**Private and confidential**

[addressee]

[address line 1]

[address line 2]

[postcode]

[date]

Dear [employee's name],

Termination of your employment by dismissal on notice

This letter confirms that you are dismissed on notice.

In our meeting on [date of the most recent meeting] you and [name of others at the meeting] attended and we discussed [details of conduct / behaviour / actions].

You told me that [details of explanation and any other comments to be considered and why these were not agreed to].

I took your feedback into account and reached the preliminary view that it was appropriate to terminate your employment on notice on the basis of [reasons relating to behaviour / conduct / action].

I informed you of my preliminary view and [you did not respond / responded that [insert details]]. I have considered your [response / lack of response] to my preliminary view and confirm that my final decision is to dismiss you on notice.

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| --- | --- |
|  | The next part of this letter sets out an example of good practice prior to termination. You may not have done all the things in the paragraphs below so you should delete what is not relevant to your situation. You should use as many paragraphs as you need (each situation will have had a different number of warnings) |

### Previous warnings

On [date of most recent previous warning meeting which resulted in a final warning] you had a meeting with [names of other people at the meeting].

At this meeting you were advised that your [conduct / behaviour / actions has been unsatisfactory / had not improved to the level required, eg. regularly attending work late or inappropriate language / completing required tasks, and that immediate improvement was required / or that conduct / behaviour / actions must not happen again]. You advised that [explanation of unsatisfactory conduct / behaviour / actions]. You were issued with a [final] written warning letter on [date].

On [date of the second most recent previous warning meeting ] you had a meeting with [names of other people at the meeting]. At this meeting you were advised that your [conduct / behaviour / actions has been unsatisfactory / had not improved to the level required, eg. regularly attending work late or inappropriate language / completing required tasks, and that immediate improvement was required / or that conduct / behaviour / actions must not happen again]. You advised that [insert explanation of unsatisfactory conduct / behaviour / actions]. You were issued with a [first / second / third etc] written warning letter on [date].

On [date of any third most recent previous warning meeting ] you had a meeting with [names of other people at the meeting] and you were advised that your [conduct / behaviour / actions has been unsatisfactory, eg. regularly attending work late or inappropriate language / completing required tasks, and that immediate improvement was required / or that conduct / behaviour / actions must not happen again] had not improved to the level required. You were issued with a [second / third etc] written warning letter on [date].

On [date of any fourth most recent previous warning meeting] you had a meeting with [names of other people at the meeting]. At this meeting you were advised that your [conduct / behaviour / actions has been unsatisfactory / had not improved to the level required, eg. regularly attending work late or inappropriate language / completing required tasks, and that immediate improvement was required / or that conduct / behaviour / actions must not happen again]. You advised that [explanation of unsatisfactory conduct / behaviour / actions]. You were issued with a [first / second / third / fourth etc] written warning letter on [date].

### Termination of your employment

You will be required to return all property, including [details] on your last day of employment. Your final pay will be made on [date] and will include any entitlements and outstanding remuneration, including pay, superannuation and holiday pay.

|  |  |
| --- | --- |
|  | Check the employment agreement for how much notice you need to provide the employee. If there is no agreement your notice needs to be fair based on the employee’s length of service This should take into account length of service, type of job, how long it might take to replace the employee and common practice in the workplace. Depending on the role 2 to 4 weeks’ notice is often seen as fair.  Option A: Use this option if you want the person to work his or her notice period. |

Your notice period is [number] weeks. Therefore your employment will end on [future date to cover all of the weeks you need to give notice].

|  |  |
| --- | --- |
|  | Option B: Use this option if you want the person to be paid in lieu of notice. |

Your employment will end immediately as at the date of this letter. Your notice period is [number] weeks. Instead of receiving that notice, you will be paid the amount equivalent to the amount you would have received if you had worked out your notice period.

I would like to remind you that confidential counselling and support is still available to you. [name of provider] is our provider and can be contacted on [phone number].

I wish you well for the future. [Please let me know if there is any reasonable assistance I can provide to you during the remainder of your employment].

If you have any questions about this letter please contact me directly.

Yours sincerely,

[Insert name]

[Insert position]

PLEASE KEEP A COPY OF THIS LETTER FOR YOUR RECORDS