



About the F10 application form

Application for the Fair Work Commission to deal with a dispute in accordance with a dispute settlement procedure

About dispute resolution

Part 6-2 of the [Fair Work Act 2009](#) allows parties to a workplace dispute to apply to the Fair Work Commission (Commission) to deal with the dispute if:

- a modern award, enterprise agreement, minimum standards order, road transport contractual chain order (known as fair work instruments), or a collective agreement, public sector determination, contract of employment or other written agreement includes a dispute settlement procedure, and
- that dispute settlement procedure requires or allows the Commission to deal with a dispute.

The Commission can only deal with a dispute in the way that the dispute settlement clause allows. For example, a clause may allow a party to apply to the Commission to deal with a dispute only after all internal dispute mechanisms have been exhausted. The Commission must not exercise any powers until the conditions of the clause have been met.

The Commission can only deal with disputes under a contract of employment, other written agreement or public sector determination that relate to the National Employment Standards (the NES) or a safety net contractual entitlement. A safety net contractual entitlement is an entitlement under a contract of employment that relates to the NES or a modern award (for example, a rate of pay). Information about the NES and modern awards is available on the Commission's website www.fwc.gov.au.

The Commission can only deal with a dispute about an individual flexibility arrangement or a request for a period of parental leave beyond the initial 12 months provided under the NES if the enterprise agreement, contract of employment or other written agreement allows it.

When to use this form

The Applicant may use this form to apply to the Commission to deal with a dispute if:

- a modern award, enterprise agreement, minimum standards order, road transport contractual chain order, collective agreement, public sector determination, contract of employment or other written agreement applies to you
- it contains a dispute settlement procedure
- that dispute settlement procedure requires or allows the Commission to deal with a dispute
- the Applicant has followed all internal dispute resolution procedures or other dispute resolution procedures that you are required to follow before lodging a dispute with the Commission
- the Applicant would like the Commission to deal with the dispute in accordance with the dispute settlement procedure.

Lodging and serving your completed form

1. **Lodge** with the Commission:

- this **form** and any supporting documents, and
- a copy of the **dispute settlement procedure** that requires or allows the Commission to deal with a dispute.

You can lodge:

- by email to lodge@fwc.gov.au, or
- by post or in person at the [Commission's office](#) in your state or territory.

2. **Serve** a copy of all documents lodged with the Commission on the Respondent. An easy way to do this is to copy the Respondent into the lodgment email you send to the Commission.

Otherwise, you must send the Respondent the documents **as soon as practicable** after lodging. You can serve documents several ways, including by email, express post, registered post or in person.

Where to get help

Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- processes in the Commission
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website www.fwc.gov.au also contains a range of information that may assist.

Throughout this form



This icon appears throughout the form. It indicates information to help you answer the question following.

Legal or other representation

Representation is where another person (such as a lawyer, paid agent, employee organisation or employer organisation) speaks or acts on a person's behalf, or assists a person in certain other ways in relation to a matter before the Commission. There is no requirement to be represented at the Commission.

There are some restrictions on representation by a lawyer or paid agent.

Generally, a person must give notice to the Commission (by lodging a [Form F53 – Notice that a person: \(a\) has a lawyer or paid agent; or \(b\) will seek permission for a lawyer or paid agent to participate in a conference or hearing](#)) and seek permission from the Commission Member dealing with the matter if they wish to have a lawyer or paid agent represent them by participating in a conference or a hearing.

Apart from participating in a conference or hearing, a person's lawyer or paid agent can represent them without permission, unless the Commission decides otherwise. For example, the lawyer or paid agent can prepare and lodge written applications, responses and submissions with the Commission, and communicate in writing with the Commission and other parties to the matter on the person's behalf.

The requirement to give notice and seek permission for a lawyer or paid agent to participate in a conference or hearing, does not apply if the lawyer or paid agent is:

- an employee or officer of the person
- a bargaining representative that is representing the person, or
- an employee or officer of an employee or employer organisation that is representing the person.

Rule 13(2) of the [Fair Work Commission Rules 2024](#) sets out further exceptions to the requirement to give notice and seek permission.

For more information about representation by lawyers and paid agents, see section 596 of the [Fair Work Act 2009](#), rules 11, 12, 13 and 14 of the [Fair Work Commission Rules 2024](#) and the Commission's [practice note on representation by lawyers and paid agents](#).

Glossary of common terms

Applicant – the person or organisation that is making an application.

Arbitration – means the Commission will determine the dispute by making a binding decision.

Jurisdictional objection – a type of objection a Respondent can raise to an application. A Respondent can make this kind of objection if they think that the Commission, for a technical or legal reason, cannot hear the matter.

Lawyer – a person who is admitted to the legal profession by a Supreme Court of a State or Territory.

Paid agent – in relation to a matter before the Commission, is an agent (other than a bargaining representative) who charges or receives a fee to represent a person in the matter.

Party –s a person or organisation involved in a matter or case that is brought to the Commission.

Respondent –the person or business responding to an application made by an applicant.

Service –means giving a copy of the document to a person or organisation, usually to the other party to the matter. You can serve a document in a number of ways, including by email, express or registered post, or in person. Part 5 of Chapter 1, rule 119 and Schedule 1 of the [Fair Work Commission Rules 2024](#) deal with service.

Privacy

The Commission collects the information (including personal information) provided to it in this form for inclusion on the case file, and may disclose this information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the [Privacy notice](#) for this form, or ask for a hard copy to be provided to you.



Remove this cover sheet and keep it for future reference – it contains useful information.

