

# COMPENSATION HEARINGS NEXT WEEK

Congratulations again for your strong fight that led us to this historical win against Qantas, the unanimous High Court judgment last year confirming that Qantas illegally outsourced you to stop you from exercising your rights as workers.

This is a major triumph that has seen us beat the odds against one of the toughest and most powerful companies in the country. After over three years of turmoil, justice is in our sights. We are stronger when we are together.



## COMPENSATION HEARINGS ARE DUE TO START NEXT WEEK.

Hearings will begin on Monday 18 March and may run until Thursday 28 March in the Federal Court.

This follows Qantas walking away from mediation at the end of last year.

We will keep everyone updated on the proceedings over the coming weeks.



## RICHARD GOYDER RESIGNS

After relentless calls from TWU members, Richard Goyder has resigned early as chairman of Qantas.

His resignation follows a huge **83% vote** against executive pay at last year's AGM - one of the largest ever in Australian corporate history.

Qantas has also dipped to the **third most distrusted brand in Australia**.

Your efforts continue to show the public why Qantas should be held to account.

## THEO WINS AGAINST QANTAS



Theo Seremetidis, a TWU health and safety representative who was illegally stood down at the start of the pandemic, has had another **huge win** in the NSW District Court.

Qantas was criminally convicted and fined \$250,000, and Theo was awarded \$6,000 for lost overtime and penalty rates, and \$15,000 for hurt and humiliation.

Theo was also illegally outsourced—a year to the day after being stood down—and is part of the Federal Court case for compensation.

**KEEP READING FOR FAQs ON THE CASE**



## 1 When are compensation hearings?

Hearings will begin on Monday 18 March and may run until Thursday 28 March in the Federal Court.

## 2 Why didn't the High Court order reinstatement? Is there any chance I can still get my old job back?

Unfortunately, despite the High Court upholding that Qantas' conduct was unlawful, the Federal Court concluded that it is not possible for the steps taken by Qantas to be reversed and for workers to be reinstated.

This means that the available remedy is now penalties against Qantas for their conduct and compensation for impacted workers.

## 3 Can Qantas appeal again?

This is the end of the road in terms of appeals for Qantas on the unlawfulness of the sackings. Compensation amounts can still be appealed by both parties.

## 4 How long will the process take?

The process to determine penalties and compensation for such a large group of workers will be complex, so we don't have an idea yet of how long it will take.

## 5 How much money will I get?

Any compensation payout will be determined by the Court process. The exact method for calculating your compensation has not yet been determined is likely to take into account a number of different factors. Any compensation received will be paid by Qantas to affected workers.

## 6 Will I be compensated for loss of superannuation, lost wages or other benefits?

We will argue that you should be compensated for loss of superannuation, lost wages, and certain benefits.

## 7 Who is included in the court case?

Anyone from QAL or QGS who was part of the EY in-house bid and was made compulsorily on 30 November 2020 and left their jobs between January and March 2021 is included in the case.

## 8 Are Jetstar workers included?

Unfortunately Jetstar workers are not included in the case. Justice Lee found that QAL and QGS workers were outsourced due to their potential to bargain and take protected industrial action in 2021. As the Jetstar EA was set to expire in 2023, this reasoning does not apply to that workforce, so in spite of how unfair and immoral the decision was, there is no legal recourse.

## 9 I took voluntary redundancy from Qantas. Will I get compensation?

Unfortunately anyone who took voluntary redundancy from Qantas is not included in the Federal Court case. We know how devastating this is when many workers felt like they had no choice but to accept the redundancy, but the jurisdiction is limited to **those who were made compulsorily redundant on 30 November 2020**.

## 10 Is QGS a part of the court case?

Yes, both QAL and QGS workers are part of the court case. It should be remembered that the fact that both workforces were due to collectively bargain at the same time was crucial to the finding that the outsourcing was illegal.

