



# PUBLIC WARNING NOTICE

Issued under section 223 of the Australian Consumer Law

## Unfair Dismissals Direct

The Australian Competition and Consumer Commission (**ACCC**) is issuing this Public Warning Notice to warn consumers about the alleged conduct of Dismissals Direct Pty Ltd trading as Unfair Dismissals Direct (**Unfair Dismissals Direct**) ACN 616 466 865. Mr John Bingham is the director of Unfair Dismissals Direct.

The ACCC has received complaints from consumers around Australia since May 2018 until earlier this year about Unfair Dismissals Direct. Consumers have complained that Unfair Dismissals Direct did not transfer settlement monies to them, after receiving money on their behalf following a conciliation at the Fair Work Commission (**FWC**).

Eighteen consumers have complained to the ACCC that after signing an agreement with Unfair Dismissals Direct, which provided a 'no win, no fee guarantee' for representation at the FWC, Unfair Dismissals Direct did not pay them their settlement monies after deducting its fees. These consumers allege they are owed settlement monies of varying amounts up to \$7,000.

The Australian Consumer Law (**ACL**) prohibits businesses from engaging in conduct that is misleading or deceptive or likely to mislead or deceive, and from making false or misleading representations as to the benefits of services.

The ACCC is warning the public about this alleged conduct by Unfair Dismissals Direct by issuing this notice under section 223 of the ACL because the ACCC:

- a) has reasonable grounds to suspect that the conduct of Unfair Dismissals Direct may constitute a contravention of sections 18(1) and/or 29(1)(g) of the ACL, by representing that it would receive settlement monies on a consumer's behalf, deduct its professional fees and transfer the remaining balance to the consumer when in some instances Unfair Dismissals Direct did not transfer the remaining balance to consumers;
- b) is satisfied that one or more persons has suffered detriment as a result of the alleged conduct; and
- c) is satisfied that it is in the public interest to issue this Public Warning Notice.

Rodney Graham Sims  
Chair

Date: 4 December 2020