



Dismissal by text message

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Dismissal is never a pleasant process and usually the last resort in a performance management process—and normally done through traditional communication channels such as face-to-face conversations or meetings.

As technology develops, businesses are using a number of alternative forms of communication, including texting or SMS. So with this increasing range of channels available, is it acceptable to dismiss an employee via SMS?

Technically you may not see anything wrong with this process, however there are certain procedures you must follow when you dismiss an employee for misconduct or poor performance—and SMS just doesn't cut it—and the Fair Work Commission (Commission) agrees.

Two recent cases regarding the dismissal of employees via SMS were upheld as 'unfair dismissals' by the Commission. Along with these rulings the Commission also expressed its disgust at using SMS as a means of communicating a dismissal, brandishing it as 'brutal, gutless and outrageous'.

The Commission further stated that "if a dismissal is implemented by any means other than face-to-face communication, both the legal and ethical basis for the decision to dismiss is likely to face strong and successful challenge" (Workplace Bulletin 8 November 2013).

While it might be appropriate for workplace communication regarding rosters or working hours to take place via SMS, it is an inappropriate means for notification of dismissal or reason for dismissal.

Source: Workplace Bulletin 8 November 2013.