**CHECKLIST FOR MANAGING UNDERPERFORMANCE**

Use this checklist to guide you when managing an underperforming employee:

|  |  |
| --- | --- |
| **Actions** | **Completed** |
| Carefully define the performance issue, making sure that it can be objectively proven (don’t exaggerate – remember that you may have to prove the issue in a court or tribunal). |  |
| Recognise, and make reasonable allowance for, the contributing factors  that are not related to the employee’s conduct or capacity, e.g. market  downturn, the employee’s poor health, etc. |  |
| Warn the employee that there is a performance issue, and that it may result in their dismissal if it is not rectified. |  |
| If the underperforming employee accuses you of bullying, discrimination or some other unlawful behaviour in the course of your performance management process, refer them to the applicable complaints procedure and do not get involved in resolving the complaint (except as required by the person handling it). |  |
| Always give an employee a fair, reasonable and genuine opportunity to fix their underperformance before considering dismissal. You may wish to undertake informal counselling or, if that doesn’t help, implement a performance improvement plan. |  |
| If you believe there are grounds to dismiss the employee because they have not satisfactorily overcome the performance issue, ask the employee to attend a meeting about their employment and invite them to bring a support person. At the meeting:  • explain why you consider there are grounds for dismissal, referring to evidence as required; and  • give the employee an opportunity to respond - consider this response when determining whether to dismiss the employee. If a decision to dismiss is made, issue a written letter citing the |  |
| If a decision to dismiss is made, issue a written letter citing the performance-related reasons. Because poor work performance will rarely justify summary dismissal, you will generally need to give the  employee:  • a notice period; or  **•** payment in lieu of notice. |  |