



About the F10B application form

Application to resolve a dispute about an extension of unpaid parental leave

Use this form if:

- you are **an employee** who has taken unpaid parental leave under the National Employment Standards
- on or after 6 June 2023 you **requested an extension of your unpaid parental leave** for a further period of up to 12 months
- your employer **refused** your request, or **has not responded** to your request and it has been more than 21 days since you made your request
- you have tried to resolve the dispute by discussions with your employer, and
- you want the Fair Work Commission (Commission) to assist you to resolve the dispute.

Sending your form to the Commission

Send to the Commission:

- This **form**, and
- a copy of your **written request** to extend your unpaid parental leave, and
- a copy of the **written response** from your employer (if you received one).

You can send documents:

- by email to lodge@fwc.gov.au, or
- by post or in person at the [Commission's office](#) in your state or territory.

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

If you are worried about particular information being passed on, don't include it yet. Lodge your completed form and then contact us to talk about whether you should provide the information.

You can find out more about [keeping the case confidential](#) on our website.

You can find out more about requesting an extension of unpaid parental leave on our website.

If you need help completing this form visit our website or [contact us](#).

Form F10B – Application to resolve a dispute about extension of a period of unpaid parental leave

[Fair Work Act 2009](#), s.76B, [Fair Work Commission Rules 2024](#), rule 30

This is an application to the Fair Work Commission to deal with a dispute under Part 2-2 of the [Fair Work Act 2009](#).

About you (the Applicant)

Your contact details

Given name			
Family name			
Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	

Note: If you give us a mobile number, we may send you reminders by SMS.

1. Do you need an interpreter?



If you have trouble accessing this information, please contact us. We can arrange to provide it in another format. You can find information about [help in your language](#) on our website.

Yes – What language?

No

2. Will you need any special assistance if we hold a conference or hearing (eg do you have hearing difficulties)?

Yes – What will you need?

We will contact you to see if there is anything else we can reasonably do to help you.

No

3. Do you have a representative?

A **representative** is a person who speaks for you in your case, such as a union official, a lawyer, another kind of paid agent, or a not-for-profit association or body that provides support, advice or advocacy about employment or workplace relations matters. You don't need to have a representative. You can read more about [whether or not to have a representative](#) on our website.

A representative is different from a **support person**. A support person is someone you bring with you to a legal proceeding who can give you emotional support, such as a family member or friend.

- No I don't have a representative – Go to question 5
- Yes I do have a representative – Fill in their contact details below

You will need permission to be represented by a lawyer or paid agent if a Commission Member holds a conference or hearing about your case. Our [lawyers and paid agents practice note](#) explains when you need to ask for permission to be represented.

Name of person representing you			
Firm, company or organisation			
Email address			
Phone number			
Postal address			
Suburb			
State or territory		Postcode	
Is your representative a lawyer or paid agent?			
<input type="checkbox"/> Yes – please select:	<input type="checkbox"/> Lawyer <input type="checkbox"/> Paid agent		
<input type="checkbox"/> No			

About your employer (the Respondent)

4. Do you still work for the employer who refused your unpaid parental leave extension request?

Yes

No – You may not be eligible to make this application. Please seek advice. You can visit our website to find out [where to get legal help](#).

5. Your employer

You can generally find the legal name of your employer on your pay slips, PAYG payment summary, appointment letter or employment contract. You can use the [Australian Business Register](#) website to find their ABN.

We will send a copy of this form and any attachments to your employer.

Employer name			
Legal name			
ACN (if a company) and ABN			
Contact person			
Name			
Position/role			
Email address			
Phone number			
Address of employer			
Street address or PO Box			
Suburb			
State or territory		Postcode	

6. What date did you begin working for your employer?

7. What industry do you work in?

8. How many employees does the business have?

This doesn't have to be exact. It helps us understand if you work for a small or large business.

9. What date did you start parental leave?

10. What date were/are you due to return to work after your initial period of parental leave?

11. What date did you make your request for an extension of unpaid parental leave?

Please lodge a copy of your written request with this form.

12. How much additional time did you request to extend your unpaid parental leave for?

13. Do you have a spouse or de facto partner who has already taken 12 months of parental leave?

Yes

No

14. Did your employer respond to your request?

- Yes – Describe below what date your employer responded, and how they responded (eg in writing, by phone, etc.).
- No – Go to question 13

15. What reasons did they give for refusing your request

If they gave you a response in writing, please lodge a copy of the written response with your form.

16. Have you tried to resolve the issues directly with your employer?

- Yes – Describe below what discussions you have had with your employer, including whether you talked about extending your period of unpaid parental leave for a different or lesser period.
- No – You may not be eligible to make this application. Please seek advice. You can visit our website to find out [where to get legal help](#).

17. Are there any exceptional circumstances that justify the Commission going straight to arbitration?

The Commission must try to assist you to resolve your dispute with your employer by methods such as mediation or conciliation before it can arbitrate and make a binding decision unless there are exceptional circumstances.

Yes – Describe the exceptional circumstances below

No

The outcome you want

18. What outcome do you want from this case?

For example, you may want the employer to:

- respond to your request in writing (if your employer hasn't done that) or respond in more detail
- grant your request, if you think it should have been granted, or
- agree to a different length of unpaid parental leave (up to 12 months) if the period the employer has offered you doesn't accommodate your circumstances.

Sign your form

Read the [Privacy notice](#) to find out what personal information we collect, why we collect it, and what we do with it.

Signature

If you have an electronic signature, insert it below. If you do not have an electronic signature, type your name in the signature box.

Name

Date

Authority to sign

Leave this blank if you are the Applicant. If you are completing and signing this form on behalf of the Applicant, explain your authority to do so.

Consent to contact by researchers

The Commission undertakes research with participants in refusal of flexible working arrangement requests to ensure a high quality process. Some research may be undertaken by external providers on behalf of the Commission.

Do you consent to your contact details being provided to an external provider of research services for the sole purpose of inviting you to participate in research?

- Yes
- No What happens next

We will contact you to let you know what you need to do next. You don't need to do anything until then.

After we receive your form, we will let your employer know that you have started a dispute case about your request for an extension of unpaid parental leave.

We will send a copy of this form as well as any other documents you have sent us to your employer. This is so they can understand your side of the case.

Your case will then be allocated to a Commission Member, who will decide how your case will proceed. They might decide to hold a conference or hearing, or may ask you for more information.

Visit [our website](#) to find out more about requesting an extension of unpaid parental leave.