

STEP BY STEP...

your guide to handling  
employee performance  
or capability concerns

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# 1. Introduction

Dealing with poor performance by an employee can be very difficult, for everyone involved.

It is not a pleasant topic to have to discuss at any time.

But the reality is that most employers do face employee performance issues at some point.

When this situation arises, it is important that you understand your obligations and that you follow the correct procedure.

Because **procedure is everything** when it comes to handling the underperformance of an employee.

You get that wrong and you face a potential claim for unfair dismissal before the Workplace Relations Commission (WRC).

Unfair dismissal claims make up nearly 50% of all claims before the WRC.

And of the cases won by employees, roughly 80% are lost on grounds of unfair procedures.

Many employers fail to understand that regardless of how bad the performance of an employee, if you fail to give the employee fair play and natural justice then the employee will win his/her case.

In addition to the potential award for an employee in an unfair dismissal claim of up to 2 years' salary, you also need to factor in the cost of defending a claim against you.

Whatever the reason for poor performance, it's important you're clear on what needs to happen next.

In this guide we have set out a practical action plan, including a series of document and letter templates, to help you handle the process correctly.

## 2. What is a performance situation?

If an employee has successfully completed any relevant probation period with you, but subsequently, it turns out that their performance is not to the level you'd expect, so they're not meeting the requirements of their job description, you're entitled to consider a performance, or 'capability' process.

There are a couple of questions you should ask yourself before entering the process:

### 1. Is it a performance or a misconduct situation?

There's a key difference between 'capability' processes (relating to performance standards or competence) and disciplinary ones (targeting bad behaviour).

So, make sure you're being supported by the right process before you kick it off.

Performance is all about the outcome of the employee's work: the question of whether it's satisfactory and/or if the employee is competent to meet the standards required.

If, however, your concern is more about the employee's behaviour and/or attitude towards the doing of the work, you may need to apply a misconduct process instead.

Take a look at our step-by-step guide on [how to handle employee misconduct](#) if your concerns are more about conduct than the competence or capabilities of your employee.

### 2. Is the employee still in their probation period?

Employees who are still within their probation period should be considered differently.

Take a look at our [guide to probation periods](#) and follow the guidance and template suite of letters there.

You can't simply instantaneously dismiss an employee on probation - except in exceptional circumstances where they've committed gross misconduct.

But you can follow a relatively swift process of performance review and dismissal, if they're not achieving the levels of competence that are reasonably

required to meet their job description and you do not have reasonable expectation of this position changing.

Remember: this guide is focused only on handling performance or capability concerns about employees – it doesn't cover concerns about workers or independent contractors/freelancers.

If you've ruled out probation periods and misconduct, and you're confident that your concerns relate to your employee struggling with the job description that they've been tasked to meet, this guide will guide you through the appropriate next steps.

## **What are performance issues?**

A piece of work not being up to the required standard, or work being produced too slowly, will be performance related matters and these are the ones you'll be able to deal with under a capability procedure.

### **Common poor performance examples**

There is a variety of ways that poor performance manifests itself in the workplace.

These include:

- Persistent lateness
- Persistent absenteeism
- Time wasting (phone use, break time etc)
- Low standard of work or slow completion rate of work
- Causing avoidable accidents
- Conflict with other employees

All of these issues affect your bottom line, so managing poor performance is vital to ensure the continued success of your business.

## **How to tackle performance issues: an overview**

It's not always possible to know before you meet your employee how they'll react to you raising concerns about their performance.

The moment you raise a concern, the employee's immediate focus is likely to be whether their job is at risk.

You may find, for example, that they don't agree with your assessment which may cause them to become defensive, hostile or upset and tearful.

It might be that your employee is going through a difficult time in their life which you weren't aware of.

Or, maybe they'll even agree with you that the job is proving too challenging, and you both decide that they could be best supported by some training or additional supervision to try and resolve the position.

### **Performance standards can sometimes be difficult to nail down**

Also keep in mind that performance-related matters can feel a bit of a grey area, because even when you have quality standards, assessing someone against these can sometimes feel quite subjective.

The reason underlying the performance issues, the gap between what's being produced and what you need, and the employee's reaction to you raising your concerns, will all help to inform your approach about how to best address your concerns.

### **Performance concerns should not come as a surprise to the employee**

Employees should be kept up to date on how they're doing and where there may be areas for improvement.

Regular, constructive feedback on their performance, that is provided to them at the time they are carrying out the task(s) to which the feedback relates, is highly recommended.

