

*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.

<b>Meaning of <i>adverse action</i></b>		
<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>
	<b><i>Adverse action</i> is taken by ...</b>	<b>if ...</b>
1	an employer against an employee	the employer: (a) dismisses the employee; or (b) injures the employee in his or her employment; or (c) alters the position of the employee to the employee's prejudice; or (d) discriminates between the employee and other employees of the employer.

### **365 Application for the FWC to deal with a dismissal dispute**

If:

- (a) a person has been dismissed; and
- (b) the person, or an industrial association that is entitled to represent the industrial interests of the person, alleges that the person was dismissed in contravention of this Part;

the person, or the industrial association, may apply to the FWC for the FWC to deal with the dispute.