Dear Employee,

**Notice of Termination of Employment**

We hereby provide you with notice of termination of your employment as a result of your consistent failure to address unsatisfactory performance based issues including but not limited to the non-compliance with your performance improvement plan (“**PIP**”). This letter has been written with the benefit of advice from Gavin Parsons and Associates (“GPA Law”).

**Initial Performance Issues**

On [insert date], we met with you to discuss a number of performance based issues which we identified over the period/since [insert date(s)]. Before this meeting, we provided you with the opportunity for a support person to accompany you during the meeting, to which you [accepted/declined].

To reiterate, the performance based issues raised included:

1. [List examples of employee’s performance based issues e.g. did not meet KPI’s, billable targets etc.].

Collectively the “**Conduct**”.

During this meeting, we provided you with an opportunity to respond to the alleged Conduct. At the conclusion of the meeting we informed you that you could have a further opportunity to respond to the alleged Conduct at a meeting the following day.

The following day we met to discuss your response to the alleged Conduct. Once again, we also provided you with the opportunity for a support person to accompany you during the meeting, to which you [accepted/declined]. At the conclusion of the meeting, we mutually agreed to place you on a PIP to assist you with improving your Conduct and overall performance.

**Performance Improvement Plan**

We confirm that the PIP required you to:

1. [List what PIP required of employee e.g. attend time management training seminars]; and
2. [Meet KPI targets over the next 3 months, before your reassessment on [insert date]].

During the meeting and as provided in the PIP, we warned you that if you failed to improve your conduct and overall performance, you would be given a warning about breaching the PIP; and the issuing of a warning could lead to the termination of your employment.

**Our Assistance**

During the period from [insert date] to [insert date] we provided you with the following assistance, tools and resources to help you comply with your performance obligations and the PIP:

1. External training [insert details];
2. Internal training [insert details];
3. Supervision [insert details];
4. Relief from [insert] duties so you had additional time;
5. Staff assistance [insert details];
6. Other tools and resources such as [insert details].

**Written Warning**

On [insert date], we met with you and discussed your failure to meet your KPI targets for [insert period] and specified each particular instance of non-compliance with the PIP. Before the meeting, we provided you with the opportunity for a support person to accompany you during the meeting, to which you [accepted/declined]. Later on this same day, we met with you and provided you with a written warning for failing to adhere to the PIP.

[Optional] During the meeting, we identified additional performance based issues. This is a summary of the further performance issues discussed with you:

1. [List further examples of performance based issues].
2. [List further examples of performance based issues].

**Recent Performance Issues**

On [insert date], we met with you and discussed your failure to comply with the PIP. Before the meeting, we provided you with the opportunity for a support person to accompany you during the meeting, to which you [accepted/declined]. The key performance issues discussed with you at the time were:

1. [example of key performance issues].
2. [example of key performance issues].

When we asked you about your failure to adhere to the PIP [you admitted e.g. that you had failed to meet your KPI’s, however you did not provide any valid reason as to why you had failed to meet your KPI’s, other than deflecting the blame on other employees]. In our view, your response to these matters was unsatisfactory.

After considering your unsatisfactory response, we have decided to terminate your employment in accordance with your [contract of employment or award or enterprise agreement]. This letter serves as notice of your termination and your last day with us will be on [insert date].

To assist with the termination of your employment, we are offering you counselling services. If you would like to attend counselling services, please make any arrangements with Human Resources.

We confirm that all of your employee entitlements up to and including [insert termination date] will be paid out on [insert date] in accordance with our pay schedule.

We wish you all the best in your future endeavours.

Yours faithfully,