Where there is a shortfall in performance standards, that feedback should contain practical and reasonable instructions about what the employee can or should do to ensure that they better meet the standards required - and by when they should demonstrate this improvement.

This approach is fair to the employee since it gives them clarity over where they may need to do something differently.

It also gives them the chance to demonstrate their true potential, by making those changes so that they can better meet expectations.

### 3. Your performance improvement policy: your starting resource for performance issues with employees

#### Your performance improvement policy

Underlying any step you take in handling any poor performance should be your performance policy.

If you don't have a poor performance policy, check out our template

[Performance improvement policy.](#)

This covers what happens when an employee starts to perform poorly.

Make sure you have one of these in place.

Every business, even if they only have one or two employees, should have one of these.

This policy sets out your performance review procedure in detail.

You should carefully follow the procedure set out and ensure that your employee also does so.

All employees should be able to access an up-to-date copy of the policy.

It must be written and presented clearly.

#### Is the performance improvement policy part of the employment contract?

This will depend on the wording of the employment contract that you've agreed with your employee.

We recommend that you do not make the exact wording of the policy part of the contract terms.

We do recommend however, that you include a clause in the employment contract that requires the employee to comply with all your policies, which you have the right to update, in your discretion, from time to time.

Other policy documents you may need:

- [Bullying and harassment policy](#)
- [Disciplinary policy](#)
- [Grievance policy](#)

You'll need our [employee handbook](#) containing all of these policy templates in our Resource Hub, if you're missing any of them.

Our employment contracts all contain that wording.



## 4. The Procedure

Not counting the essential ongoing and regular verbal (or less formal) feedback described above, there are 5 main steps to a robust performance improvement process.

Plugged's [performance improvement policy template](#) sets them out.

### How to approach these steps

You should ensure that both you and the employee follow them closely.

The employee must be able to easily access an up-to-date version of this policy and it must be written in language that they will readily understand (no jargon!).

Take each step in the order that it is described.

In this way, you'll ensure 2 crucial elements to a lawful performance management process:

- that your employee has the opportunity and time to address the concerns you've raised and
- you can show that your stance, your conclusions and the process underpinning them, is fair, transparent and objective.

Meaning you should be well-placed to avoid any potential employee claims against you for unfair dismissal or discrimination.)

### Step 1: Informal discussion

So, the first thing to do is to meet with your employee and have an informal discussion to talk about your concerns.

Raising your concerns informally at the outset will feel less overwhelming and confrontational for the employee.

It typically helps to prevent panic on their part, which in turn, tends to better empower them to focus on what you are sharing with them and give more considered responses.

You should give them the best opportunity to present themselves and their explanations well.

It will also allow you to do some fact finding and get a feel for how far apart you are in terms of where you think the gaps in their performance are.

### **How should you invite the employee to this chat?**

There's no set rule.

Gauge it by the circumstances and what you know of the employee in question and their personality.

- You might prefer to send a nicely worded email proposing a 'check-in' meeting, because you've noticed that they might be struggling with something / a few things and you'd like to make sure they're OK and see if there's anything you can do to help, or anything that they'd like to share with you...
- You might want to suggest the meeting face to face, using a similar explanation of the context, and not necessarily suggesting that the chat take place there and then.

If you do choose to invite the employee face to face, don't do this within earshot of others, or provide the reason for the request where it can be overheard by other workers.

### **Where should you have the conversation to outline your concerns?**

Find somewhere discreet, so that you can have a private and uninterrupted conversation.

It's important to hold these meetings very respectfully and to keep the conversation amicable and non-confrontational.

### **How should you raise your concerns?**

Be clear and concise about the concern(s) you have and the facts surrounding it, e.g. how it has come to your attention and why it is a matter of concern.

During the meeting, make sure that you give the employee the best opportunity to explain why their performance is poor.

### **Don't rush the conversation**

Allocate a sensible amount of time for you to be able to say what you need to share, so that you can be sure the employee understands your concerns about their performance, and for them to be able to ask you questions and to respond meaningfully.

### **Note taking**

It's helpful to take a note of the discussion.

Even if this is simply an email that you send to yourself, containing your observations from the meeting.

At this very initial stage, employees can find you taking notes during the discussion intimidating and it can stifle discussion.

So, you may prefer to make the note afterwards.

Ensure that it's accurate and based on facts, not emotions.

File it somewhere private and secure with your employee's other records.

