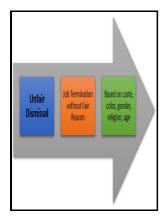
Croners guide to fair dismissal

Croner - What Is A 'Fair' Dismissal?



Description: -

- -Croners guide to fair dismissal
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Notes: Revised reprint of 2nd ed 1985.

This edition was published in 1987



Filesize: 57.67 MB

Tags: #Dismissing #an #Employee #Fairly

Student Rights on Campus Guides

You can sit tight and hope the whole thing blows over, or you can try to work out a deal with your ex-employee: you can agree to provide some severance benefits to the worker, in exchange for a signed release form that waives his or her right to sue you.

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If you have decided on a different course of action, define this and what you will need to see in order for the employee to retain their post.

Dismissal Procedures

If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. It can be helpful to draft your response in writing during this time, so that you can deliver the verdict confidently and clearly.

Fair reasons for dismissal

Discuss the consequences of continued poor performance. Many of these same rules are also useful in establishing your defense — that you had a good reason to fire your employee — if it turns out that the worker does sue you, after all.

Dismissing someone fairly: Dismissals

Address underperformance issues straight away.

Procedural Fairness

Selective documentation may be proof that a person was the victim of discrimination. The disciplinary hearing will not end with a verdict of guilty, the employer will have to in addition to proving guilt, raise circumstances in aggravation for the chairman to consider a more severe sanction. It looks at which employees qualify to claim unfair dismissal and considers the possible compensation employers could face.

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Mark decides to meet with Joelle about her performance. In particular, it is important to bear in mind that whilst a dismissal with the appropriate notice will be a contractually lawful dismissal, it may still be unfair. For more help on how to write documents, see in the 'What you should know' topic of this website.

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