

# INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

## Notes to Assist Parties

### Preparing Statements for unfair dismissal matters to be heard before the Industrial Relations Commission

1. The attached document “**Statement - Unfair Dismissal Claim**” can be photocopied and used as the starting point for the preparation of all statements you intend to rely upon OR you can prepare your own, set out in a similar way.
2. The **full name and address** of the person making the statement is necessary.
3. Include the occupation of the person making the statement, for example, “accounts clerk”, “human resource manager employed by the respondent”.
4. The statement should then continue with the factual information of that person in **numbered paragraphs**.
5. As near as possible statements should be in the 1st Person. The examples below may assist but you should be careful to insert the facts of your own matter:
  - i I commenced employment with ABC Pty Ltd on 27 May 1999.
  - ii I was employed as a full time Art Designer by ABC Pty Ltd from 27 May 1999 to 1 February 2000.
  - iii I was promoted to the position of Art Director by ABC Pty Ltd on 1 March 2002 and held this position until I was terminated.”
6. An example of the manner in which other material, such as contracts of employment or letters should be referred to in a statement is as follows:
  - i On 17 March 2003 my employment with ABC Pty Ltd was terminated. Attached and marked "A" is a copy of the termination letter.
  - ii On 18 March 2003 I sent a letter to Mr Smith, Human Resource Manager, for ABC Pty Ltd, which is attached and marked "B".
  - iii On 21 March 2003 I received a memorandum from Mr Smith informing me that I would not be required to attend work from 24 March 2003. Attached and marked "C" is a copy of the memorandum.
7. Conversation contained in the statement should also be in the 1st person, for example:
  - (a) I said, “What is this meeting all about?”  
Mr Smith said, "You have been taking excessive sick leave".  
I said, "I can't help it if I get sick".
8. The information contained in the statement should be things seen or heard or done directly by the person making the statement.
9. The person making the statement must sign and date the statement.

**BEFORE THE INDUSTRIAL RELATIONS COMMISSION  
OF NEW SOUTH WALES**

No IRC of

\_\_\_\_\_  
**Applicant**

\_\_\_\_\_  
**Respondent**

\_\_\_\_\_  
**STATEMENT  
Unfair Dismissal Claim**  
\_\_\_\_\_

Filed by:  
Address:

Tel:  
Fax:

I, \_\_\_\_\_  
[Full name of person making the statement]

of, \_\_\_\_\_,  
[Residential address of person making the statement]

\_\_\_\_\_  
[Occupation of person making the statement]

make the following statement:

[If you require additional space continue typing on blank page]

1.

[On the last page of the statement you should sign and date]