Remember that this is a record that an employee could later ask (and be entitled) to see.

### **What outcome should you be aiming for at this stage?**

During this discussion, and of course depending on what the employee says, you'll ideally need to:

- persuade the employee to recognise that you're concerned about their performance
- ask the employee to confirm that they understand that concern(s) you've identified and if possible, to agree that there is room for improvement
- agree a practical way forward to achieve the improvement that you need to see. This means the employee leaving the discussion with a clear view of what they need to do precisely - or with a commitment from you that you'll follow up immediately after the chat with some required actions on their part.

### **And you'll need to cover what happens if there's no improvement...**

You'll also need to explain that if you don't see a satisfactory improvement in the area, you've raised concerns about within an agreed timescale, you'll need to consider starting your formal performance improvement procedure.

The employee should once again be directed to where they can find your performance improvement policy, so they can consult it.

### **What if the employee doesn't agree with your concerns?**

If your employee doesn't agree with your assessment, they may become defensive or hostile.

If this does happen, it's important to not feel intimidated and to not allow your decision to be influenced by a tone that the employee chooses to set.

Instead, calmly and clearly explain your reasoning to the employee.

And keep a note of the conversation.

You should then provide the employee with a verbal warning setting out what was discussed, and the standards of performance agreed.

You can use our [verbal warning letter about poor performance](#)

Our [guide to employee performance management](#) has some useful tips to help handling difficult conversations.

And our experts are always on hand to help you with any questions or anxieties that you may have about this process.

## **Step 2 – Hold the first formal meeting**

If the employee's performance hasn't improved in the manner and within the timescale that you informally agreed earlier, you'll need to meet the employee formally as part of your performance improvement procedure.

### **Kicking off the formal performance improvement procedure**

You should invite the employee to attend a meeting where you intend to discuss concerns about their performance.

You can use our [invitation to employee to attend first formal performance improvement meeting](#) for this.

### **During the first performance improvement meeting**

In the meeting itself, you'll need to ensure that:

- **the employee fully understands your concerns** with their performance and the standards of performance they need you to meet;
- **you clarify any targets for improvement** and
- **you set a timescale** for that improvement
- **you agree any additional support** for the employee to assist them in meeting those targets and timescales, for example mentoring, supervision or training for the employee; and
- **you provide the employee with adequate opportunity** to respond, ask questions, and offer explanations for the concerns that you've identified.

The employee may disclose a medical condition or personal issues, or other factors are affecting their performance.

- **you discuss whether you need to make any reasonable adjustments** in assessing the employee's performance, in light of what the employee has said in response.

### **Medical conditions raised as a reason for under performance**

Tread very carefully if the employee is raising any medical issue and requests reasonable adjustments to their role.

If these facts aren't handled properly, they could result in the employee justifying a discrimination claim.

### **The employee's right to be accompanied**

In all your meetings with the employee throughout the formal improvement process, they have the right to be accompanied.

That person is generally a work colleague or, if relevant, a trade union representative.

The employee's companion is entitled to speak on the employee's behalf at the meeting.

But they are not allowed to answer questions asked by you directly to the employee.

Neither are they permitted to prevent you from asking questions or outlining your views.

The employee can also invite witnesses to attend any of these performance-related meetings.

Equally, so can you.

They are also entitled to provide documentation or other evidence (e.g. a medical report) on which they intend to rely at any of these meetings.

### **First improvement warning notice**

The purpose of an improvement notice is to formalise what you agreed in your meeting.

You should aim to send it within 2 weeks of your first formal performance improvement meeting.

### **First improvement warning notice template**

Read on for more guidance about what these notices contain and how they work.

### **What should your first written warning notice contain?**

This notice should cover:

- **a clear explanation about why** you've concluded that the employee's performance has been unacceptable.

You need to be really clear about your reasons so that the employee cannot claim any misunderstanding or ambiguity in what has been communicated to them.

These explanations should point out that you've already alerted the employee to these same concerns at the informal meeting/s that took place beforehand;

- **targets for performance standards that the employee must reach:** you need to put your employee in a position where they have a fair chance of addressing your concerns.

The notice should therefore contain some unambiguous, immediately actionable targets that the employee can action to improve the position.

Be very clear about the *intervals* at which the employee's achievement of these targets will be formally reviewed and how you will measure their performance at those times. (You should ensure you do in fact conduct these reviews at those intervals and thoroughly. Keep a record of your observations/conclusions.)

