

**IN THE FEDERAL CIRCUIT COURT  
OF AUSTRALIA  
REGISTRY: .....**

File number: .....

.....  
Applicant

.....  
Respondent

*Repeat as necessary for additional parties*

**Form 2**      **Claim under the Fair Work Act 2009 alleging  
dismissal in contravention of a general  
protection**  
Fair Work Division  
Rule 45.06(b)

<b>Part A – Details of employee</b>	
1. Name	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (give details): ..... Family name: ..... Given names: .....
2. Address	..... ..... Postcode: .....
3. Phone	Business hours:      (....) ..... After hours:            (....) ..... Mobile:                    .....
4. Date of birth	...../...../.....
5. First language	<input type="checkbox"/> English <input type="checkbox"/> Other (specify): .....

## Part B – Details of employment

6. Employer's name	
7. Employer's trading address or registered office	<p>.....</p> <p>..... Postcode: .....</p> <p>Phone: (.....) .....</p> <p>Fax: (.....) .....</p>
8. Work performed for employer (occupation)	
9. Place of work	<p>.....</p> <p>..... Postcode: .....</p>
10. Period of employment	<p>Date started work: ...../...../.....</p> <p>Last date worked: ...../...../.....</p>
11. Was the employee given a written notice of dismissal?	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes - Copy attached</p>

## Part C – If the applicant is an individual – details of representation

12. Is a union acting on your behalf?	<p><input type="checkbox"/> No - go to 19</p> <p><input type="checkbox"/> Yes - go to 13</p>
13. Name of union	
14. Address	<p>.....</p> <p>..... Postcode: .....</p>
15. Contact person	<p>Name: .....</p> <p>Phone: (.....) .....</p> <p>Fax: (.....) .....</p>

**Part D – If the applicant is an industrial association – details of representation**

16. Is a member, officer or employee of the applicant representing it?	<input type="checkbox"/> No - go to 19 <input type="checkbox"/> Yes - go to 17
17. Name of the member, officer or employee	
18. Address	..... ..... Postcode: .....

**Part E – Details of lawyer**

19. Is a lawyer representing you?	<input type="checkbox"/> No - go to 23 <input type="checkbox"/> Yes - go to 20
20. Lawyer's name	
21. Name of lawyer's firm	
22. Address	..... ..... Postcode: .....  DX: ..... Phone: (.....) ..... Fax: (.....) .....

**Part F – Notices from the Court**

23. Where do you want notices from the Court sent?	<input type="checkbox"/> address in 2 <input type="checkbox"/> union in 13 -15 <input type="checkbox"/> address in 17 -18 <input type="checkbox"/> lawyer in 20-22 <input type="checkbox"/> other (give details): .....
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## Part G – Contravention(s) alleged

24. What are the grounds for the claim that the employee was dismissed in contravention of a general protection?

(Set out in numbered paragraphs the facts relied on and the provisions of the Fair Work Act relevant to the claim)

If relying on s.340 specify the 'workplace right' claimed.

If relying on s.351 specify the attribute in s.351(1)

Attach an extra sheet if required

## Part H – Remedy sought

26. What are you asking the Court for?

Injunction

*Please specify on an attached sheet the terms of the injunction or injunctions sought.*

Compensation

*Please give details on an attached sheet of how much compensation the employee is claiming and how the amount has been calculated (eg loss of income).*

Reinstatement

Pecuniary penalty

Other

*Please give details on an attached sheet*

27. To whom should any compensation, pecuniary penalty or other amount ordered be paid?

Compensation: .....

Pecuniary penalty: .....

Other: .....

**Part I – Required documents**

28. A certificate issued by the Fair Work Commission under s 369 of the Fair Work Act must accompany your application and claim.

- Copy of certificate attached
- Copy of certificate not attached

**Signature of applicant, lawyer or authorised representative**

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Signed by (print name) .....

- the applicant
- lawyer for the applicant
- authorised representative of the applicant

Date: ...../...../.....

Form approved by the Chief Judge pursuant to Subrule 2.04(1A) for the purpose of Subrule 45.04(2)(a)

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