**FOR CLAIMS UNDER $20,000 ONLY**

**MAGISTRATES’ COURT OF VICTORIA**

**AT MELBOURNE**

**INDUSTRIAL DIVISION**

**Court Case Number:**

**BETWEEN**

Employee

Of: *(address)*

**AND**

Employer

Of: *(address)*

**SMALL CLAIM RESPONSE FORM**

**TO THE EMPLOYEE**

AND

TO THE REGISTRAR OF THE MAGISTRATES’ COURT AT MELBOURNE

TAKE NOTICE that the Employer’s “Response to a Claim Made by an Employee / Other” is attached.

**RESPONSE TO A CLAIM MADE BY AN EMPLOYEE / OTHER**

|  |  |
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| **DETAILS THE EMPLOYER MUST COMPLETE** | |
| 1. **Is the employer correctly identified in the Claim?** | Yes  No |
| 1. **If no, what is the correct name?** |  |
| 1. **Employer’s registered office or trading address** | **Address:**    **Postcode:** |
| 1. **Details of contact person** **from employer** | **Name:**  **Work telephone:**  (     )  **Fax Number:** (     )  **Email Address:**  **Position:** |

|  |  |
| --- | --- |
| **DETAILS OF EMPLOYER’S REPRESENTATIVE (if any)** | |
| 1. **Is anyone representing the employer?** | No  Yes   Employer organisation  Solicitor  Other representative |
| 1. **Name of employer organisation, solicitor’s firm or other representative** |  |
| 1. **Contact details of representative** | **Name:**  **Address:**    **Postcode:**  **Work telephone:**  (     )  **Fax Number:** (     ) |

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| **ADDRESS FOR SERVICE** | |
| 1. **Where should court documents and notices to the employer be sent?** | **Address in questions 3-4**  **or 6-7** |

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| **INDUSTRIAL INSTRUMENT** | |
| 1. **Does the employer agree that the award, agreement or order (if any) referred to in the Claim is correct?** | Yes  No  If no, please state the award, agreement, Australian Workplace Agreement or order under which you the employee was employed: |
| **EMPLOYER’S RESPONSE TO CLAIM** | |
|  | The employer opposes each of the following claims made in the application:  *(tick as appropriate & attach further sheets if necessary)* |
| Wages $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |
| Leave entitlements  $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |
| Penalty Rates  $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |
| Allowances $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |
| Notice of Termination  $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |
| Unauthorised deduction from wages $ | This element of the claim is:  admitted  not admitted  denied for the following reasons: |

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| **THE HEARING** |
| If this matter proceeds to a hearing before the Court, does the employer intend to represent it/him/herself?  Yes  No |

**Signature and printed name of the employer or representative:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date:** \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_