- **it's going on the file:** how long this first performance improvement warning letter will be placed on their personnel file.

There is no particular rule on how long the letter should stay on someone's file, but we recommend that first written warnings to employees should remain active for 6 months;

- **what will happen next if their performance doesn't improve.** In essence, this will say that you'll need to meet again for another capability meeting.

The notice will also explain that a further meeting may conclude in you sending the employee a final formal warning about their performance, or if serious enough, taking steps to dismiss them.

- **who the employee can speak to if they have any questions** about the first written warning as well as how they can appeal the decision by you to issue this first written warning letter.

## Stage 3 - Final performance meeting and warning

### Performance concerns addressed

If your first formal warning has resulted in your concerns about the employee's performance being completely addressed, then you'll need to write to the employee formally to let them know that you're not planning on taking any further action.

We have a template letter that you can use to confirm this outcome to your employee.

### Letter confirming no further steps after a performance warning

Keep the tone of this letter positive and thank the employee for taking your feedback and requirements into account.

As you'll see from Plugged's template letter, it includes:

- **confirmation** that the employee has successfully addressed the performance or capability concerns, they have met the relevant standards that you agreed, and that the process is now at an end;
- a **warning** that if they do not maintain expected standards of performance, you have the right to reopen the process and potentially, to issue further warnings that could lead to their dismissal; and
- the above-mentioned **thank you**.

But what if the concerns are not addressed...?

and the employee's performance remains a concern?

### Performance concerns have not been addressed

If the employee hasn't improved to a level that addresses your concerns, you need to ensure that you've kept clear and conclusive evidence to demonstrate that this is correct.

The recommended next step is to invite the employee to a further meeting where a final warning about their unsatisfactory performance will be discussed.

### Final performance improvement meeting

If your employee's performance hasn't improved following the relevant review period, and your agreed improvement plan hasn't worked, then you'll need to move to the next stage of the process: which is to invite them to attend a final formal performance improvement meeting.

You can use our [invite to a final formal performance review meeting template](#) for this.

At this meeting, you'll need to:



- **explain (with evidence)** why the employee's performance continues to be unsatisfactory;
- once again, **set clear targets and milestones**;
- and **ensure the employee understands that dismissal is a possibility** if their performance doesn't improve.

As before, you'll need to meet with the employee regularly during this next review period so you can comprehensively and fairly monitor and evaluate their performance.

### **Final performance improvement notice letter**

The purpose of this letter is to formalise what you've agreed at your final performance improvement meeting.

It makes clear to your employee that if this final warning letter does not achieve all that is needed, you'll be entitled to terminate their contract.

Our **final performance improvement warning notice template** is intended to help you with this key communication

You'll see from the template that this final warning letter includes:

- **confirmation of a final formal warning** that you've decided to give the employee under your performance improvement procedure.
- **a clear explanation about the reasons for your decision.**

These details should describe why you've concluded that the employee's performance continues to be unacceptable; and why you consider this situation calls for a final written warning.

They should also include the fact that you have already alerted the employee to these same concerns at the meetings that took place beforehand and in the first written warning letter.

- **what the employee must do and which standards of performance the employee must meet from now on.**

It's very important both from your perspective – and the employee's – that they are clear on what is expected of them;

- **how long you're giving the employee to improve** their performance

- **how their progress will be measured** and what success in meeting these objectives looks like;
- **who will be reviewing** the employee's progress and at which intervals;
- **notice that this warning letter will be placed on their personnel file** - just like the first warning letter

Like the first warning letter, there's no particular rule on how long this letter should stay on the employee's file before being classified as expired either.

Our recommendation is that it should remain active for 12 months.

A longer period can be applied, as long as you have sound business reasons for it and provided that you also apply the policy consistently to all employees in a similar performance review process; (to ensure that you do not expose your business to allegations of unfair or discriminatory treatment).

- **how the employee can appeal** your decision; and
- **what will happen next.** Usually this involves a statement that if there is still no sufficient performance improvement, you may take steps to dismiss the employee.

## The employee's performance improves

If the employee's performance has improved...

If your employee has finally taken on board the two warnings that you've issued, and their performance has improved to the extent that they are now meeting the standards required, you should formally confirm this to them, update your records and end the performance improvement process, for now.

Our relevant template confirmation letter can be used here.

**Letter confirming no further steps after a performance warning**

But if there's no change?

Head to Step 4 and dismissal...

