



General Manager statement

Changes to processes, systems and information

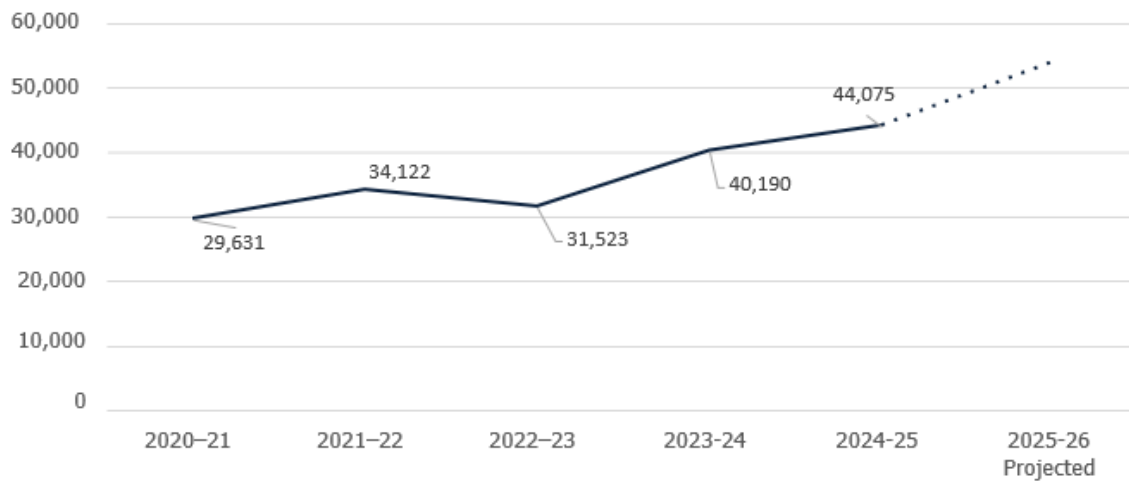
Melbourne, 29 May 2026

- [1] The Fair Work Commission's President, Justice Hatcher and I have been closely monitoring the significant increase in the Commission's workload over recent years. This increase has coincided with a number of other changes, including a significant increase in the number of persons representing themselves in Commission cases, budget constraints and resourcing challenges.
- [2] Additionally, the proliferation of generative AI (GenAI) assistance tools has had a significant impact on the Commission's work as detailed in [Justice Hatcher's November 2025 statement about reforms to general protections case management processes \(PDF 284 KB\)](#).
- [3] These impacts, taken together, are having a direct effect on the Commission's ability to provide timely, efficient and effective dispute resolution services to the community. In response, the Commission must review the way that we work to ensure that we can operate sustainably in the years ahead.
- [4] The Commission is committed to managing change in an open and transparent way and this statement outlines the changes we are proposing for the year ahead. To assist the community to keep up to date about our changes, we have created a [Change at the Commission web page](#) that we will update throughout the rest of the year.

Workload challenges

- [5] The Commission's workload challenges are documented in a number of public statements from Justice Hatcher. His Honour recently noted in his [Statement about the Commission's draft AI guidance note \(PDF 231 KB\)](#) that, by the end of financial year 2025-26, it is likely that the Commission's total workload will have increased by over 70% in the space of 3 years. Our most recent data shows that at the end of April we had received 44,039 lodgments, just 36 matters shy of the total lodgments received in the whole of the 2024-25 financial year period (44,075). This was the previous highest number of applications received by the Commission.

Figure 1: Total lodgments by year since 2021–22



- [6] These numbers clearly show a significant increase in the number of people seeking the assistance of the Commission. However, our workload is not adequately reflected by referring to application volume alone. Other resourcing pressures we are currently experiencing include:
- The significant number of major cases the Commission is undertaking and has programmed, including gender-based undervaluation matters, reviews of award provisions relating to working from home and part-time employment, and the setting of regulated worker minimum standards and contractual chain orders.
 - Approximately 1,400 jurisdictional matters determined between 1 July 2023 and 31 December 2025 resulting from the decision of the Full Court of the Federal Court in *Coles Supply Chain Pty Ltd v Milford* [2020] FCAFC 152 in relation to general protections claims.
 - Over 451 PABO conferences in the 2025–26 financial year to 30 April.
- [7] In addition, the Commission’s operations associated with regulating federally registered organisations (union and employer representative groups) are also at unprecedented levels, with several high-profile oversight, compliance and enforcement matters progressing.
- [8] The increased workload is placing strain on every element of the Commission’s operations. The unwavering commitment and tireless efforts of Members and staff across the organisation are recognised in managing the ever-increasing workload. However, applications continue to rise without any signs of slowing, further increasing pressure on existing and future resources.
- [9] This is unsustainable and we cannot continue to operate in the same way.

