

Managing underperformance comes with legal risks because Australian laws protect employees from unfair and unreasonable disciplinary action.

This means that your employees have legal rights that allow them to challenge the way they are treated in relation to performance issues.

This guide outlines how you can manage employees in a way that will minimise your legal risks as an employer.

Use the information in this guide to:

- understand the legal risks involved in managing underperformance;
- develop a legally effective performance management process; and
- put other relevant policies and procedures in place to minimise your legal risk when managing underperforming employees.

YOUR EXPERT



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Quick Reference Guide



Example



Tip



Checklist



Definition



Step-by-Step



Caution



Case Law



Important /
Remember

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