
Congratulations again for your strong fight that has led us to a second win against Qantas, the Full Court of the Federal Court unanimously agreeing with the initial verdict that Qantas illegally outsourced you to stop you from exercising your rights as workers.

This is a major triumph which has beaten the odds against one of the toughest and most powerful companies in the country. After two years of turmoil, we have achieved justice. We are stronger when we are together.

Many of you have questions about the case and what happens next, so we have endeavoured to answer some of those in the FAQ below. Please bear in mind that at this early stage we are unable to provide much clarification on details of compensation or next steps, but we will be updating you as often as we can.

1 What was the result of the case?

The Full Court of the Federal Court upheld the original verdict: that Qantas' outsourcing was illegal.

This is the largest case of unlawful outsourcing by a company in this country's history, and is a huge victory considering the way our laws are stacked against workers.

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

Unfortunately, despite the Full Court upholding that Qantas' conduct was unlawful, they have 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 What happens next?

Qantas has released a statement that it will seek leave to appeal the decision to the High Court, and may ask for compensation hearings to be delayed until after that process.

In the meantime, we have a case management hearing before Justice Lee on 17 May, who heard the case in the first instance. We will be asking Justice Lee to hear the compensation matters without delay.

CONTINUE READING

4 How long will the process take?

This will depend on whether or not Qantas is granted leave to appeal to the High Court. We will provide further updates either way.

5 Who determines the court process?

We will propose next steps. In terms of who decides on the final process, this will be determined by Justice Lee.

6 When will I get any money?

You will not get any compensation until after the Court process has taken place.

7 How much money will I get?

We do not yet know how much compensation, if any, each person will get. We will need to go through the process before Justice Lee to determine what your compensation will be.

8 How will my compensation be calculated?

The exact method for determining your compensation is a matter for the Court and it is likely to take into account a number of different factors.

9 Will I be compensated for loss of superannuation?

We will argue that you should be, along with other lost earnings.

10 Do I need to do anything now?

When or if any information is required directly from you, the TWU will be in touch with instructions. However, in the meantime we would like to know if you were rejected from another aviation job after being outsourced. Fill out [this confidential form](#) on your experience.

11 Why has this taken so long?

Unfortunately, legal processes before the Court can take a long time. We always do our best to have these matters considered as quickly as possible but matters such as this which have so greatly impacted so many workers do take some time to be heard. To get to this point a little over a year after the last of the outsourcing took place is a fast outcome compared to most other cases.

CONTINUE READING

12 Are Jetstar workers included in the Federal Court case?

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.

13 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.

Sorry for the technical issue with the chat function on the webinar briefing. Noting that it is too early to be able to provide much clarification on the next steps or compensation process, if you have a burning question which has not been answered here, please contact your delegate, organiser or email media@twu.com.au. We will continue to provide updates as frequently as we can throughout this process.

WE NEED YOUR STORIES

The TWU is investigating reports of workers outsourced by Qantas being rejected from other airport jobs.

Use [this form](#) to report any aviation job refusals you have received since the Qantas outsourcing and provide any supporting documentation.