



## About the F10A application form

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# Application for the FWC to deal with a dispute about changing from casual employment to full-time or part-time employment

Division 4A of Part 2-2 of the [Fair Work Act 2009](#) (Fair Work Act) provides for a casual employee to become a full-time or part-time employee in some circumstances. If an employee and employer have a dispute about the operation of these provisions and the dispute can't be resolved at the workplace, the employee or employer may be able to apply to the Fair Work Commission (Commission) to deal with the dispute.

The Commission can deal with the dispute as it considers appropriate, including by mediation, conciliation, making a recommendation, or expressing an opinion. In some circumstances, the Commission can arbitrate and make binding orders to settle the dispute. If the employer is a small business employer and the dispute arises before 26 August 2025 then the Commission can generally only arbitrate if the parties agree to arbitration.

You can read more about [casual to full-time or part-time employment disputes](#) on the Commission's website.

### When to use this form

Use this form to make an application under section 66M of the Fair Work Act for the Commission to deal with a dispute about changing from casual employment to full-time or part-time employment under Division 4A of Part 2-2 of the Fair Work Act.

You can use this form if:

- you are the employee or employer (or are completing this form for the employer) **and**
- you have been unable to resolve the dispute at the workplace level, by discussions between the parties **and**
- if the employer is a [small business employer](#), and the dispute arises before 26 August 2025, there is no fair work instrument (such as a modern award or enterprise agreement), employment contract or other written agreement that provides a procedure for dealing with the dispute.

### Lodging your completed form

**Lodge your application** and any supporting documents:

- by email to [lodge@fwc.gov.au](mailto:lodge@fwc.gov.au), or

- by post, email, or in person at the [Commission office](#) in your state or territory.

**We will send a copy of the documents you lodge to the other people involved in this case** and their representative, if they have one. This is so they can understand your side of the case.

## Throughout this form



This icon appears throughout the form. It indicates information to help you complete the form.

There is more helpful information in the **Information sheet** at the end of this form.

# Form F10A – Application for the FWC to deal with a dispute about changing from casual employment to full-time or part-time employment

[Fair Work Act 2009](#), section 66M

This is an application under section 66M of the Fair Work Act for the Fair Work Commission to deal with a dispute about changing from casual employment to full-time or part-time employment.

## The Applicant



This is information about the Applicant. You should provide a telephone number. It is important that we can contact you so that we can deal with your application.

**The Applicant is (choose one of the following):**

- An employee
- An employer

**If 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		

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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			
Postal address			
Suburb			
State or territory		Postcode	
Phone number			
Email address			

Note: If you provide a mobile number we may send reminders via SMS.

**Do you need an interpreter?**



Do you need help understanding or speaking English? If you need an interpreter to help you in a conference or hearing, the Fair Work Commission can organise an interpreter. The service is free. You can find out more about [help for non-English speakers](#) on our website.

- Yes – what language?
- No

**Do you need any special assistance at a hearing or conference (e.g., do you have hearing difficulties)?**



If you answer yes, we will contact you before a hearing or conference to see if there is anything we can reasonably do to help you.

- Yes – what do you need?
- No

**Does the Applicant have a representative?**



A **representative** is a person that is representing the Applicant. This might be a lawyer or paid agent, a union, employer organisation or a not-for-profit association or body that provides support, advice or advocacy in relation to the kind of application or case concerned. The Applicant does not need to have a representative. You can read more [about whether or not to have a representative](#) on our website.

- Yes – give us information about your representative below
- No – go to questions about the Respondent.

**Representative’s details**



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

Name of person			
Firm, company or organisation			
Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	

**Is the representative a lawyer or paid agent?**

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.

 Yes – please select:

 Lawyer

 Paid agent

 No
**The Respondent**


This is who the Applicant is having the dispute with. The Fair Work Commission will give them a copy of this form. They will have the opportunity to tell us their side of the case.

**The Respondent is (choose one of the following):**
 The Applicant's employee

 The Applicant's employer
**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	

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

	If the Respondent is your employer, note that the legal name of your employer may be different to the <b>trading name or registered business name</b> . You should be able to find the legal name of your employer on your pay slips, PAYG payment summary, appointment letter or employment contract.		
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	

## 1. Other details

### 1.1 To the best of your knowledge, is the employer a small business employer?



If the employer is a small business employer and

- the dispute arose before 26 August 2025, and
- the employee is covered by a fair work instrument (such as a modern award or enterprise agreement), a contract of employment or another written agreement,

check to see if it has a dispute resolution procedure that applies to the dispute. If it does, you need to follow that procedure instead of making this application.

To find out more about the meaning of *small business employer* and how to calculate the number of employees, see [what is a 'small business'?](#)

Yes

No

## 2. The dispute



Answer each question below using numbered paragraphs.

Attach additional pages if necessary. You should attach any supporting documents that are relevant.

### 2.1 When the dispute start?



Tell us the date the dispute started. Include the dates of any offers made by the employer, or any requests or notifications from the employee to change from casual employment.



**2.2 What is the dispute about?**

**2.3 If the dispute is about the employer refusing to change the employee’s casual employment to full-time or part-time employment – what were the employer’s reasons for refusing?**

**2.4. If you are the employee – what is your response to your employer’s reasons?**

**2.5. What steps have already been taken to resolve the dispute at the workplace level?**



Describe the steps that have been taken in the order they happened.

**2.6 How do you want the dispute to be resolved?**



Tell us what outcome you want.

If you want the Commission to arbitrate the dispute, you should tell us that and tell us what orders you think the Commission should make to settle the dispute.

### Authority to sign and signature



For 'Authority to sign':

- If you are the Applicant—insert 'Applicant'
- If you are an officer or 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 KEEP A COPY OF THIS FORM FOR YOUR OWN RECORDS**

# Information sheet

## 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](http://www.fwc.gov.au) also contains a range of information that may assist.

### 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 case 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 case 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 case 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.

**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** – 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.

## Privacy

The Commission collects the information (including personal information) provided to it in this form for inclusion on the case file, and will disclose this information to the other parties to this case. The Commission may also disclose this information 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 information sheet** and keep it for future reference – it contains useful information