine results using the **Search within judgments** box by typing in keywords related to your client's matter. The search will show results where the keywords appear in the full judgment text.

1. Enter the keywords into the search within judgments box. You can use Boolean connectors to look for synonyms (OR) or multiple keywords (AND), e.g., "non performance" or "poor performance". Click **search**. The data visualisation and search results automatically updates.
2. To amend or remove keywords, click on the **Remove search** link and type your new keywords.
3. Clicking on the case titles link to the case summaries.
4. Judgment link opens KeyCite record with links to unreported judgment and parallel citations.
5. Search terms are highlighted in yellow.
6. Tracker summary shows financial award, if known.

Refining results using filters

1. You can refine results using the filters on the left and can select multiple filters.
2. The chart and case results automatically update in response to the filters you apply.

Viewing Documents

1. Click the case name to open the Tracker Summary.
2. Click on Judgment link to view the KeyCite record containing the full text of the unreported judgment and links to the court ready version and parallel citations.

1. **Hastings v Vantage Holdings Australia Pty Ltd** ① ② Judgment
   Fair Work Commission · 16 August 2021 · [2021] FWC 5035 · 2021 WL 3662361

   Action type: Unfair Dismissal

   Total financial award: $36,217.00

   Judgment:
   ...no management or direction from the employer in relation to **non**-**performance** issues or under-performance issues except in the show cause...

Viewing the Tracker Summary Document

1. Click on Judgment link to open the KeyCite record.
2. Use the scroll bar to view the tracker summary.
3. The tracker summary outlines the key facts and the successful party in each of the disputes, details of the jurisdictional issues, remedies, financial awards, or costs awards, and Industry, Agreement/Employment Type and whether there was Union Representation.

Hastings v Vantage Holdings Australia Pty Ltd tracker summary ✕

Fair Work Commission · 16 August 2021 · [2021] FWC 5035 · 2021 WL 3662361
Judgment ① ②

Applicant: Angela Hastings ⊟

Dispute ③

Action Type	Personal Dispute Type	Personal Dispute Detail	Successful Party
Unfair Dismissal	Unfair Dismissal — Capacity — Performance	Sales consultant — demoted to part-time role for failure to meet KPI — returned to full-time role — sales performance — criticism — alleged failure to provide sales information, rush projects under false pretences, and would leave work for others to complete — "our gift to you" promotion — honesty — meeting called as result of complaint — alleged refusal to acknowledge ongoing performance issues and extreme disrespect to director and sales manager — show cause letter — feedback from potential client's display home visit — termination —	Employee

Remedies

Remedies	Amount Awarded	Discounts	Discussion
Compensation	$36,217.00		12 weeks' pay — suffered financial loss — negative changes to residential construction market — $3772.61 weekly commission — had not obtained alternative employment and had no income from other non-refundable sources — took reasonable steps to obtain alternative employment following dismissal — less taxation — $3,440.92 superannuation contributions

Outcome

Overall Successful Party:	Employee

Employer/Industry Type:	Construction — Building Construction — Residential Building Construction
Employment Agreement/Contract Type:	Award
Employment Type:	Permanent
Employee Union Representation:	No

Copy and Paste Summary Results

The text of the case results list or summaries can be copied into a Microsoft Word document. Highlight the text and right click to copy. Use CTRL V to paste into a Word document.