

# Ending employment

This information is for employees who are leaving a job and for bosses who are ending an employee's job.



## About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possibilities when everyone is included.

Connecting with diverse people, meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations people and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**

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## Who gets notice?

- ▶ Full-time and part-time employees must get notice of termination when their boss ends their employment. This tells them their job is ending.
- ▶ Bosses must give this notice in writing.
- ▶ Employees don't get notice of termination if they are fired for serious misconduct. This includes violence, stealing, sexual harassment or putting other employees in danger.
- ▶ Employees who quit their job may have to give their boss notice. This means giving them warning ahead of time that they are leaving. This doesn't have to be put in writing, but it's a good idea to do so.



## How much notice should employees get?

- ▶ Notice of termination is at least one week. The amount an employee gets is based on how long they've worked with the business. It will be more if the employee has been there longer.
- ▶ To calculate how much notice an employee should get go to **[fairwork.gov.au/pact](https://www.fairwork.gov.au/pact)**.
- ▶ Bosses can choose to pay the employee for the period of notice instead of having them work. This is called pay in lieu of notice.
- ▶ If an employee gets pay in lieu of notice, they must be paid the same amount as if they worked the notice period. This includes overtime, penalties and allowances.
- ▶ In some cases a business can keep money from an employee's pay if the employee quits their job and doesn't give notice.



## Find out more

For more information about ending employment go to **[fairwork.gov.au/ending-employment](https://www.fairwork.gov.au/ending-employment)**.

You can also talk with someone from a community organisation or community legal centre, an HR officer, an Indigenous liaison or employment officer, an employer association (if you're a boss) or a union representative (if you're an employee).

## Contact us

Fair Work online: [fairwork.gov.au](https://www.fairwork.gov.au)

Fair Work Infoline: **13 13 94**

## Need language help?

Contact the Translating and Interpreting Service (TIS) on **13 14 50**

## Help for people who are deaf or have hearing or speech difficulties

You can contact us through the National Relay Service (NRS).

Select your **preferred access option** and give our phone number: **13 13 94**



The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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