



EXPRESSION
OF INTEREST
PACKAGE

COMMISSIONER



SOUTH
AUSTRALIAN
EMPLOYMENT
TRIBUNAL



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Thank you for your inquiry about the appointment of Commissioner, South Australian Employment Tribunal (SAET) advertised on **19 June 2026**. The closing date for the receipt of applications is **11.30pm, 2 July 2026, Central Standard Time**.

The appointment of a Commissioner is governed by s 16 of the *South Australian Employment Tribunal Act 2014 Act* [SAET Act].

SAET is the principal employment dispute resolution forum in South Australia.

The main objectives of SAET are to:

- ▶ Promote the best principles of dispute resolution.
- ▶ Be accessible, easy to find and easy to access.
- ▶ Be responsive to parties, especially people with special needs.
- ▶ Ensure applications are processed and resolved as quickly as possible while achieving a just outcome.
- ▶ Use straightforward language and procedures.

The Attorney-General is seeking expressions of interest from high calibre candidates who have significant experience and expertise in dispute resolution and workers compensation law. Legal practice is desirable but not essential to help us to achieve these goals. Commissioners must be comfortable using our systems, approaches and processes, and they will be supported with appropriate training and development.

Legal practitioners should note:

- Sub-rule (1) of rule 225 of the *South Australian Employment Tribunal Rules 2024* provides that a legal practitioner who is a former Commissioner is not permitted to accept or retain a brief or instructions to appear in the Tribunal in the jurisdiction(s) to which they were previously assigned for a period of 2 years after ceasing to be a Commissioner. That general restriction is in accordance with rule 38.4 the *South Australian Legal Practitioners Conduct Rules*.
- However, in accordance with the exception provided by rule 38.7 of the *South Australian Legal Practitioners Conduct Rules*, sub-rule (2) of rule 225 of the *South Australian Employment Tribunal Rules 2024* states that sub-rule (1) does not apply to a legal practitioner who was a Commissioner for 1 year or less.
- Sub-rule 225(2) was created to address the concern amongst the legal profession that an appointment as a Commissioner would adversely affect that person returning to legal practice. If a Commissioner leaves within their first year of appointment, sub-rule 225(2) should ensure that person can return to legal practice within the jurisdictions of the Tribunal.

Consideration will be given to those expressing an interest in appointment on a full-time, part-time or sessional basis.

The SAET Act allows for Commissioners to be appointed for a term of office not exceeding 5 years.

Commissioners receive remuneration at the South Australian public sector LEC5 Step 4 classification (from 1 July 2026 \$180,058 for full-time appointments).

Expressions of interest should take the form of a covering letter in 2 pages addressing the Selection Criteria, along with a Curriculum Vitae. Any appointments will be subject to the completion of a National Police Clearance form.





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INTRODUCTION

This EOI Package is intended to assist people in applying for the appointment of a Commissioner to the South Australian Employment Tribunal (SAET).

This EOI Package provides an overview of the purpose and operations of SAET and details of the Selection Criteria and process for appointment.

Expressions of interest are sought from qualified and experienced applicants who have the capacity to exercise authority and remain professionally independent in carrying out the role of Commissioner.

The successful person will be of the highest level of integrity and possess relevant experience and personal qualities. In making an appointment, the Attorney-General will have regard to the need for balanced gender representation, social and cultural diversity and the range of knowledge, expertise and experience required within the membership of SAET.

The Attorney-General will also have regard to a diversity of experience, and persons with experience of either employee or employer interests will be considered.

To be eligible for appointment as a Commissioner you must be a legal practitioner of at least five years' standing or a person with extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the Tribunal.

FUNCTIONS OF SAET

SAET is the principal employment dispute resolution forum in South Australia. The majority of SAET's work is the resolution of disputes under the *Return to Work Act*.

SAET provides a single, easy to access body for the fair and independent resolution of all applications made.

Commissioners of SAET are centrally located at **Level 6, Riverside Centre, North Terrace, Adelaide** where they primarily facilitate conciliation conference processes, which may be conducted in person, by video-conference, or teleconference

SAET is led by the President, Justice Steven Dolphin whose functions include primary responsibility for the administration of the Tribunal.

The Registrar assists the President with the administration of the Tribunal and is responsible for the day-to-day case management of the Tribunal.

Conciliation and settlement processes are an integral focus of SAET. The majority of applications received by SAET undergo a compulsory conciliation process facilitated by a Commissioner, with about 70% resolving at this stage without being referred to a Presidential member.





