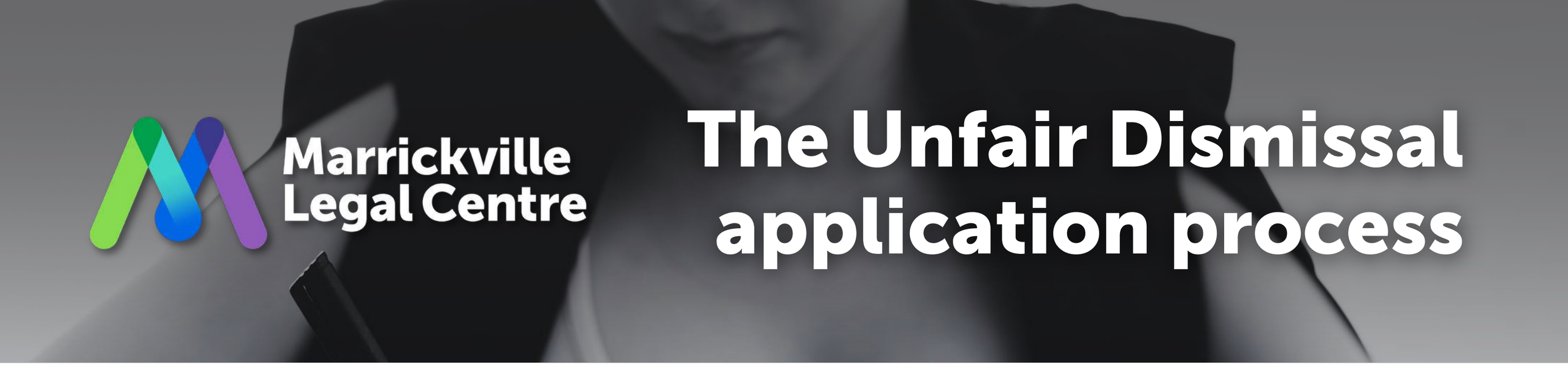

Marrickville Legal Centre

The Unfair Dismissal application process

THE STEPS		TYPICAL TIMING
1	**You file your application** You lodge a Form F2 (Unfair Dismissal Application) with the Fair Work Commission and pay the filing fee.	-
2	**FWC sends F2 to employer** The Fair Work Commission sends a copy of your F2 application to your former employer.	**Within a few days of lodgement**
3	**Employer files response** Your former employer files a Form F3 (Employer Response) with the Commission. You will receive a copy.	**Within 7 days of receiving the F2** (or 21 days if extra time has been granted by FWC)
4	**Seek legal advice** You should review the Employer Response and obtain free legal advice from a lawyer.	**Within a few days of receiving the F3**
5	**Notice of Listing issued** The Commission issues a Notice of Listing for conciliation to all parties. This notice will specify the date, time, and method of conciliation.	**Usually 3-4 weeks after the F3 is filed**
6	**Conciliation call** An independent Commission concilliator conducts a confidential conciliation conference over Microsoft Teams.	**Date and time set out in Notice of Listing**

POSSIBLE OUTCOMES

SETTLEMENT REACHED
If an agreement is reached, the matter is finalised and the case is closed.

NO SETTLEMENT
If no agreement is reached, the matter may proceed to further conferences or a hearing before the Commission.