

About the F16 application form

Approval of an enterprise agreement

About enterprise agreements

Enterprise agreements are agreements made at the enterprise level between employers and employees. Agreements contain the terms and conditions of employment that the employer and employees have negotiated and agreed upon.

The Fair Work Commission (the Commission) assesses and approves agreements. It can also assist in the process of making agreements and can deal with disputes arising under the terms of an agreement. Before the Commission can approve the agreement, it must find that the employees will be 'better off overall' under the agreement than they would be if the relevant award applied.

More information about the process that employers and employees must follow to make a new enterprise agreement can be found in the Commission's [Guide—Making an enterprise agreement](#).

Who can use this form

Use this form if:

- you are an employer or a bargaining representative for an enterprise agreement **and**
- an enterprise agreement has been made in accordance with section 182 of the [Fair Work Act 2009](#) (the Act).

Note: If the agreement is a greenfields agreement—complete Form F19.

Lodgment and service of your completed form

1. **Within 14 calendar days** after the agreement is made, you must lodge with the Commission:
 - this application **and**
 - a copy of the agreement signed in accordance with regulation 2.06A of the [Fair Work Regulations 2009](#) **and**
 - if the application is being made by a bargaining representative appointed by the employer or an employee—a copy of the written instrument of appointment.

You can lodge by post, by fax or by email or in person at the [Commission's office](#) in your State or Territory. You can also lodge online using the Commission's [eFiling service](#) at www.fwc.gov.au.
2. **Serve a copy** of this application **as soon as practicable** after it is lodged with the Commission upon:
 - each employer that will be covered by the agreement **and**
 - each employee organisation that was a bargaining representative **and**
 - any employee bargaining representative of whom the Applicant is aware.
3. **Note:** the following statutory declarations also form part of the application for approval of an enterprise agreement:
 - **Each employer** which will be covered by the agreement must lodge a Form F17—Employer's statutory declaration in support of an application for approval of an enterprise agreement **within 14 calendar days** after the agreement is made.
 - **Each employee organisation** that is a bargaining representative and wishes to advise the Commission about whether it supports approval of the agreement and/or

agrees with information contained in an employer's Form F17 statutory declaration must lodge a Form F18—Statutory declaration of employee organisation in relation to an application for approval of an enterprise agreement. The Form F18 statutory declaration can also be used to give the Commission written notice under section 183 of the Act that an employee organisation wants to be covered by the enterprise agreement. The Form F18 statutory declaration must be lodged with the Commission **before the agreement is approved**.

- **Each employee bargaining representative** who wants to advise the Commission about whether it supports approval of the agreement and/or agrees with information contained in an employer's Form F17 statutory declaration must lodge a Form F18A—Statutory declaration of employee representative in relation to application for approval of an enterprise agreement. The Form F18A statutory declaration must be lodged with the Commission **before the agreement is approved**.

Where to get help

Commission staff & resources

Commission staff cannot provide legal advice. However, staff can give you information on:

- processes in the Commission
- how to make an application to the Commission
- how to fill out forms
- where to find useful documents such as legislation and decisions
- other organisations that may be able to assist you.

The Commission's website www.fwc.gov.au also contains a range of information that may assist.

Throughout this form



This icon appears throughout the form. It indicates useful information to help you answer the question following.

Legal or other representation

Representation is where another person (such as a lawyer or union official) speaks or acts on your behalf in relation to your matter. There is no requirement for you to be represented when you appear at the Commission. You will need the permission of the Commission member dealing with your case if you wish to be represented by a lawyer or paid agent unless that person is:

- a bargaining representative, or
- employed by a union or employer organisation, a peak union or peak employer body, or
- one of your employees or officers (if you are an employer).

If you decide to represent yourself in proceedings you will need to make sure you are well prepared.

Privacy

The Commission collects the information (including personal information) provided to it in this form for inclusion on the case file, and may disclose this information to the other parties to this matter and to other persons. For more details of the Commission's collection, use and disclosure of this information, please see the [Privacy Notice](#) for this form, or ask for a hard copy to be provided to you.



Remove this cover sheet and keep for future reference—it contains useful information

Form F16—Application for approval of an enterprise agreement

Fair Work Act 2009, s.185; *Fair Work Commission Rules 2013*, rule 24 and Schedule 1

This is an application to the Fair Work Commission for approval of an enterprise agreement in accordance with Part 2-4 of the *Fair Work Act 2009*.

