

INDICATIVE DIRECTIONS

These are indicative directions only. The Commission retains the discretion to make whatever directions it considers appropriate.

Section 100G(2) of the *Industrial Relations Act 1996* requires that at the hearing of a public sector disciplinary appeal, the public sector employer's case is to be presented first. The Commission's directions would reflect that order.

FILE NUMBER/NAME:

STANDARD TIMETABLE

1. The **#applicant #notifier** is to file and serve all written statements to be relied on for each witness, an **#an outline of submissions #a Summary of Case** and any other relevant documentation by 4.00pm on:
2. The respondent is to file and serve all written statements to be relied on for each witness, **# an outline of submissions # Response to Summary of Case** and any other relevant documentation by 4.00pm on:
3. The **#applicant #notifier** is to file and serve any evidence and **# submissions in reply # Reply to Response to Summary of Case** to the respondent's documents by 4.00pm on:
4. The matter is listed for a Compliance Check Hearing before the Registrar on:
5. The matter is listed for hearing/arbitration on:

ADDITIONAL OPTIONAL DIRECTIONS

- # A Summary of Case must not exceed 5 pages (including formal parts) and should summarise, plainly, concisely and directly:
 - a) the important facts giving rise to the claim/dispute;
 - b) the relief sought from the Commission (and against whom);
 - c) the primary legal grounds for the relief sought; and
 - d) the alleged harm suffered by the applicant/notifier, including, where applicable, the quantum of any compensation sought.
- # A Response to Summary of Case must not exceed 5 pages (including formal parts) and should summarise, plainly, concisely and directly:
 - a) the facts in dispute and those upon which the respondent relies;
 - b) why the relief sought from the Commission should not be granted; and
 - c) identify any issue in dispute.
- # The parties are directed to confer and to file an Agreed Statement of Agreed and Disputed Facts and Issues by 4.00pm on:

- # Without leave of the Commission no party will be permitted to rely on any evidence which is filed later than the time directed in this timetable.
- # The Registrar is to make arrangements for an interpreter to attend the hearing/arbitration.

USUAL DIRECTIONS

1. All evidence in the proceedings will be given by way of signed written statements and other relevant documents filed and served by a party.
2. The parties must include in or with their written statements all matters and documents on which they rely or which they allege are relevant to the proceedings.
3. Without the leave of the Commission, cross examination of a witness will not be allowed unless, at least 7 days prior to the hearing/arbitration, notice has been given to the opposing party that a witness is required for cross-examination.
4. Without the leave of the Commission, no summons for the production of documents may be made returnable less than 3 weeks prior to the date set for the hearing/arbitration of the matter.

NOTES

The Registrar conducts a list each Wednesday to deal with summonses for production.

Self-represented parties must obtain leave to issue summonses: Rule 7.3 of the Uniform Civil Procedure Rules 2005.

Practice Note 32 sets out the Commission's requirements in relation to the filing, length, presentation and formatting of documents filed with the Commission.

Date Directions and Listing made: