

Cap for unfair dismissals increased to \$101,300

- The threshold for bringing an unfair dismissal claim increased from \$98,200 to \$101,300 effective 1 July 2007.

The unfair dismissal jurisdiction makes provision for certain employees to apply for unfair dismissal under the relevant provisions of the *Workplace Relations Act 1996* (Cth), if their remuneration does not exceed a prescribed amount at the time of termination.

The amount is indexed annually with the commencement of each new financial year. From 1 July 2007, the limit increased from \$98,200 to \$101,300.

An employee may not lodge an unfair dismissal claim with the Australian Industrial Relations Commission in circumstances including the following:

- if they are employed by an employer with 100 or fewer employees
- if they are serving a six month qualifying period of employment
- if they are dismissed for 'genuine operational reasons'
- if they are not employed under an award or workplace agreement and they earn \$101,300 a year or above in remuneration.

Clients with any queries about the unfair dismissal provisions in the Workplace Relations Act should contact any of our [Employee Relations partners](#).

This article was written by Karli Evans, Solicitor, of the Melbourne Employee Relations group.