



Wrongful Dismissal Claim: Build the One-Month Filing File

Description

A general wrongful-dismissal claim must usually be filed with TADM within one month from the last date of employment. The claimant must identify and support the allegedly wrongful reason, not merely show that the dismissal felt unfair.

This guide is written for an employee who believes a dismissal or forced resignation may be wrongful. It resolves a specific job: distinguish a dismissal claim from a salary dispute and preserve a focused evidence file before the filing deadline. Start with the branch that matches the facts, then keep the supporting record until the transaction, visit, filing or safety task is complete.

Choose the branch before acting

Your situation	Next move
General wrongful dismissal is alleged	Calendar one month from the last employment date and prepare the reason-and-evidence file
Dismissal relates to pregnancy or maternity benefit	Use the specific maternity-related timing in current TADM guidance
Only unpaid salary or notice pay is disputed	Assess the separate salary-related claim and deadline
A manager was dismissed with notice	Check the six-month minimum service rule and the alleged wrongful reason

Do not combine branches merely because two labels sound similar. The correct branch depends on the actual person, date, property, product, service or location involved. If one fact is unknown, pause at that row and verify it instead of carrying an assumption into the rest of the task.

Fix the last employment date

The deadline runs from a specific employment date, not from the day the employee finishes gathering evidence. The current position is set out by [TADM mediation guide](#).

Use the termination letter, final payslip and employer record to identify the date and calendar it immediately. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

State the alleged wrongful reason

Dismissal with notice is not automatically wrongful. TADM and TAFEP focus on reasons such as discrimination, deprivation of benefits or punishment for exercising a right. The supporting detail is available from [TAFEP dismissal and termination guidance](#).

Write the allegation in one precise sentence before assembling documents. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Separate claims

Salary, notice pay, bonus and dismissal remedies can follow different rules, limits and fees.

Create separate rows for each claim item and do not bury a dismissal claim inside a general grievance. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Build a chronology

Messages are more useful when connected to dates, decision-makers and the employment event.

List material events in order and link each to an original document rather than screenshots without context. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Preserve both helpful and difficult evidence

A credible file should address performance feedback, inquiry records, redundancy explanations and contractual notice, not ignore them.

Explain why the alleged wrongful reason remains supported despite contrary material. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Check service and standing

TADM lists a six-month service requirement for managers and executives dismissed with notice, with different treatment in other scenarios.

Record role, service start, dismissal type and notice facts. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Prepare for disclosure and mediation

TADM may share case details with the employer and assess support before arranging mediation.

Use factual language, redact unrelated third-party data and keep a private master set of originals. Add the relevant date, document, amount, location or responsible person to the same record. That makes the choice reproducible and prevents a broad rule from being applied to the wrong facts.

Worked example

If the last date of employment is 12 August, a general one-month filing date would ordinarily be 12 September under TADM's example method. Do not rely on this illustration for a case with maternity issues, disputed employment date or another exception.

The example is a calculation or planning model, not a promise about an individual outcome. Replace every example input with the live figure, document, route condition or case fact. Keep intermediate workings, because rounding too early or skipping one stage can produce an answer that looks plausible but cannot be checked.

Build one usable decision file

Create a short record with four columns: fact, evidence, effect on the decision and next owner. Put the controlling rule beside the particular fact it governs. A page about the right subject is not enough if it does not contain the number, deadline, eligibility test or operational detail used in the decision.

Save a dated copy or acknowledgement when the task is time-sensitive. If another person needs to continue the work, they should be able to see what was checked, what remains uncertain and which official channel can resolve it. This is especially important where contracts, money, employment, safety or personal data are involved.

Final check

1. Confirm the last employment date
2. Calendar the applicable filing deadline
3. State the alleged wrongful reason
4. Separate each claim type
5. Collect original documents
6. Check role and service period

7. Submit through the official TADM route

Employment claims are fact-specific and time-sensitive. Use current TADM guidance and obtain legal advice when rights or deadlines are uncertain.

Related LBRD guides

You may also need to [check a separate salary deduction issue](#). For the next adjacent task, [reconcile a separate public-holiday pay question](#).

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