

51K. Certain matters to be heard together

- (1) The section applies if —
 - (a) under the *Industrial Relations Act 1979*, an employee has referred to the Commission a claim that the employee has been harshly, oppressively or unfairly dismissed from employment; and
 - (b) a matter —
 - (i) involving the same employer and employee; and
 - (ii) arising out of the same circumstances,has been referred for determination under the jurisdiction conferred by section 51G.
- (2) An employee referred to in subsection (1) may in writing request that a matter referred to in subsection (1)(a) be heard and determined by the Commissioner who is hearing and determining the matter referred to in subsection (1)(b).
- (3) If such a request is made, the Chief Commissioner, in exercising the powers conferred by section 16 of the *Industrial Relations Act 1979*, is to allocate the hearing and determination of the matter accordingly.
- (4) If —
 - (a) an employee has referred to the Commission a claim of the kind described in section 29(1)(b)(ii) of the *Industrial Relations Act 1979*; and
 - (b) the claim involves the same employer and arises out of the same circumstances as a matter that has been referred for determination under the jurisdiction conferred by section 51G,

nothing in this section prevents the Chief Commissioner exercising the powers conferred by section 16 of that Act so that the claim is heard and determined by the Commissioner who is hearing and determining the matter referred to in paragraph (b).

[Section 51K inserted by No. 51 of 2004 s. 67.]