

# Contents

<b>Forms.....</b>	<b>4</b>
<b>Section One – Recruitment and Selection Fundamentals.....</b>	<b>8</b>
Recruitment .....	8
Strategic Recruitment.....	10
Recruitment Tools .....	12
What is a Contract of Employment?.....	42
Long Service Leave .....	51
What should be included in my Offer of Employment? .....	51
Frequently asked questions about fixed term contracts .....	62
Guarantee of Annual Earnings - National System Employers .....	66
Employment of Children in Western Australia.....	67
Employment of Apprentices and Trainees .....	69
Internships, Vocational Placements and Unpaid Work .....	70
Contractor or Employee.....	71
Deductions .....	71
Practices Assisting Performance Management .....	72
What is the Privacy Act? .....	79
Fair Work Information Statement .....	81
Casual Employment Information Statement.....	81
Fixed Term Employment Information Statement.....	82
<b>Section Two – Recruitment Decisions (Minimising Risk) .....</b>	<b>84</b>
What is Discrimination?.....	84
Types of Discrimination .....	85
Legislation and Prohibited Grounds .....	86
When Is It Lawful to Discriminate?.....	88
Employing Mature Age Workers.....	97
Employing Indigenous Australians.....	98
Equal Opportunity for Women in the Workplace .....	100
Disability Standards.....	104
Penalties.....	108
Safety and Workers’ Compensation Considerations .....	110

Workers' Compensation.....	111
Pre-Employment Medicals.....	111
Supported Wage System.....	112
Harassment in the Workplace .....	114
Liability .....	117
Phrasing of Job Advertisements .....	118
Application Form and Interview Questions.....	120
<b>Section Three – Performance Management (Discipline and Termination).....</b>	<b>126</b>
What is a National System Employer? .....	126
What is Performance Management? .....	129
Performance Counselling .....	131
Discipline & Written Warnings.....	134
Ending an employment contract.....	143
Termination by an Employee.....	147
Abandonment.....	150
Final Payments for Deceased Employees.....	152
Termination by an Employer .....	152
Wrongful Dismissal (Common Law Action) .....	154
Serious Misconduct and Summary Dismissal .....	154
Causing serious and imminent risk to health and safety of a person .....	160
Being intoxicated at work .....	161
Giving an Employee Notice.....	167
Unlawful Termination.....	171
Unfair Dismissal.....	177
What should I do if I receive a claim?.....	185
Redundancy – National System Employers.....	185
Redundancy – State System Employers.....	196
Transfer of a business – National System Employers .....	201
Transmission of a business – State System Employers.....	203
Special Considerations Where Terminating Employees on Workers Compensation .....	204
Termination on Worker's Compensation .....	204

## Forms

- Checklist – Employee Induction
- Checklist – HR – Redundancy - Process
- Checklist - Recruitment - Employing Overseas Workers
- Checklist - Recruitment – Reference Check
- Checklist – Recruitment
- Form – Centrelink – Notification of Redundancy – Non-National System Employers
- Form – Commonwealth Statutory Declaration
- Form – HR – Performance Appraisal
- Form – HR - Redundancy - Notice to Services Australia of Proposed Dismissals
- Form – Meeting Agenda
- Form – Performance - Improvement Plan
- Form - Recruitment - Immigration Status
- Form - Recruitment - Interview Questions
- Form - Recruitment - Interview Record
- Form - Recruitment - Job Analysis
- Form - Recruitment - Job Application Form
- Form - Recruitment - Job Description
- Form - Recruitment - Person Specification
- Form - Recruitment - Pre-Employment Medical - Doctor's Report
- Form - Recruitment - Pre-Employment Medical – For Doctor to Complete
- Form - Recruitment - Selection Criteria
- Form - Small business Fair Dismissal Code
- Form - Training - Survey
- Form - Unsatisfactory Performance - Misconduct - Verbal Warning - Record
- Form - WorkCoverWA - Notification of Intention to Dismiss
- Information – Fair Work Information Statement
- Information – Casual Employment Information Statement
- Information – Fixed Term Contract Information Statement

- Letter - Addendum - Variation to Contract of Employment
- Letter - Confirming End of Fixed Term Contract
- Letter – HR – Abandonment of Employment – Confirming Termination
- Letter – HR - Abandonment of Employment – First Warning
- Letter – HR - Abandonment of Employment - Second Warning
- Letter – HR – Accepting Resignation
- Letter – HR – Condolences
- Letter – HR – Employer to Implement Change
- Letter – HR - Notification of Redundancy
- Letter – HR – Performance or Misconduct Meeting Notification
- Letter – HR - Warning – Unsatisfactory Performance or Misconduct
- Letter - Recruitment - Acknowledgement of Application
- Letter - Recruitment – Confirmation of Interview
- Letter - Recruitment - Offer of Employment
- Letter - Recruitment - Rejection No Interview
- Letter - Recruitment - Rejection Post Interview
- Letter - Recruitment - Second Interview
- Letter - Redundancy - Termination
- Letter - Statement of Service
- Letter - Termination - Inability to Perform Inherent Requirements
- Letter – Termination - Serious Misconduct
- Letter - Termination - Unsatisfactory Performance or Misconduct
- Policy – HR - Code of Conduct
- Policy – HR - Equal Opportunity Policy
- Policy – HR- Sexual Harassment Policy
- Policy – HR - Workplace Bullying and Harassment Policy
- Procedure – HR - Discipline and Termination
- Procedure - Recruitment - Interview
- Record - Employee Termination
- Record - Entry Interview
- Record - Recruitment- Verbal Warning

- Record – Recruitment – Applications Record
- Record – Recruitment - Interview Record
- Record – Recruitment – Selection Criteria
- Record – Termination – Exit Interview