

Considerations for Employers

- ◆ *Am I a National system employer?*
- ◆ *Was the dismissal of my employee harsh, unjust and unreasonable?*
- ◆ *Have I given warnings related to issues with behaviour and performance?*
- ◆ *Does my workplace have policies and procedures in place to deal with disciplinary action, and did I follow them?*
- ◆ *Did I offer procedural fairness to my employee by notifying them of the reason for termination, providing them with the opportunity to respond and allowing a support person present at discussions related to the dismissal?*
- ◆ *Have I observed the appropriate notice periods?*
- ◆ *Does the person's behaviour amount to serious misconduct?*
- ◆ *Do I run a small business with fewer than 15 employees?*
- ◆ *Does the person within the High Income threshold?*
- ◆ *Has the person been dismissed more than 21 calendar days ago?*
- ◆ *Was there a valid reason for the dismissal?*
- ◆ *Did the employee's conduct materially contribute the dismissal?*
- ◆ *Did I dismiss my employee for exercising a workplace right, or on the basis of any personal attribute?*
- ◆ *Have I stood down an employee because of either industrial action, a breakdown of machinery or equipment or for a cause which you cannot reasonably be held to be responsible?*
- ◆ *Have I been accruing my employees leave entitlements whilst they are stood down?*