

Fact sheet

About hearings & conferences

Hearing or conference?

If you are appearing in legal proceedings at the Fair Work Commission (the Commission) it is likely the proceedings will be either a conference or a hearing. A conference is generally conducted in private while a hearing is usually open to the public.

Do I have to be represented by someone?

There is no requirement for you to be represented by another person when you appear in proceedings at the Commission. You will need the permission of the Commission member dealing with your case if you wish to be represented by a lawyer or paid agent, unless that person is:

- one of your employees or officers (if you are an employer)
- employed by a union or employer organisation, a peak union or peak employer body
- a bargaining representative.

If you decide to represent yourself in proceedings it will be easier for you if you are well prepared. You may consider bringing one or more individuals with you for support. There is generally no objection to you doing so although in private conferences you should be prepared to tell the Commission member dealing with your case why you would like the presence of such individuals.

What if I need an interpreter?

There is no cost to you if you require an interpreter at a hearing or conference, but you must make your request for the Commission to provide an interpreter either when lodging your application or before the day of the conference or hearing.

Finding your way to a hearing or conference

Before you attend a conference or hearing at the Commission you should check the hearings and conferences list.

The list identifies all of the cases for a particular day, together with the Commission members dealing with them, the times of the hearings and conferences and the location details—the floor and the hearing room number.

The list is published in some capital city newspapers and on the Commission's website (www.fwc.gov.au) from 4pm the day before. Printed copies of the list can also be found at the Commission's public counters, near the courtrooms, and on the ground floor of some of the Commission's premises. If your hearing or conference is in a regional courthouse you may have to ask for information at the inquiry counter.

Tips for hearings & conferences

- When you are addressing a Commission member refer to them by their title, e.g. Deputy President or Commissioner. Staff at the hearing or conference can advise you of the appropriate form of address if you have any doubts.

- Make sure you arrive for the hearing or conference early because proceedings begin on time. Notify staff when you arrive by approaching them in the hearing or conference room.
- If you are delayed for any reason it is important that you contact the Commission as early as possible to ensure a message is sent to the appropriate staff.
- If you have a mobile phone or pager, make sure it is switched off in the hearing or conference room.
- It is customary to bow to the Commission member, by standing and inclining your head, at the beginning of a hearing and if you leave or enter the hearing room while proceedings are underway.
- It is customary to stand when you are addressing the Commission member or questioning a witness in a hearing.
- Do not speak when a witness is taking an oath or an affirmation.
- Do not interrupt the other party or the Commission member when they are speaking.
- If you are attending a face-to-face conference or hearing bring along enough copies of any documents you want to refer to so that everyone involved has a copy.
- Do not eat or chew while in the conference or hearing.
- There is no dress code, but it is appropriate to be neatly attired.

How can the Commission assist?

Fair Work Commission staff can provide you with information over the telephone or at one of our offices.

Staff cannot provide legal advice or advice on how best to run a case. However, the Commission can give information on:

- processes in the Commission
- how to make an application to the Commission and how to respond to an application that is made against you
- how to fill out forms
- where to find useful documents such as legislation and decisions, and
- other organisations which may be able to assist you.

The Commission's website (www.fwc.gov.au) also contains a range of information that can assist in preparing for a hearing or conference including:

- a copy of the [Fair Work Act 2009](#), the [Fair Work Regulations 2009](#) and the [Fair Work Commission Rules 2013](#)
- application forms
- decisions and orders
- contact details for the Commission
- links to other useful websites.

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This fact sheet is not intended to be comprehensive. It is designed to assist in gaining an understanding of the Fair Work Commission (the Commission) and its work. The Commission does not provide legal advice.