

42 Gowrie Street  
Newtown NSW 2042  
ABN 49 105 773 457  
[www.newtonsnerds.com](http://www.newtonsnerds.com)  
Tel. 8060 6943 Fax. 9415 6943

Wednesday, December 14, 2016

**Private and confidential**

Armando Scribano  
A56 / 252 Botany Road  
Alexandria 2015

Dear Armando,

**Termination of your employment**

I am writing to you about the termination of your employment with Tru Services trading as Newton's Nerds.

On the 22<sup>th</sup> of November, you met with me. In that meeting, you were advised that you needed to significantly improve your performance, specifically we discussed your need to stay focused at work. I gave the example that even though you had been at work you had spent close to one and a half hours for lunch, taken multiple smoking breaks, gone to the toilet on multiple occasions, gone out to get a milkshake. The result was that from midday to 5PM you were not at your desk for more than 30 minutes in total.

On the 29<sup>th</sup> of November, you had a second meeting with me and you were advised that your performance had not improved to the level required and that you needed to arrive at work on time.

You also attended a meeting with me on the 11<sup>th</sup> December 2016. In that meeting you were advised that your performance was unsatisfactory and that you had failed to meet the required standard. Had you not left the meeting before having a chance to discuss your performance properly I would have advised you that sleeping at work was unacceptable, as was the continued problems with punctuality and your inability to stay focused at work.

I consider that your performance is still unsatisfactory and have no alternative but to terminate your employment for the following reasons:

- Continued failure to reach the required standard
- Your inability to act in a lead/senior developer role
- Your acknowledgement that the working relationship with myself since our last performance meeting on the 11<sup>th</sup> of December is irreconcilably broken.

As such, your employment will end immediately. Based on your length of service, your notice period is 21<sup>st</sup> of December 2016 as per your contract. In lieu of receiving that notice, you will be paid the sum of \$1,580.61 in addition you will be paid for the three requested days and any outstanding leave.

You will also be paid your accrued entitlements and any outstanding pay, up to and including your last day of employment. This includes the balance of leave and superannuation. If you have been paid annual leave in advance, any amount of annual leave still owing will be deducted from your final pay.

## NEWTON'S NERDS

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You may seek information about minimum terms and conditions of employment from the Fair Work Ombudsman. If you wish to contact them, you can call 13 13 94 or visit their website at [www.fairwork.gov.au](http://www.fairwork.gov.au).

Some termination payments may give rise to waiting periods for any applicable Centrelink payments. If you need to lodge a claim for payment you should contact Centrelink immediately to find out if there is a waiting period.

Yours sincerely,

Brett Samuel

Director