Changing user profile

[10] In recent years, the Commission has seen a major shift in both the type of work it does and the people who use its services. There has been a move from collective matters to individual rights-based dispute applications to the Commission over the past 10 years and this has continued to accelerate over the past 36 months. In addition to the shift from collective to individual disputes, the proportion of applicants coming to the Commission without a legal or other representative has also shifted.

[11] The graphs below show this change in user profile in the general protections dismissal and unfair dismissal jurisdictions.

Figure 2: Increase in self-represented applicants in general protections dismissal (s.365) cases.

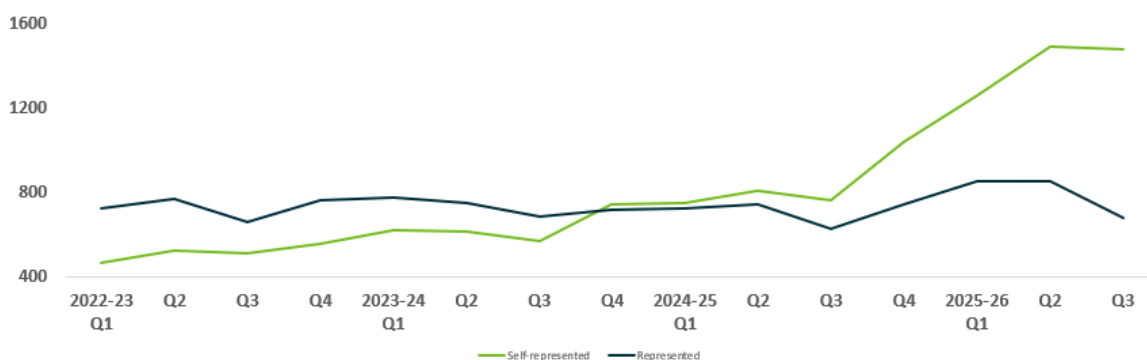
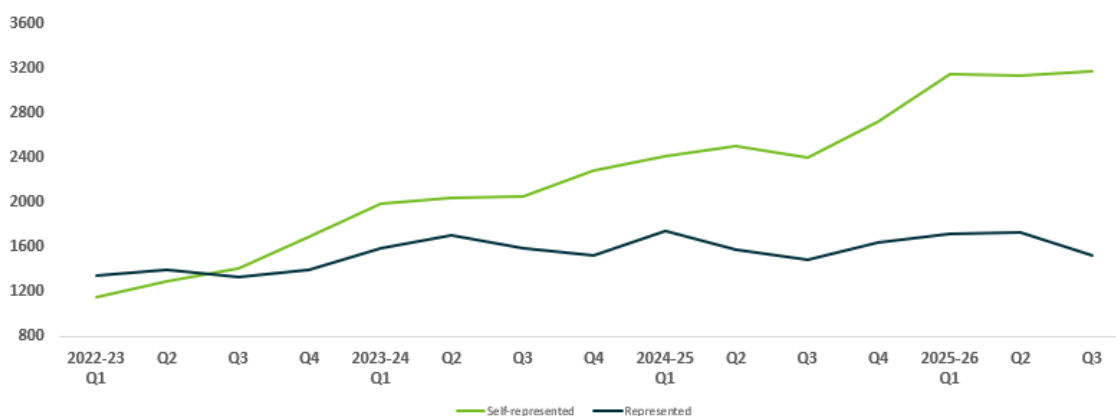


Figure 3: Increase in self-represented applicants in unfair dismissal (s.394) cases.



[12] These users need extra help to navigate the Commission's processes and require clear, plain language information and targeted education resources delivered in the right format and at the right time.



