# Abandonment of Employment – Checklist For Employers

<table>
<thead>
<tr>
<th>Situation</th>
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<tbody>
<tr>
<td>Has employee failed to present for work and offered no explanation?</td>
<td>✓</td>
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Are you unable to contact the employee through the usual channels and the absence persists for more than a few days? (See below* for guidance on the timing provided in a handful of modern awards.)

If satisfied abandonment of employment is possible, again attempt to contact the employee to warn his/her employment is in jeopardy because of continued unexplained absence.

If still no communication is received from the employee, prepare a document containing the following statements:

- failure by the employee to present for work by specified date (eg 5 days from the date of the letter – but note some modern awards require the total unexplained absence to be at least 14 days) will be treated as abandonment of employment;
- the employee has effectively terminated his/her own employment; and
- the consequences will be the termination treated as a resignation without notice.

Send the document electronically if possible and also by registered post.

If the employee fails to respond, proceed to treat the absence as an abandonment of employment and process the termination accordingly as a resignation without notice.

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### Note: Award provisions on abandonment of employment

There are only a few modern awards that have clauses covering abandonment of employment. These include the following awards:

- Business Equipment Award
- Contract Call Centres Award
- Graphic Arts, Printing and Publishing Award
- Manufacturing and Associated Industries and Occupations Award
- Nursery Award

### Example

This abandonment of employment clause only applies to the employees covered by the Graphic Arts, Printing and Publishing Award, however the following process can be used as a guide:

“14. Abandonment of employment

14.1 The absence of an employee from work for a continuous period exceeding three working days without the consent of the employer and without notification..."
to the employer may be evidence that the employee has abandoned their employment.

14.2 If within a period of 14 days from the last attendance at work or date of the last absence in respect of which notification has been given or consent has been granted, an employee has not established to the satisfaction of their employer that the employee was absent for a reasonable cause, the employee is deemed to have abandoned their employment.

14.3 Termination of employment by abandonment in accordance with this clause will operate as from the date of the last attendance at work, or the last day’s absence for which consent was granted, or the date of the last absence in respect of which notification was given to the employer, whichever is later."