

Payroll

Notice to Terminate Employment

Employees with at least one month's continuous service must be given minimum periods of notice as follows: -

Continuously employed for:	Minimum notice not less than:
Less than 2 years	1 week
Not less than 2 years but less than 12 years	1 week for each year of continuous employment
12 years or more	12 weeks

If a contract of employment has been issued for one month, or less, but the employee has actually worked continuously for the same employer for three months or more, they will be treated as being employed under a normal contract and entitled to the minimum period of notice.

Notice by the Employee

- The notice required from an employee who has been continuously employed for one month or more must not be less than one week.

Contractual Notice

- Employment law does not prevent employers from agreeing to longer periods of notice (from employer and employee) but the notice periods cannot be reduced. Notice may be given on any day and in any form (i.e. orally or in writing) unless the contract makes specific provisions, for example, notice must be given in writing and/or at the end of the pay week or month.

Fixed Term Contracts

- It is not necessary to give notice to an employee at the expiry of a fixed-term contract since notice was agreed at the start of the contract with an agreed contract end date.

Payment in Lieu

- Where an employer dismisses an employee without proper notice, there is a breach of contract. Provided the employer gives payment in lieu of notice, which covers any loss suffered by the employee through not being allowed to work out a period of notice, no further damages will be payable. Conversely it is a breach of contract where an employee leaves a job without giving proper notice, and where this happens, an employer is entitled to claim damages for any loss suffered.