

# Answer 1 question :)

[Business](#)



## Municipal Contract al Affiliation s Patinski's Case; Money in lieu of a Contract

This is a case of unfair dismissal. The employee has been dismissed by the municipality without proper notice, which is statutory since it was not stipulated in the contract. The employer has to make payments to the employees if it has been stated expressly in the contract that they have to make payment in lieu of notice (Davis, Timothy Pg, 23). This is an unfair dismissal since it has the factors for unfair dismissal. In the majority of cases the employees can only sue for unfair dismissal if they have been in employment for at least two years continuous service. Patinski has been operational for the municipal for more than two years since they had renewed the contract for more than a year.

It is understood that the employer may always create payment for any period that is not work. This is so even if nothing is written down as per the contract. This is a custom or habit that Patinski and municipality had been used to, and yet the terminology that is used is less important than the terms that the court will use to determine the case (Davis, Timothy Pg, 23). The employment in the case will find the municipality to have contravened the law in this instance of unfair dismissal. The municipality will have to pay the individual both the basic award and the compensatory award. It is not important that the contract must expressly stated the case, but the custom has been that the two individual perform their relations in a certain manner as it has been stated-each year like magic.

### Works Cited

Davis, Timothy A. Employment Laws Made Simple. Eau Claire, WI: National Business Institute, 2007. Print.