**TERMINATION WITHIN QUALIFYING PERIOD – SMALL BUSINESS**

Before terminating an employee there may be factors you have not considered that could result in liability. Please contact our Workplace Relations Advice Line in the first instance on 03 8662 5222 for advice and assistance with this process.

The following letter template should be used as a guide only. Any wording changes, other than those to insert a business name, may change the context, meaning or purpose of the policy. We recommend you receive advice from the Victorian Chamber of Commerce and Industry prior to making such changes.

## Contacting the Victorian Chamber of Commerce and Industry

The Victorian Chamber’s team of experienced workplace relations advisors can assist members with a range of employment, human resources and industrial relations issues.

Our experienced workplace relations consultants can also provide assistance to both members and non-members on a range of more complex matters for a fee-for-service. The consultants can, among other things, provide training to employees, conduct investigations and provide representation at proceedings at the Fair Work Commission.

For assistance or more information, please contact the Workplace Relations Advice Line on (03) 8662 5222.

Disclaimer

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[INSERT DATE]

PRIVATE AND CONFIDENTIAL

[NAME]

[STREET ADDRESS]

[SUBURB] [STATE] [POSTCODE]

Dear [NAME],

Confirmation of the termination of your employment within the Qualifying Period

I refer to our meeting on [INSERT DATE] between [INSERT ATTENDEES], which was held to discuss matters relating to your [CONDUCT/PERFORMANCE] [INSERT WHICH ONE IS RELEVANT].

As set out in your contract of employment [OR INDUSTRIAL INSTRUMENT IF NO CONTRACT OF EMPLOYMENT], your employment was subject to a twelve-month qualifying period. During this period, your suitability and performance in the role of [INSERT POSITION TITLE] was assessed.

Further to our meeting on [INSERT DATE], I write to confirm the termination of your employment effective close of business [INSERT TERMINATION DATE], within your qualifying period. The decision to terminate your employment has been made on the basis that [YOUR OVERALL PERFORMANCE AND SUITABILITY FOR THE ROLE WAS NOT SATISFACTORY] [OR INSERT RELEVANT REASON].

Please find attached the details of your final payment, which includes:

- All salary up to [insert termination date]

- All accrued annual leave entitlements

- [ONE WEEK’S] pay in lieu of notice [DEPENDANT ON AWARD/NES/CONTRACT]

Your final payment will be transferred into your bank account by COB [INSERT DATE].

IF RELEVANT - We take this opportunity to remind you of the obligations and undertakings on your part regarding confidentiality and the return of [INSERT COMPANY NAME] property. Please ensure you return all [INSERT COMPANY NAME] property by [INSERT DATE].

Please accept our best wishes for your future endeavours.

Yours sincerely,

[MANAGER NAME]

[MANAGER TITLE]