- [13] More users are coming to the Commission with little or no workplace relations experience, often informed by content generated by AI. To help the Commission better understand and respond to the changing user profile we have initiated external research about the use of AI in general protections and unfair dismissal matters. We are still finalising the research, however early results indicate that a significant proportion of applicants are using AI in their applications to the Commission. The Commission will share the research once it is finalised, and we anticipate undertaking further research to assist with responsible use of GenAI in tribunal proceedings.

How we are responding

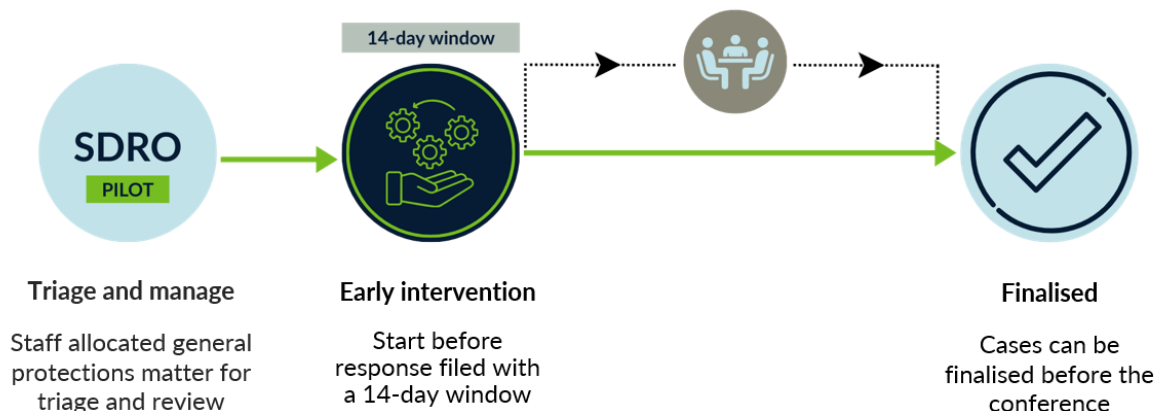
Managing cases

- [14] The Commission is reviewing how it manages each of the major types of applications that come to us. We started this review with general protections involving dismissal cases as this was one of the fastest growing areas of work for the Commission.
- [15] The Commission has now commenced an internal review of the general protections not involving dismissal jurisdiction and a targeted review of our sexual harassment jurisdiction during which we will consult closely with the Respect@Work Council. A review of the unfair dismissal jurisdiction is to follow in the second half of 2026. These reviews are likely to result in significant changes to the Commission's processes and forms, similar to those made as part of the review of general protections involving dismissal. We will communicate those changes through our subscription and stakeholder information channels as well as through individual matter correspondence and materials.
- [16] Alongside these more structural reviews, we have commenced several transformational initiatives at the staff level to improve case management processes and help to address the challenges the Commission is facing.

Early intervention in general protections disputes

- [17] The Commission is trialling a new alternative dispute resolution (ADR) process through its Early Dispute Resolution (EDR) pilot. Under the pilot, a dedicated team of Senior Dispute Resolution Officers (SDROs) led by an experienced staff conciliator make early contact with parties in suitable matters to provide information about the general protections jurisdiction and attempt to informally resolve the dispute.
- [18] Staff use a mix of ADR options in the pilot, with conferences held only where needed. The aim is to contact parties within 14 days often before a response is filed.

Figure 4: Diagram of the SDRO pilot process.



[19] Early results of the EDR pilot indicate that many cases can be finalised quickly through early intervention, lowering the burden on business of responding to applications with no prospect of success where appropriate. The pilot has been extended through to September 2026, and we will continue trialling different approaches during this time.

Staff conference model pilot

[20] The Commission's specialist staff conciliators are also trialling a new conference model in general protections dismissal disputes. This model follows reforms introduced for Commission Members as part of broader changes to case management in this jurisdiction, which Justice Hatcher outlined in his [November 2025 statement on these process reforms \[PDF 284 KB\]](#).

[21] In the new model, staff conciliators focus the discussion on finding a resolution to the dispute. This recognises that the Commission does not perform a determinative function in this jurisdiction. The pilot ran for 8 weeks and we are now evaluating it. Early indications are that the process can present an efficient alternative to the current conference model.