COMMISSIONERS FUNCTIONS

Commissioners are responsible for conducting conciliation processes and where appropriate, arbitrations. Conciliation conferences will ordinarily be conducted over part of a day and may be adjourned from time to time.

Functions of the Commissioner

On receipt of an Application, the Commissioner will make contact with the parties or their representatives and may exercise such powers and give such directions as may reasonably be required to conciliate the matter between the parties.

The Commissioner will assist the parties to reach a mutually acceptable agreement. The Commissioner may achieve this by the following:

- ▶ Contacting the parties in dispute to obtain details of the dispute.
- ▶ Considering all information and identifying issues relevant to the dispute.

- ▶ Making necessary directions prior to the conciliation conference.
- ▶ Convening a conciliation conference to enable the parties to appear at a previously advised date and time.
- ▶ Conducting a conciliation conference to discuss and pursue all possible avenues to attempt to resolve all matters in dispute.
- ▶ Identifying, clarifying and narrowing the issues in dispute in order to promote the resolution of the matter.
- ▶ Completing appropriate documents at the conclusion of the conciliation conference in relation to an agreed outcome.
- ▶ For proceedings under the *Return to Work Act 2014*, ensure that the conciliation conference is concluded within 10 weeks, unless satisfied that an extension of time is justified under the legislation.
- ▶ Writing appropriate assessments at the conclusion of the conciliation conference where matters are not resolved, if required.



COMMISSIONER SELECTION CRITERIA

Reporting and Working Relationships

A Commissioner of SAET is accountable to the President and to their delegated manager for day-to-day operations.

A Commissioner of SAET will have key working relationships with a range of SAET stakeholders who include:

- ▶ Registrar and Deputy Registrars of SAET.
- ▶ Staff of SAET.
- ▶ Members of the public, including parties, advocates, representatives, and relevant interest groups.
- ▶ Executives and employees across the Attorney-Generals Department (AGD).
- ▶ Government Departments.

Selection Criteria

Technical Expertise

A person is eligible for appointment as a Commissioner if they are:

- ▶ a legal practitioner of at least five years' standing; or
- ▶ a person with extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the Tribunal, including workers' compensation, industrial and employment matters.

Selection Criteria

In addition the successful applicant must have:

- a. Demonstrated ability to promote and conduct alternative dispute resolution processes.
- b. Demonstrated ability to work **independently** in a high-volume and complex case-driven work environment and resolve and determine matters within limited timeframes.
- c. Proven ability in using and working within IT infrastructures, applications and data bases.
- d. Impeccable personal integrity and a demonstrated commitment to fairness, equity and access to justice.
- e. Knowledge and understanding of workers compensation law.
- f. Demonstrated high level strategic, policy development, analytical and problem solving skills.
- g. Well-developed communication, negotiation, liaison and interpersonal skills including the capacity to work collaboratively and gain the co-operation of others including other professionals to achieve particular goals.
- h. Ability to develop effective working relationships with people at all levels, both within and outside SAET.

Key Attributes

- ▶ The capacity to exercise authority and remain professionally independent in carrying out the appointment of Commissioner.
- ▶ Impeccable personal integrity and a demonstrated commitment to fairness.
- ▶ Ability to apply the law equally and act in an impartial manner in the performance of decision making functions.
- ▶ Excellent interpersonal, representational and negotiation skills.
- ▶ Demonstrated understanding of diversity issues.

Desirable

- ▶ Accreditation or the ability to achieve accreditation as a mediator under the National Mediation Accreditation System.
- ▶ Demonstrated ability to promote and conduct alternative dispute resolution processes particularly in a Tribunal setting.
- ▶ Knowledge and understanding of employment and industrial relations law.



TERMS AND CONDITIONS (INCLUDING CODE OF CONDUCT)

Terms and Conditions of Appointment, which includes details of duties of the Appointment, performance standards and the Code of Conduct are available on request.

HOW TO APPLY

Applications are by expression of interest.

You should provide:

1. A copy of your Curriculum Vitae outlining your qualifications and experience (no more than 6 pages)
2. A covering letter addressing the Selection Criteria.
3. The names and contact details of three referees.
4. A completed copy of the Pre-employment Declaration.

For confidential discussions about the functions and terms and conditions of the role, please contact Wendy Wakefield, Registrar, SAET on 8177 3500 or email SAETAdmin@sa.gov.au.

Your expression of interest will need to be lodged through www.iworkfor.sa.gov.au, job reference 848708.

Applications will be accepted up to **11.30pm, 2 July 2026**.