**CHECKLIST: HOW TO COMPLY WITH THE SMALL**

**BUSINESS FAIR DISMISSAL CODE WHEN DISMISSING FOR**

**UNDERPERFORMANCE**

If you are a small business employer and you are dismissing an employee for underperformance, use this checklist to ensure that you comply with the Small Business Fair Dismissal Code:

❏ You have clearly warned the employee (either verbally or in writing) that they were not doing the job properly and would have to improve their conduct or performance, or otherwise be dismissed.

❏ You have provided the employee with a reasonable amount of time to improve their performance or conduct.

❏ You have offered to provide the employee with any training or opportunity to develop their skills.

❏ The employee has not subsequently improved their performance.

❏ Before you dismiss the employee, you have told the employee the reason for the dismissal and have given them an opportunity to respond.