## Respondent’s Document list

An unfair dismissal conference (conference) is a private conference that is conducted by a Fair Work Commission Member. Following the conference, the Commission Member will make a decision immediately or at a later date about whether the applicant (the employee) was unfairly dismissed.

Organising your documents and preparing your **Document list** is an important part of preparing for your conference.

### What to include in your Document list

List all the documents that you intend to rely upon at the conference. Examples of the kinds of documents you might use at the conference include:

* Contract of employment or letter of offer
* Payroll records including pay slips
* Rosters and timesheets
* Warning letters
* Letter of termination
* Emails and other correspondence with the applicant (the employee)
* Training records (if relevant)
* Records of discussions regarding the applicant's performance (if relevant)
* Any other documents you think are relevant to your case.

Attach a copy of each document to the list.

### What to do with your Document list

Send your completed **Document list** and copies of your documents to the Commission **by the time and date specified in the requirements**. Contact details of your case manager can be found on your Notice of Listing. You should also send a copy of the **Document list** and your documents to the applicant (the employee).

Print out your completed **Document list**. Bring the list and a copy of each of the documents with you on the day of the conference.

## Respondent’s document list

### Matter details

|  |  |  |
| --- | --- | --- |
| **Type of document**(e.g. Contract of employment, correspondence, medical certificate, meeting minutes, pay slip, separation certificate, warning letter, etc.) | **Brief description of document** | **Date of document** |
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*Attach additional pages if necessary*

### Legal advice

The Commission cannot provide legal advice.

As part of the unfair dismissal application process, parties may choose to obtain their own independent legal advice.

### There are community legal centres in each state and territory. Community Legal Centres Australia legal help page ([clcs.org.au/index.php/findlegalhelp](https://clcs.org.au/index.php/findlegalhelp)) can assist with finding the nearest community legal centre. Please note that Community Legal Centres Australia does not itself offer legal advice.

### Further information

For eligibility information, refer to the Unfair dismissal—Am I eligible to apply? page on the Commission's website ([www.fwc.gov.au/job-loss-or-dismissal/unfair-dismissal/about-unfair-dismissal/check-eligibility-unfair-dismissal](http://www.fwc.gov.au/job-loss-or-dismissal/unfair-dismissal/about-unfair-dismissal/check-eligibility-unfair-dismissal)).

You can also refer to the full set of unfair dismissal guides available on the Unfair dismissal page ([www.fwc.gov.au/job-loss-or-dismissal/unfair-dismissal](http://www.fwc.gov.au/job-loss-or-dismissal/unfair-dismissal)) of our website.

1. Overview of the unfair dismissal laws

2. Flowchart on the process

3. Making an application

4. Responding to an application

5. Objecting to an application

6. Preparing for conciliation

7. Preparing for a conference or hearing

8. Frequently asked questions

9. Glossary of common terms

The Unfair Dismissals Benchbook can also assist parties lodging or responding to unfair dismissal applications ([www.fwc.gov.au/benchbook/unfair-dismissals-benchbook](http://www.fwc.gov.au/benchbook/unfair-dismissals-benchbook)).

If you require further information or help, please refer to the Contact us page on the Commission's website ([www.fwc.gov.au/about-us/contact-us](http://www.fwc.gov.au/about-us/contact-us)).

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This guide is not intended to be comprehensive. It is designed to assist in gaining an understanding of the Fair Work Commission and its work. The Fair Work Commission does not provide legal advice.