[22] Following evaluation, the Commission will determine if the new model should be implemented on a permanent basis.

Technology

[23] As part of the comprehensive reform program, the Commission is undergoing a technology uplift and has, where appropriate, brought forward planned development work that will help address the challenges currently facing the Commission.

[24] The changes to technology are both in support of and driving some of our case management changes. We will make these changes progressively and we will aim to find efficiency benefits, reduce expenditure in forward years and in some cases utilise GenAI capabilities to reduce the need for manual processing. While we will endeavour to



consult regarding upcoming changes, stakeholder feedback may not always be able to be accommodated.

MyFWC online portal

- [25] The MyFWC online portal was released in 2025 and replaced the Commission's previous online lodgment method for unfair dismissal (Form F2) and general protections dismissal (Form F8) applications. This was our first step in developing an end-to-end case management system for internal and external users.
- [26] The development of this system is a priority for the Commission and will bring significant changes to case management practices for Commission Members, staff and users – most likely the largest in the Fair Work era.
- [27] The Commission is continuing to develop the MyFWC portal to provide additional functionality and improve the user experience. While MyFWC currently only assists users to lodge an unfair dismissal or general protections dismissal application, the next stage of development will enable parties in these matter types to access information about their case, such as notices of listing and directions, as it progresses. Users of the Commission's services can expect:
- to be asked to create a MyFWC account to access information about their case
 - changes to the way they access and view documents in their cases
 - to be able to view active listings and appointments within the MYFWC portal.

These changes are expected later in 2026 and are relevant to unfair dismissal and general protections dismissal cases only.

- [28] It is our aim to extend the MyFWC portal to many other case types over time to provide an end-to-end online experience for most cases lodged with the Commission. This is a significant technological uplift and we will deliver it in stages over the coming years. During the transition period the Commission will continue operating 2 case management systems. Users involved in different case types may notice differences between those case types during this transitional period.
- [29] In the interim, we will progress changes that are required to facilitate development of the system commencing with changes to online lodgment in dismissal cases. Applications lodged through the MyFWC portal realise genuine efficiencies for the Commission in processing applications. This is the Commission's preferred method of lodgment for the Form F2 and Form F8.
- [30] Our data indicates that approximately 73% of these dismissal applications are already lodged through the portal and we are now making changes with the aim to get this number closer to 99%. Users will soon be directed to lodge Forms F2 and F8 through the portal, unless there are accessibility adjustments required for particular lodgments. We will update the Commission's website and remove the paper-based Forms F2 and F8.



- [31] We have commenced external engagement about the change. Our message to regular applicants and representatives is to make the switch to online lodgment now. We will update the [Fair Work Commission Rules 2024](#) to reflect the decision to require lodgment via MyFWC later in the year.

AI-assisted agreement checklist assistant

- [32] The Commission is developing an Agreement Checklist Assistant that uses GenAI to support Commission staff carrying out pre-approval checks for enterprise agreement applications. The aim is to help staff identify for Members whether there are any concerns – including if the application is complete, accurate and compliant and whether it may not pass the [Better Off Overall Test](#) – before it is allocated to a Commission Member.
- [33] The Agreement Checklist Assistant will draw out key timeline information, compare relevant instrument clauses and flag potential issues for further review by our specialist staff. This will improve efficiency in the agreement approval process while retaining human oversight at key points.
- [34] The Agreement Checklist Assistant is a support tool for our triage staff and will not replace the decision-making function of Commission Members. A Commission Member will continue to review and determine applications, informed by the triage report from specialist staff, as is currently the case.
- [35] To support the efficacy of the Agreement Checklist assistant we will soon require the lodgment of a digital version of the agreement together with the signed copy.
- [36] The digital version of the agreement must be machine-readable. An original digital version of the agreement is required for the AI assistant to work effectively. In most circumstances this will be in a Microsoft Word format (DOCX). A PDF document produced digitally (such as a conversion from Word) is suitable for this purpose but a PDF document created by scanning a hard copy is not an original digital version. We will also update the [Fair Work Commission Rules 2024](#) to facilitate this requirement. This change is expected to be in place in the coming months.

