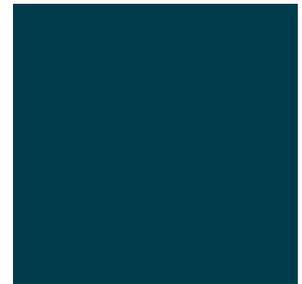


Gross Misconduct

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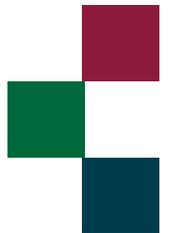
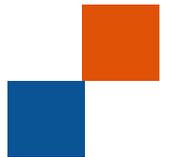
Although you don't have enough to dismiss for gross misconduct, you feel the working relationship is irretrievably damaged - what actions can you take to resolve the situation fairly and effectively?

Not gross misconduct – who says

- *Pierce Lynch v Gaelform Ltd ADJ-00031768*

Serious misconduct?

- *A Chef v A Care Facility ADJ-00011229*

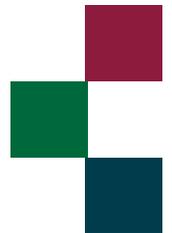


Working relationship irretrievably damaged

- Usually gross misconduct / serious misconduct
- Trust and confidence
- ***Israr Ahmed v Bidvest Noonan Services Group Limited ADJ-00030617***

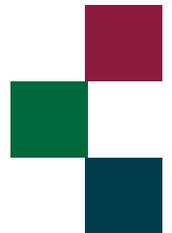
Other options short of dismissal

- Depends on the nature of misconduct
- Interpersonal
 - Mediation / coaching
 - Relocate
 - Redeploy



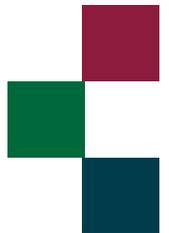
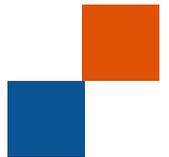
Other options short of dismissal – continued

- Not interpersonal (theft/fraud, H&S breach, gross insubordination)
 - Demotion



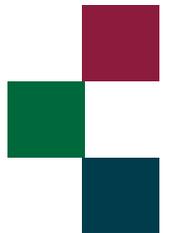
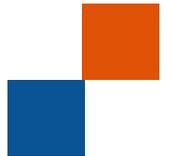
Possible severance

- On the record / off the record

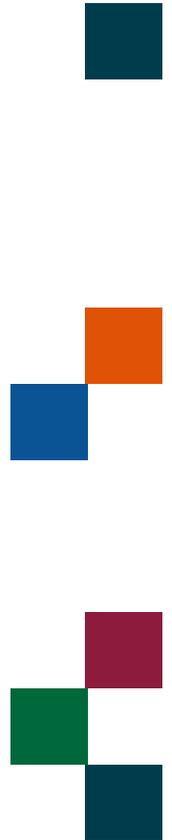


Dismiss

- Fair and effective?
- Knowing the risks



Questions?



Thank you



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