



Matter No: / /

Form 15 – Application to recover unpaid wages, superannuation contributions etc



Industrial Relations Act 2016, s 386, s 475
Industrial Relations (Tribunals) Rules 2011, r 76

Information

- Use this form as an application to recover **unpaid wages, superannuation contributions etc** for a **State system employee** (generally meaning an employee of the Queensland public sector, local government or an employer declared not to be National system employees), an outworker, an apprentice or a trainee.
- Use this form as an application to recover **unpaid long service/emergency service/jury service leave only** if you are a **National system employee** (generally meaning an employee in the private sector whose entitlements are under the *Fair Work Act 2009*).
- Use this form only if the total amount claimed is **\$100,000 or less**. For amounts over \$100,000, a claim may be filed with the Magistrates Court.
- For more information on recovering unpaid wages etc, please see the Wage Recovery section on the website www.qirc.qld.gov.au.
- Please note, legal representation is not permitted in this application.
- Please read this form carefully and complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the non-acceptance of your form.
- Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.
- For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Applicant:	

v

Respondent:	

If there are more than two parties to this application, please complete a **Form 1 – Parties list** and file with this form.

Application

This application is made to the Queensland Industrial Relations Commission pursuant to the following section/s of the *Industrial Relations Act 2016*:

<input type="checkbox"/> s 475(1)(a) [unpaid wages, salary, leave etc]	<input type="checkbox"/> s 475(1)(b) [apprentice's unpaid tool allowance under s 137]	<input type="checkbox"/> s 475(1)(c) [remuneration lost by an apprentice or trainee]	<input type="checkbox"/> s 475(1)(d) [unpaid superannuation contributions]	<input type="checkbox"/> s 386(1) [outworker unpaid wages or superannuation contributions]
---	--	---	---	---

1. Applicant/Employee's details

Title [please select]:	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of Applicant/ Employee:						
Name of contact person: [if Applicant is an organisation]						
Postal/Service address:						
	Suburb/Town					Postcode
Phone number:			Mobile number:			
Email address:						

2. Employee's details (if employee is not the applicant)

Title [please select]:	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of Employee:						
Postal/Service address:						
	Suburb/Town					Postcode
Phone number:			Mobile number:			
Email address:						

3. Applicant's representative [if applicable]

[Please note legal representation is not permitted. Please see s 530 of the *Industrial Relations Act 2016* regarding representation]

Organisation:						
Name of contact person:						
Postal/Service address:						
	Suburb/Town					Postcode
Phone number:			Mobile number:			
Email address:						

4. Respondent

Name of Respondent:						
Name of contact person:						
Postal/Service address:						
	Suburb/Town					Postcode
Phone number:			Mobile number:			
Email address:						

5. Declaration.

I declare that no other application to a Magistrate for a claim, in accordance with s 379, s 386 or s 396 of the *Industrial Relations Act 2016*, has been made by or on behalf of the employee for the same matter.

6. Signature of Applicant/Employee or representative

Signature:	
Name:	
Date:	

7. Details of work performed by employee

7.1 Occupation [and classification if applicable]			
7.2 Is/was the employee a trainee or apprentice?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
7.3 Is/was the employee an outworker?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
7.4 Is/was the employee under an order in accordance with s 140 of the Act (a labour market program) fixing remuneration and conditions applying to a vocational placement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
7.5 Is/was the employee a National System employee (employed in the private sector)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
7.6 Was the employee's employment terminated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
7.7 Is/was the employee's employment covered by an industrial instrument (an award or agreement)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, name of industrial instrument:			
7.8 Work performed or services provided			
7.9 Place/location where work performed, or services provided			
7.10 Period of employment	Date employment commenced:		
	Last date worked:		
7.11 Employment status	<input type="checkbox"/> Full-time	<input type="checkbox"/> Part time	
	<input type="checkbox"/> Casual	<input type="checkbox"/> Fixed term	
7.12 Total amount sought: [Please complete Part 9, outlining the particulars of the amount sought]	\$		
			<input type="checkbox"/> Exact amount <input type="checkbox"/> Approximate calculation

8. Decision sought

Please outline, in consecutively numbered paragraphs, the details of the decision/order you are seeking, including details around the basis/calculation of the claim.

Please attach a schedule if more room required

9. Particulars of amounts payable

State details of the amounts payable in itemised form showing the dates the amounts claimed became payable, how each calculation was made, and the total amount claimed. **This may be the exact, or an approximation, of the amount sought.**

Leave section blank if not applicable

9.1 Wages payable

Date payable from:		Date payable to:	
Wages and allowances:			\$
Overtime:			\$
Other e.g. unauthorised deductions:			\$
Total:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.2 Annual leave payable

Annual leave

Date payable from:		Date payable to:	
Number of weeks:		Weekly rate:	\$
Plus 17.5% loading (if applicable)			\$
Total annual leave:			\$
Pro rata annual leave			
Date payable from:		Date payable to:	
Total ordinary earnings (to multiply by 1/12):			\$
Plus 17.5% loading (if applicable)			\$
Total pro rata annual leave:			\$
Totals			
Total annual leave + total pro rata annual leave:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.3 Long Service Leave			
Date payable from:		Date payable to:	
Number of hours/days/weeks:		Rate per <input type="checkbox"/> Hour <input type="checkbox"/> Week:	\$
Total long service leave:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.4 Unpaid tool allowance for an apprentice			
Date payable from:		Date payable to:	
Total tool allowance:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.5 Unpaid remuneration/unauthorised deductions for an apprentice/trainee			
Date payable from:		Date payable to:	
Total remuneration:			\$
Unauthorised deduction:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.6 Unpaid superannuation contributions			
Date payable from:		Date payable to:	
Approved superannuation fund:			
Total superannuation contributions:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.7 Wages payable in lieu of notice			
Number of weeks' notice required:		Number of weeks' notice given:	
Number of weeks payable in lieu of notice:		Date of termination:	
Weekly rate of pay:			\$
Date of birth:			
Date employed from:		Date employed to:	
Length of employment:			
Total:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.8 Severance allowance payable			
Number of weeks' severance allowance payable:			
Number of years continuous service:			
Weekly rate of pay:			\$
Total:			\$
Less amount paid:			\$
Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$

9.9 Summary of total amount payable			
9.1 Total unpaid wages:			\$
9.2 Total unpaid annual leave:			\$
9.3 Total unpaid long service leave:			\$
9.4 Total unpaid tool allowance (for an apprentice):			\$
9.5 Total unpaid remuneration (for an apprentice/trainee):			\$
9.6 Total unpaid superannuation contributions:			\$
9.7 Total unpaid wages in lieu of notice:			\$
9.8 Total unpaid severance allowance:			\$
Total Amount unpaid:	<input type="checkbox"/> Exact amount	<input type="checkbox"/> Approximate calculation	\$