## Step 4 -Dismissal for poor performance

If at the end of the second warning period

- the employee's performance still hasn't improved satisfactorily and
- you've reached the view that giving the employee more time would not improve the prospect of their performance finally meeting the necessary standards,

then dismissing the employee is the next stage in the performance improvement procedure.

Dismissal is a very serious step and not a decision to take lightly.

It always carries risks of potential legal claims from the employee such as unfair dismissal or a discrimination claim.

Consider very carefully whether there is any realistic expectations of the employee significantly improving their performance within a reasonable time.

And whether there are less substantial measures, such as placing them in a different role (potentially one with less responsibility) that are feasible.

### **Meeting to dismiss your employee**

If you've taken the decision to dismiss your employee, we recommend that it's best practice to meet them to relay this news.

It's best to put this invite in writing and to follow the same format as the earlier meeting invitation letters.

You can use our template meeting invitation letter.

### **Invitation to a meeting to discuss potential dismissal for performance reasons**

Keep an open mind during this meeting, however.

Dismissal should never be a foregone conclusion

It's important to consider carefully anything new the employee says at this meeting.

For example, they might offer new suggestions or information about significantly improving their performance or propose undertaking a different role or changing the scope of the existing one.

If your decision remains that you need to dismiss the employee, then you will need to write to them within 2 weeks of this meeting.

## **Dismissal Letter**

This is the most serious letter of the entire suite.

If you're at this stage of the process, you really should have taken some advice to ensure that your proposed next steps are based on robust foundations that will withstand any challenge by your employee.

Our template letter below contains all the elements that we recommend you cover in these circumstances.

### **Dismissal for performance reasons letter.**

This template includes:

- **reference to the history of the performance process**, the steps taken, and previous warnings issued to the employee

There is no strict legal requirement to set out previous warnings, but it is considered good practice to include these details, since the employee's disciplinary history will be relevant to any external assessment of whether dismissal, rather than some other sanction, was a fair response by you.

- **reasons for the dismissal**

As a matter of good practice, regardless of how long an employee has been working for you, we recommend that you include comprehensive reasons as a matter of course, summarising the key evidence on which you've relied.

- **the alternatives to dismissal that you've considered** and why it was ultimately decided that dismissal was the appropriate outcome.

We strongly recommend that you include this detail.

- **how the employee can appeal your decision**

...and how long they have to do this.

This time frame should reflect what's in your performance improvement policy.

Our template policy recommends a 2-week window for the employee to appeal.

- **confirmation that appealing the decision will not delay the dismissal taking effect**, but if the employee is subsequently reinstated, then you will reimburse any pay that they have lost.
- **whether you're giving the employee a period of notice** or whether the dismissal's instant.

In reality, this depends on what the contract of employment says and whether it permits you to dismiss the employee immediately and give payment in lieu of notice.

If there is no express right in the contract for you to do so, a dismissal with pay in place of the employee working their notice period may constitute a wrongful dismissal of the employee by you - which would mean that any restrictive covenants and other post-termination contractual restrictions on the employee may become ineffective.

That's a pretty significant negative impact, especially since the employee may well be feeling pretty disgruntled about your business and potentially tempted to cause trouble.

So, take real care over pay and notice terms and if you're not sure, get a quick view from an expert.

- **the actual effective termination date, if dismissal is immediate.**

Legally, a dismissal is only effective once it has been communicated to the employee in question.

If the dismissal letter is hand delivered or sent electronically on the same day, then the date you enter as the actual termination date should be the same as the date at the top of the letter, i.e. today's date.

If the letter is being posted, it may be sensible to state that termination is two days later, as the legal rules around postal delivery assume this.

## Step 5 - Appeals

This is the final stage in the process.

The employee is entitled to appeal against:

- **any performance improvement notice** directed at them;
- a **decision to dismiss** them; or
- **any other formal action taken**, such as their redeployment to another role or a demotion.

Our **performance improvement policy** takes the recommended approach that the employee must appeal in writing within 2 weeks of the decision in question.

If the employee appeals, an appeal hearing must then be arranged.

### Appeal hearing

You'll need to invite the employee to the appeal meeting (often called an 'appeal hearing' by lawyers - but it's not held in a court or formal venue).

You can use our template letter to invite the employee to this meeting and ensure you've provided them with all the vital information they need.

### Invite to an appeal meeting letter

#### Who needs to attend the appeal meeting?

This is very much fact sensitive.

As the employer, you may want to have the original person who held the performance improvement meeting(s) as a witness to talk about the original decision-making.

There may be other key witnesses that you might want to call.

They could be colleagues, customers or experts, for example.

The employee has the usual right to bring a companion

The template invitation letter reminds the employee that they are entitled to invite a colleague (or a trade union representative, if relevant) to accompany them to this hearing.

## Carrying out a 'reasonable investigation' in response to the appeal request

You'll need to carry out a reasonable investigation before you reach a decision following the appeal.

You must take into account any submissions from the employee or their representative and/or witnesses that they call to the hearing.

### What does 'reasonable' mean here?

Carrying out a 'reasonable' investigation includes making reasonable efforts to obtain documents that the employee wants to be considered.

You're not obliged to go to all lengths imaginable to obtain these documents, if they are not within your control and you can demonstrate that you have gone to reasonable efforts to attempt to get hold of them, in good faith.

The investigation process should never be viewed as a rubber-stamping exercise.

You might find our [step-by-step guide to workplace investigations](#) useful here.

Take care to ensure that you have addressed each ground of appeal that the employee has raised.

A thorough appeal process and well-reasoned decision can often rectify any procedural errors that may have occurred at the original dismissal stage.

It is well worth spending time and if need be, the resources, following a robust and policy-compliant process here.

### Decision on the appeal

You should send the employee your final decision in writing, normally within 2 weeks of the appeal meeting.

Before sending this letter, you may well want to meet with the employee in person, to deliver this message face to face and then hand them the letter during that meeting.

The final letter in this template suite confirms to the employee what you have concluded, following on from the appeal meeting.

[Decision on appeal \(performance\) letter.](#)

Your letter needs to set out clearly the outcome of the appeal and that this is the end of the process.

There are 3 scenarios here to choose from in the recommended template.

### **1. Decision to uphold decision to dismiss the employee**

If you've decided to uphold your original decision, you'll need to include:

- the reasons for your decision; and
- clarification that this decision is final and there is no further right of appeal.

### **2. Decision not to uphold your original decision to dismiss the employee**

If you've decided not to uphold your original decision, you'll need to include:

- your new decision with your reasons; and
- confirmation that the arrangements for dismissal as set out in your previous dismissal letter are revoked and the employee will continue to be employed by you.

### **Practical matters**

If you decide to revoke a dismissal decision and to reinstate the employee, then you'll need to consider a number of practical matters.

For example, the legal effect of reinstatement is that the employee must be treated as if they were never dismissed.

So, you'll need to backdate pay for any period between the original dismissal date and the date of reinstatement.

You'll also need to confirm that the employee's continuity of service has been preserved.

Additionally, you may need to confirm practical next steps for the employee's resumption of their duties.

### **3. Decision that the dismissal remains justified, but the terms of dismissal will be varied**



This is the option you'll need if you still intend to dismiss the employee, but you have decided to revise the original terms of the dismissal.

While it is not a commonly occurring event, you might choose this option if, for example, you have decided, in response to the employee's appeal, that demotion is a reasonable alternative to removal entirely from the business, i.e. you'd be dismissing the employee from the particular role, but not the overall business.

Whether demotion is a fair and reasonable outcome in circumstances where dismissal has been raised is a bit of a grey area in Irish law.

Again, your letter will need to include:

- the reasons for your decision; and
- clarification that this decision is final and there is no further right of appeal.

### **Can the employee bring a claim against you for stress or reputational damage?**

Provided that you have properly followed a robust dismissal process, then in the vast majority of cases, an employee would not be able to bring an action against you, including for any stress, reputational damage or stigma caused by the original dismissal process and decision.

## 5. Summary

Performance matters...

It's critical to productivity and culture within your business.

Strong recruitment protocols, great appraisal arrangements, regular and meaningful feedback to employees on how they're doing, and robust policy documentation all help to ensure that you keep your staff on track, performing to the best of their potential, and meeting the standards that you require, so you can all achieve your ambitions.

Dealing with poor performance by an employee can be very difficult, for everyone involved.

It is not a pleasant topic to have to discuss at any time.

Employees involved in the process often feel indignant, ashamed, outraged, angry.

If poor performance leads to dismissal a stock reaction is to challenge you and to threaten you with a claim for unfair dismissal, potentially accompanied with other 'heavyweight' accusations, such as unfair discrimination.

But follow the steps set out in this guide and you give yourself the best prospects of a smoother and justifiable outcome.