

EMPLOYER'S RESPONSE TO PUBLIC SECTOR DISCIPLINARY APPEAL

COMMISSION DETAILS

Industrial Relations Commission of New South Wales

Case number [number]

TITLE OF PROCEEDINGS

Appellant [name]

Respondent (Employer) [name]

FILING DETAILS

Filed for **Respondent**

#Representative [Name of representative] [industrial organisation or firm]

Contact number [telephone]

Contact email [email address]

Is the employer correctly identified in the Application for Public Sector Disciplinary Appeal? Yes No

If no, what is the correct name? [name of employer]

LISTING DETAILS

The matter at the first instance will be listed for conciliation, and parties will be advised of the date, time and place of the conciliation. Any enquiries should be made to the Industrial Relations Commission Registry, telephone 02 8688 3516.

If there is no attendance by a party or their counsel, solicitor or agent at the time and place as notified to the parties, the proceedings may be heard in their absence and an order may be made against the party who fails to appear.

RESPONSE TO APPLICATION

What is your response to the claim that the decision being appealed against should not have been made? Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation conference and during any hearing.

1 []

2 []

SIGNATURE

#Signature on behalf of
Respondent

Capacity [eg solicitor, authorised officer]

Date of signature [date]

NOTES

1. The application for public sector disciplinary appeal must have been filed within 28 days of the date when the employee was notified of the decision being appealed against. The Commission has no discretion to extend the time for filing. If it is alleged that the application has been filed out of time please specify in the section of this form entitled "Response to Application" above the basis of that allegation.
2. This response form must be filed with the Industrial Registry within 7 days of receipt of the Registry letter. You must provide a copy of this form immediately to the appellant, either personally or by post.
3. You may, but you are not required to, indicate whether or not you consider the employee is eligible to bring the claim. If you wish to raise any issue as to the Commission's jurisdiction, you may do so in your response to this claim.
4. You will be advised of a date for conciliation conference before a member of the Commission. Please ensure that when you attend for the conciliation conference you are prepared to discuss the matter and the question of settlement (see Practice Note 23A). The person attending the conciliation conference should have the authority to settle the matter. At the conciliation you should provide any relevant documents that you have concerning the appeal.
5. You should make every effort to contact the appellant prior to the conciliation with a view to settling the claim.
6. Please ensure that you have completed all of the details in this form carefully. The information you provide in this form must be true and correct to the best of your knowledge and belief.

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website: <https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>.

REGISTRY ADDRESS

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|----------------|---|
| Street address | Industrial Relations Commission of New South Wales 47 Bridge Street Sydney NSW 2000 or 10 Smith Street Parramatta NSW 2150 |
| Postal address | PO Box 927 Parramatta NSW 2124 |
| Telephone | 02 8688 3516 |