

Practice Direction 20 – Telephone and Audio-Visual hearings

- (1) **Practice Direction 20** – Telephone and video hearings of 1 July 2015 is revoked and replaced with this Practice Direction.

Hearings before Commissioners

- (2) Directions hearings, including initial directions hearings, held before Commissioners, will be conducted by telephone or audio-visual (AV) means.
- (3) Conciliation conferences and mediations held before Commissioners may, at the discretion of a Commissioner, be conducted:
 - a. in person with personal attendance at the Tribunal;
 - b. by telephone or AV;
 - c. using a combination of in person, telephone and AV attendances.
- (4) Hearings held before Commissioners, including hearings to determine applications for an expedited decision under the *Return to Work Act 2014*, public sector grievances and industrial disputes may, at the discretion of a Commissioner:
 - a. require personal attendance at the Tribunal;
 - b. be conducted by telephone or AV;
 - c. be conducted using a combination of in person, telephone and AV attendances.
 - d. be heard and determined on the papers.

Hearings before Presidential members

- (5) Unless otherwise directed, pre-hearing conferences, directions hearings and compliance conferences held before Presidential Members will be

conducted by telephone or audio-visual means. At the discretion of a Presidential Member, in specific circumstances parties may be required to attend in person. Applications for directions may be determined on the papers.

- (6) Settlement conferences and mediations may, at the discretion of a Presidential Member or Commissioner, be conducted:
 - a. in person with personal attendance by the parties at the Tribunal;
 - b. by telephone or AV;
 - c. using a combination of in person, telephone and AV attendances.

- (7) Unless otherwise directed, callovers will be conducted by email as follows:
 - a. No later than two business days prior to the callover, the representatives are to contact the Tribunal to advise whether:
 - i. the matter will be resolved by consent;
 - ii. the hearing should be vacated for any other good reason;
 - iii. the matter is suitable to be heard and determined on the papers.

 - b. Contact with the Tribunal is to be by email to saet@sa.gov.au with the subject heading "Callover [date of callover], [name of parties], [case number]".

- (8) Hearings held before Presidential Members and appeals may at the discretion of a Presidential Member:
 - a. require personal attendance at the Tribunal;
 - b. be conducted by telephone or AV;
 - c. be conducted using a combination of in person, telephone and AV attendances;
 - d. be heard and determined on the papers.

Delivery of judgment

- (9) Unless otherwise directed, judgments will be delivered to the parties simultaneously via email.

Practical tips for AV participants

Information about attending audio-visual hearings at SAET is available on the SAET website [Microsoft Teams \(saet.sa.gov.au\)](https://saet.sa.gov.au).

Dated this 10th day of December 2021

The Honourable Justice Steven Dolphin

A handwritten signature in green ink, appearing to read 'S. Dolphin', with a long horizontal stroke extending to the right.

President

South Australian Employment Tribunal