



Employee Matters

What do I do if an employee has behaved badly?



Do you have any evidence that this might be the case?

Can you resolve the situation with a meeting to confirm that the behaviours have been noticed and that they are deemed not to be appropriate and must cease immediately or not be repeated?

Do you have the ability to suspend an employee on full salary during an investigation under your Modern Award?

Have you found sufficient evidence to investigate further?

Have you asked the employee to come to a meeting and to bring along a support person?

Have you confirmed the allegation, suspension and next steps to the employee?

Have you completed and documented a formal investigation while protecting confidentiality?

Have you put your findings to the individual with their support person present?

Do you ask them to respond to the allegations either immediately or in a reasonable time?

Have you documented all conversations and asked the employee to sign as accurate?

Did you find the case to be false 'on the balance of probability' and return the individual to normal duties?

Did you find the case to be proven 'on the balance of probability' to be proven and have either disciplined or terminated the individual with or without notice?

If you have answered 'No' to any of these you are either in breach of your legal compliance or alternatively not following 'best practice' employee relations. You should seek further qualified advice.