



<b>TERMINATION OF EMPLOYMENT</b>		Policy Number: <b>1045</b>
		Effective Date: <b>October 1, 2009</b>
Approved By: Management Committee	Drafted by: Employee Relations & Support Services Manager	Date Revised: <b>October 5, 2018</b>
Classification: Human Resources		Page No: <b>Page 1 of 4</b>

## **REASON FOR POLICY**

The purpose of this policy is to ensure that the termination of employees is handled with due diligence, and with a minimum of disruption to The Salvation Army Agapé Hospice operations. The Termination of Employment policy is designed to define the types of employee termination, the responsibilities of terminated employees, the subsequent Human Resources actions required, and information regarding employee benefits.

***In the event that this policy is in conflict with the terms and conditions of the Collective Agreement, the Collective Agreement shall prevail over this policy.***

## **POLICY AND PROCEDURES**

Agapé Hospice classifies termination of employment in three categories:

1. Administrative
2. Voluntary
3. Involuntary

### **Administrative**

Administrative terminations are generally due to retirement, failure to return to work in a timely manner after an approved leave of absence, permanent or long-term disability where the employee is unable to perform his or her job duties (with or without reasonable accommodation), or the death of an employee.

### **Voluntary**

Voluntary terminations are due to voluntary resignation by the employee or job abandonment. "Job abandonment" is defined as the failure to report back to work after three (3) consecutive business days missed without prior notification to their supervisor.

***Unless otherwise stated in the current Collective Agreement, Agapé Hospice requests, that employees voluntarily resigning their positions give at least four (4) weeks written notice to allow Agapé Hospice time to find a suitable replacement. Failure to give adequate notice may result in a not able-to-rehire status.***

### **Involuntary**



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- Involuntary terminations are generally due to unsatisfactory performance, misconduct, layoff due to reduction or reorganization of the work force, or failure to meet the expectations of Agapé Hospice. Agapé reserves the right to terminate an employee with or without cause and with or without prior written notice in accordance with applicable laws and current collective agreement.
- With the exception of termination of employment due to layoff, position elimination, lack of work or other non-performance related rationale, if an employee is involuntarily terminated, he/she may not be eligible for rehire. If an employee is rehired, and has failed to disclose an involuntary termination at another location, the employee may be terminated for falsification of employment records.

*\*In all categories of termination, the employee will be paid all accrued, unused vacation pay through to the last date of employment. The employee will receive their final paycheck in accordance with applicable federal and provincial laws.*

## **Responsibilities**

### Manager

- In the event of a voluntary termination of employment, managers should attempt to retain the employee if it is in the best interests of Agapé Hospice. If this is not possible, the manager shall attempt to determine the employee's specific reason for leaving.
- Whenever possible, the manager will give warnings pertaining to unwanted behavior. In the event that the employee fails to correct the behavior, or violates Agapé Hospice policy in other respects, they may incur disciplinary action, up to and including termination. Depending on the severity of the offence, an employee may be terminated without warning.
- Manager will inform the employee of the rationale for their termination of employment.
- Upon notice of an employee's resignation / termination, managers must alert Human Resources to the change in personnel, along with all pertinent information (e.g. reason for leaving, last day of work, etc.).

### Employee Relations



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The Employee Relations & Support Services Manager or designate shall supervise the terminated employee's exit-procedure as follows:

1. The return of company property;
2. Notify the employee of the termination of all benefits, insurance and their conversion rights;
3. Provide an opportunity for all administrative or voluntarily terminated employees to have an exit interview and/or complete an exit interview questionnaire. The exit interview/questionnaire allows the terminated employee to openly disseminate information pertaining to their work experiences. All information gathered will be held in confidence. The Employee Relations & Support Services Manager or designate shall compile pertinent information from exit interviews/questionnaires to create feedback which may be used for future considerations towards Agapé Hospice policy.

#### Terminated Employee

- Employees are expected to return all company property, including (but not limited to) parking passes, security passes, keys, identification, as well as any Agapé Hospice information.
- All employees privy to confidential information must be reminded of their responsibility to maintain confidentiality of information in accordance with legislation, regulations, and The Salvation Army & Agapé Hospice policies.

### **Notice Requirements**

#### **Probationary Period**

Unless otherwise stated in the current collective agreement, in accordance with Employment Standards, Agapé Hospice has no statutory obligation to give notice of termination during the first three months of employment which shall be treated as a probationary period.

#### **Agapé Hospice Initiated Termination**

Unless otherwise stated in the current collective agreement, Agapé Hospice will provide the statutory requirements for written notice based on the duration of employment. The minimum notice requirements are in accordance with the Collective Bargaining Agreement or legislation.



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Agapé Hospice may provide pay in lieu of working notice or a combination of written notice and pay in lieu of notice (termination pay) where deemed appropriate.

Agapé Hospice shall pay all wages, overtime, general holiday pay and vacation pay due the employee in accordance with legislative requirements following termination of employment.

**Employee Initiated Termination**

Notice is in accordance with the current Collective Bargaining Agreement or the Management Exempt Employee Handbook.

**Employee Benefits**

Health & Dental Coverage, Life Insurance and Short & Long-Term Disability

All employee benefits will be terminated in accordance with the HBTA benefits plan.

RRSP

RRSP contributions will end with the final pay for terminated employees.

PLEASE NOTE: Further specific information regarding all of the above Employee Benefits will be provided at the time of termination.

Severance Pay

Unless otherwise stated in the current collective agreement, the following shall apply:

- Severance pay is granted at the discretion of The Salvation Army Agapé Hospice. In the event that severance pay is granted, it shall be based on the length of service given to the company, level of responsibility, and the rationale for separation, etc.
- No employee is automatically entitled to severance pay upon termination.

**Legal Compliance**

All terminated employees will be paid in accordance with provincial and federal laws. All employee terminations will be conducted within the boundaries of the law.