AI-assisted helpline

- [37] Every day, the Commission's helpline receives a high volume of calls about matters that are outside the Commission's jurisdiction, such as requests for legal advice, or questions about information that is already available on the Commission's website. As Commission staff are only permitted to provide general information and cannot give legal advice or comment on individual circumstances these calls take time away from users who need staff assistance most.
- [38] To assist in managing this workload and to support the existing service, the Commission is considering the implementation of an AI voice agent to help triage helpline calls and improve service delivery. The AI voice agent could replace our current interactive voice recording as the public's first contact with the helpline.



[39] The aim is to reduce our call wait times and redirect queries as soon as possible if the Commission is not the appropriate body for the call. We have developed an initial proof-of-concept, and we are now assessing the viability of the product and considering whether to allocate resources to development and delivery.

Document search

[40] The Commission developed and released a new document search platform in February 2026. This was necessary to mitigate emerging risks related to older technology and the ongoing maintenance of the platform. The delivery of the new platform provides both efficiency and resourcing savings for the Commission.

[41] When the platform launched, several issues were identified. The Commission recognises this caused problems for users and that some issues remain. We are committed to delivering systems and processes that balance user needs and expectations with operational requirements. We have listened to the feedback received and allocated additional resources to remediate the document search function, fix identified problems and improve the platform.

[42] Regular users of the platform should expect ongoing enhancements and bug fixes over the coming months. If you have feedback or are experiencing issues, please use the [document search feedback form](#) available in the platform. If you leave your contact details, a staff member will contact you to discuss the issue. You can also [request a document](#) you are unable to locate to be emailed to you.

Internal organisation review

[43] The Commission is undertaking an internal organisational review to address resourcing and workload pressures. The purpose of the review is to develop a clear, agreed and long-term plan to support future operational and financial sustainability. The review is confined to opportunities where we have a reasonable level of direct control and focusses on 5 key areas:

- where we work
- how we work
- external supplier expenditure
- structure and roles
- technology and automation.

[44] The Commission is consulting extensively with Members and staff through the review. There are opportunities for efficiencies and savings through reviewing our property profile, exploring automation, GenAI integration and through natural attrition.

Property profile

[45] Over recent years, Commission Members and staff have embraced flexible working arrangements and the benefits of a hybrid working model. Consistent with evolving



community expectations, an increasing proportion of Commission matters are now conducted online, or in hybrid formats, rather than fully in person.

- [46] The use of public hearing rooms is now the exception rather than the rule in many case types. Similarly, attendance at public counters and in-person lodgments has reduced significantly, reflecting a clear preference of how the community wishes to interact with the Commission.
- [47] The Commission maintains a tenancy in each capital city and expects property to remain a critical element of its service delivery. The Commission's tenancies are specialist in nature, which means they are not readily available in the general commercial property market. They require significant capital investment to support the Commission's operations, particularly for hearing and conference rooms equipped with bespoke technology.
- [48] Notwithstanding this, the Commission has 2 major tenancy decisions approaching within the next 3 years. The Melbourne tenancy agreement concludes in December 2027 and the Canberra tenancy in mid-2028. The Melbourne tenancy is the Commission's largest financial commitment and, given the size of the tenancy, we are exploring options to reduce our footprint. In Canberra we are looking at opportunities to co-locate with other government agencies as we already do in other locations.
- [49] We anticipate that these options would provide the Commission with crucial savings in future years while ensuring that we meet our service delivery obligations.

More information and feedback

- [50] The pace of change at the Commission is high, and regular users should expect changes in how they interact with our services. The Commission will continue to listen to and work closely with key stakeholders to design and implement solutions that balance operational needs, efficiency and the needs of users.
- [51] Consultation and feedback are central to the reform program and stakeholders can expect invitations to webinars, regular communications and dedicated information resources.
- [52] We have established a reference group with representation from peak bodies to provide an open and collaborative forum for discussion around change at the Commission. Those external members include:
- ACTU
 - AiGroup
 - ACCI
 - COSBOA.
- [53] This is in addition to the Commission's existing [stakeholder user groups](#) including the Small Business Reference Group and Enterprise Agreements and Bargaining Advisory Group, which remain crucial engagement forums.



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[54] We also welcome feedback on the reform program and the initiatives underway. To provide feedback or if you need more information, please contact Feedback@fwc.gov.au.

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END

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