

Form 11
Undertaking not to proceed with other redress relating to Dismissal

Industrial Relations Act 1996

s.90

**UNDERTAKING NOT TO PROCEED WITH OTHER REDRESS
RELATING TO DISMISSAL**

WHEN YOU NEED THE ATTACHED FORM:

Some employees are covered by more than one law relating to their employment. If you are making a claim for relief relating to unfair dismissal, **AND** you are covered by some other Act or statutory instrument which also provides for redress in relation to the dismissal or threatened dismissal or which provides for the holding of an inquiry relating to such dismissal, s.90 of the *Industrial Relations Act 1996* provides that your claim for relief under the *Industrial Relations Act* must be rejected if you have already commenced proceedings under that other Act or statutory instrument. Also, even if you have not commenced proceedings under that other Act, **the Claim for Relief must be rejected if you have not lodged a written undertaking not to proceed under that Act or instrument.** Typically, people in Government or semi-government employment (including Local Government) may have such rights but there may well be others.

If you believe you may be covered by such an Act or statutory instrument you should complete this form and file it with your Claim For Relief Form.

If you are unsure, please check with the Industrial Registry on (02) 9258 0008.

You only need to file the original of this form although you may wish to keep an extra copy for your own records. Inquiries should be made to the Industrial Registry on (02) 9258 0008).

The form should be typed or completed in clear printing in ink.

continued

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

No. IRC of 1996

*(Add Title as required by
Schedule 1)*

**UNDERTAKING
Not to Proceed With
Other Redress Relating to
Dismissal**

Filed by *(Name of person,
corporation, organisation or
other body filing the document)*

Contact name *(Name of
person conducting the matter)*

**Address
Telephone
Facsimile
DX**

*(and if solicitors or agents are
acting, add)
by their agents*

**Name
Address
Telephone
Facsimile
DX**

I.....
Name

undertake not to proceed for redress under, or seek an
inquiry under, the

.....

.....

*State name of Act or statutory instrument giving you the
alternative rights)*

relating to my dismissal or threatened dismissal on

.....

date of dismissal)

SIGNED:

.....

*(Signature of Applicant for Relief from Unfair
Dismissal)*

DATE: 19.