Form F10 – Application for the Fair Work Commission to deal with a dispute in accordance with a dispute settlement procedure

[Fair Work Act 2009](#), s. 739; [Fair Work Commission Rules 2024](#), rules 119 and 123 and Schedule 1

This is an application to the Fair Work Commission for it to deal with a dispute in accordance with a dispute settlement procedure.

The Applicant



Please enter the Applicants details here.

the Applicant is an individual, provide the following information:

First name(s)			
Surname			
Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	
Applicant's age	<input type="checkbox"/> 18 years or over (adult)		
	<input type="checkbox"/> Under 18 years		

If the Applicant is under 18 years of age, the Commission encourages them to have a parent or guardian, or a legal representative, involved. We can provide further information about how to find legal services.

If the Applicant is not an individual, provide the following information:

Legal name of Applicant	
Applicant's ACN (if a company)	
Applicant's trading name or registered business name (if applicable)	
Applicant's ABN (if applicable)	
Contact person	

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Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Do you need an interpreter?



If you have trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help for non-English speakers](#) on our website.

Yes – Specify language

No

Do you require any special assistance at the hearing or conference (eg a hearing loop)?

Yes – Please specify the assistance required

No

Does the Applicant(s) have a representative?



A representative is a person or organisation representing the Applicant. This might be a lawyer or paid agent, a union or employer association or a not-for-profit association or body that provides support, advice or advocacy about employment or workplace relations matters. You do not need to have a representative. You can read more [about whether or not to have a representative](#) on our website.

Yes – give representative’s details below

No – go to questions about the Respondent


Representative’s details



These are the details of the person that is representing you (if any).

Name of person	
Firm, company or organisation	
Representative’s ABN (if applicable)	

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Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	
<p>Is the representative a lawyer or paid agent?</p> <p> The Applicant will need permission to be represented by a lawyer or paid agent in a conference or hearing. Our lawyers and paid agents practice note explains when you need to ask for permission to be represented.</p>			
<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent		
<input type="checkbox"/> No			

The Respondent

These are the details of the person or business who will be responding to your application to the Commission.

If the Respondent is an individual, provide the following information:

First name(s)			
Surname			
Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	

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If the Respondent is not an individual, provide the following information:

Legal name of Respondent			
Respondent’s ACN (if a company)			
Respondent’s trading name or registered business name (if applicable)			
Respondent’s ABN (if applicable)			
Contact person			
Phone number			
Email address			
Postal address			
Suburb			
State or territory		Postcode	



Note: Responding to this application

1. If you would like to provide a response you should lodge your response with the Commission as soon as practicable. You can lodge your response by post, email, or in person to the [Commission’s office](#) in your state or territory. There is no prescribed form for your response, you can use the [F1 – Application \(no specific form provided\)](#).
2. **You must serve a copy** of your response and any supporting documentation on the Applicant as soon as practicable after the document is lodged with the Commission.

1. Coverage

1.1 What industry is the employer in?

Form F10 – Application for the Commission to deal with a dispute
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Select one of the options below.

If you are not sure, the [Fair Work Ombudsman](#) can help you find out which fair work instrument covers you or your business.

If you know what fair work instrument covers you but you don't know all of the information to answer questions 1.2, 1.3 and 1.4 you can search for your instrument on the [Commission's website](#).

A modern award

What is the name of the modern award:

An enterprise agreement (made under the *Fair Work Act 2009* after 1 July 2009)

What is the name of the enterprise agreement:

What is the ID code of the enterprise agreement (ie the eight digit code starting with AE):

A minimum standards order

What is the name of the minimum standards order:

A road transport contractual chain order

What is the name of the road transport contractual chain order:

A collective agreement

What is the name of the collective agreement:

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Other instrument or written agreement

What is the name of the instrument or other written agreement containing the dispute resolution procedure:

What is the ID code of the instrument or other written agreement (if applicable):

1.3 What clause of the industrial instrument or other written agreement contains the dispute settlement procedure?



List the dispute resolution clause number from the relevant industrial instrument below. Attach a copy of the clause to this application.

1.4 What clause of the industrial instrument or other written agreement does the dispute relate to?



List the clause(s) within the relevant industrial instrument or other written agreement that the dispute relates to. If also relevant, **list** the National Employment Standard that the dispute relates to. Attach a copy of the clause to this application

Form F10 – Application for the Commission to deal with a dispute
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Using numbered paragraphs, describe what the dispute is about, including by reference to the clauses set out above. Attach additional pages if necessary.

2.2 Does this application relate to a refusal by an employer of a request by an employee for flexible working arrangements? Yes No**2.3 Does this application relate to a refusal by an employer of a request by an employee for an extension of unpaid parental leave?** Yes No**2.4 Does this application relate to a dispute about changing from casual employment to full-time or part-time employment?** Yes No

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2.5 Does this application relate to a dispute about the exercise of entitlements of an employee in their capacity as a workplace delegate?

Yes

No

2.6 Does this application relate to a dispute about the exercise of an employee’s right to disconnect?

Yes

No

2.7 What steps have already been taken to resolve the dispute under the dispute resolution procedure?

Using numbered paragraphs, set out, in chronological order, the steps already taken (if any). Attach additional pages if necessary.

3. Relief sought

3.1 What relief are you seeking by making this application to the Commission?

If the dispute resolution clause in the instrument gives the Commission the power to arbitrate the dispute, please also specify the determination sought.

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Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant—insert 'Applicant'
- If you are an employee of a company or organisation that is the Applicant—insert your position title
- If you are the Applicant's representative and have provided your details in this form—insert 'Representative'.

Authority to sign	
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Insert your signature, name and the date. If you are completing this form electronically and do not have an electronic signature, type your name in the signature field.

Signature	
Name	
Date	

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS