

Your responses suggest that you may apply to the Fair Work Commissioner to deal with the matter.

342 Meaning of *adverse action*

(1) The following table sets out circumstances in which a person takes *adverse action* against another person.

Meaning of <i>adverse action</i>		
Item	Column 1 <i>Adverse action</i> is taken by ...	Column 2 if ...
7	an industrial association, or an officer or member of an industrial association, against a person	the industrial association, or the officer or member of the industrial association: (a) organises or takes industrial action against the person; or (b) takes action that has the effect, directly or indirectly, of prejudicing the person in the person's employment or prospective employment; or (c) if the person is an independent contractor—takes action that has the effect, directly or indirectly, of prejudicing the independent contractor in relation to a contract for services; or (d) if the person is a member of the association—imposes a penalty, forfeiture or disability of any kind on the member (other than in relation to money legally owed to the association by the member).

Subdivision B—Other contraventions

372 Application for the FWC to deal with a non-dismissal dispute

If:

- (a) a person alleges a contravention of this Part; and
- (b) the person is not entitled to apply to the FWC under section 365 for the FWC to deal with the dispute;

the person may apply to the FWC under this section for the FWC to deal with the dispute.