

<Date>

Private and confidential

<Insert employee's full name>

<Insert employee's residential address>

Dear <insert name>

Termination of your employment

I am writing to you about the termination of your employment with Charles Sturt Campus Services.

The next part of this letter sets out an example of best practice performance/conduct counselling prior to termination. It is not prescribed by law. You may not have done all the things in the three paragraphs below so you should delete what is not relevant to your situation.

If you are a small business it is very important that you ensure that you have complied with the Small Business Fair Dismissal Code before you terminate an employee's employment. Visit www.fairwork.gov.au for a copy of the Code.

On <insert date> you met with <insert name of others at the meeting>. In that meeting, you were advised that <insert advice given to employee regarding improvement of performance or conduct, for example any deadlines for improvement, new targets set etc>. You were issued with a formal <warning/counselling> letter on <insert date>.

On <insert date> you had a second meeting with <insert names of other people at the meeting> and you were advised that your <performance/conduct> had not improved to the level required. You were issued with a second <warning/counselling> letter on <insert date>.

You also attended a meeting with <insert name of others at the meeting> on <insert date>. In that meeting you were issued with a final <warning/counselling> letter. This letter indicated that your employment may be terminated if your <performance/conduct> did not improve by <insert date>.

<I/We> consider that your <performance/conduct> is still unsatisfactory and have decided to terminate your employment for the following reasons:

- <Insert reasons relating to performance or conduct>
- <Insert reasons relating to performance or conduct>

Option A: Use this option if you want the person to work his or her notice period.

Based on your length of service, your notice period is <insert number> weeks. Therefore your employment will end on <insert future date to cover all of the weeks you need to give notice>.

Check the National Employment Standards and your relevant industrial instrument (e.g. award or enterprise agreement) for how much notice you need to provide the employee. If there is an applicable industrial instrument or contractual arrangement (e.g. contract of employment, workplace policy) that provides different notice amounts than the National Employment Standards, you need to provide whichever is more generous to the employee. Need help? Call the Fair Work Infoline on 13 13 94.

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

Your employment will end immediately. Based on your length of service, your notice period is **<insert number>** weeks. In lieu of receiving that notice, you will be paid the sum of \$**<insert amount>**.

Check the National Employment Standards and your relevant industrial instrument (e.g. award or enterprise agreement) for how much notice you need to provide the employee. If there is an applicable industrial instrument or contractual arrangement (e.g. contract of employment, workplace policy) that provides different notice amounts than the National Employment Standards, you need to provide whichever is more generous to the employee. Need help? Call the Fair Work Infoline on 13 13 94.

You will also be paid your accrued entitlements and outstanding remuneration, including superannuation, up to and including your last day of employment.

Employees and employers 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.

Yours sincerely,

Martin Dooner

General Manager