

YOUR LOGO  
HERE

Date

Contact Name  
Address  
City State Post Code**Termination of your employment**

Dear [EMPLOYEE NAME],

I am writing to you about the termination of your employment with <insert company/partnership/sole trader name and the trading name of business>.

*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.*

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*