The Applicant



These are the details of the person who is making the application.

Name of Applicant	Rob Malpass		
Contact person	Rob Malpass		
Postal address	90 Welshpool Road		
Suburb	Welshpool		
State or territory	WA	Postcode	6106
Phone number	08 92298222	Fax number	08 92298205
Email address	rmalpass@skilled.com.au		

Who is the Applicant?

- ☒ The employer (or one of the employers) to be covered by the agreement
- ☐ An employee organisation that acted as a bargaining representative (e.g. a union)
- ☐ A bargaining representative appointed by the employer
- ☐ A bargaining representative appointed by an employee

If the Applicant is a company or organisation please also provide the following details

Legal name of business	CATALYST RECRUITMENT SYSTEMS PTY LTD
Trading name of business	CATALYST SERVICES
ABN/ACN	17 050 243 251
Contact person	Rob Malpass

Does the Applicant have a representative?



A representative is a person or business who is representing the Applicant. This might be a lawyer, an employer association or a union. There is no requirement to have a representative.

- ☐ Yes—Provide representative's details below
- ☒ No

Applicant's representative



These are the details of the person or business who is representing the Applicant.

Name of person			
Firm, union or company			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

1. The Agreement

1.1 What kind of agreement is the enterprise agreement?

- ☒ A single enterprise agreement
☐ A multi-enterprise agreement

1.2 What is the name of the agreement (write the name exactly as it appears in the title clause of the agreement)?

CATALYST SERVICES ENTERPRISE AGREEMENT 2014

1.3 Are you aware of any other agreement(s) that has been filed or dealt with by the Commission that has identical or substantially identical terms?

- ☐ Yes
☒ No

If yes—Provide information to identify that agreement(s). If you can, include: the name of the identical agreement, the name of the employer covered by the identical agreement, the agreement ID number, the date of the Commission's decision and the name of the Commission Member who dealt with such agreement.

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1.4 Was that agreement(s) approved with undertakings?

- ☐ Yes
☒ No
☐ I don't know

2. The Employer

2.1 What is the industry of the employer(s)?

LABOUR HIRE

2.2 Is the Applicant the employer (or one of the employers) to be covered by the agreement?

☒ Yes—Go to question 2.3

☐ No—Provide the name of the employer(s) below.

Name of business	CATALYST RECRUITMENT SYSTEMS Pty Ltd		
ABN/ACN	17 050 243 251		
Contact person	Robert Malpass		
Postal address	90 Welshpool Road		
Suburb	Welshpool		
State or territory	WA	Postcode	6106
Phone number	08 92298222	Fax number	08 92298205
Email address	rmalpass@skilled.com.au		

2.3 Will more than one employer be covered by the agreement?

☐ Yes—Provide the name(s) of the other employers to be covered by the agreement.

☒ No—Go to question 3

Name of organisation			
ABN/ACN			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

3. Employer Bargaining Representatives

3.1 Did the employer(s) appoint a bargaining representative?

☐ Yes—Go to question 3.2

☒ No—Go to question 4

3.2 If you answered yes to question 3.1—Provide the name(s) of the employer bargaining representative(s).

Name of organisation			
ABN/ACN			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

4. Union Bargaining Representatives

4.1 Were there any employee organisations (unions) involved in the agreement making process as bargaining representatives?

☐ Yes—Go to question 4.2

☒ No—Go to question 5

4.2 If you answered yes to question 4.1—Provide the name(s) of the other union(s).

Name of union			
Contact person			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

5. Employee Bargaining Representatives

5.1 Were there any employee bargaining representatives involved in the agreement making process?

☐ Yes—Go to question 5.2

☒ No

5.2 If you answered yes to question 5.1—How many instruments of appointment signed by an employee(s) appointing a bargaining representative were given to the employer?

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5.3 If you answered yes to question 5.1—Provide the name(s) of the employee bargaining representatives.



Name			
Position/ relationship			
Postal address			
Suburb			
State or territory		Postcode	
Phone number		Fax number	
Email address			

Attach additional pages if necessary

Signature



If you are completing this form electronically and you do not have an electronic signature you can attach, it is sufficient to type your name in the signature field. You must still complete all the fields below.

Signature	
Name	Robert Malpass
Date	24 th NOVEMBER 2014
Capacity/Position	IR / ER Manager
	Where this application form is not being completed and signed by the Applicant, include the name of the person who is completing the form on their behalf in the Capacity/Position section.

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS