

Potentially

Employees
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What is a 'S

The right of
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The SOSR
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Examples o

Common ex
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fairly dismissed by their employer. In accordance
(ERA) 1996, a valid reason for a fair dismissal can

capability or misconduct, for example, where the
ning or where there is serious misconduct issues

employee is prevented from legally doing their
driver losing their driving licence

an objective need for the employee's job, i.e. when
tation

er substantial reason' so as to justify the dismissal

Reason' (SOSR) dismissal?

ERA to dismiss an employee fairly for 'some other
utory catch-all provision, allowing an employer to
potentially fair reasons apply.

de variety of situations, although whether or not
s scope will depend upon the facts of each case.
OSR dismissal, the employer must ensure that the
ntial, i.e. the reason for dismissal should have a
. In addition, employers must act reasonably and
efore dismissing the employee. Alternatives to
oyment within the organisation or adjustments to
e actively considered.

other substantial reason' could be used to justify

engagement of an employee to impose new
nditions that the employee has refused to agree

a serious personality clash between employees
or them to work together

a reputational risk to an employer's business, for
oyee has been convicted of a criminal offence or,
n which a high degree of safeguarding is required,
aviour goes against the high level of confidence

a conflict of interest with an employer's legitimate
example, where an employee has a close
titor business

contract. For example, when a project has ended
down, the fixed term employee may be dismissed