## TERMINATION

The purpose of this policy is to ensure employee terminations are handled in a fair and consistent manner, according to legislated employment practices.

DEFINITIONS

 “Termination” means a situation in which the employment relationship comes to an end due to a variety of reasons such as resignation or the employer ending the employment relationship.

“Involuntary Termination” means the employee's departure at the hands of the employer.

“Voluntary Termination” or resignation means the decision is made by the employee to leave the job.

POLICY

[Organization Name] will follow the rules set out in *The Employment Standards Act* of New Brunswick and the terms set out in an employee’s contract when it comes to ending the employment relationship.

All terminations, no matter the cause, will be handled respectfully and in a confidential manner.

Voluntary Termination

In the case of Voluntary Termination or resignation, employees must provide notice as follows:

* Those employed for 13 consecutive weeks or longer must provide two week’s written notice before leaving.
	+ The notice must reflect the employee's last day of work.

Notice of Termination

When an employee is laid off or dismissed, they will be provided with written notice.

If no warning is given, employees will be compensated with the amount of notice to which they are entitled (pay in lieu of notice). The amount of notice required is determined by the length of time an employee has been with the company.

| **Employee's Period of Employment\*** | **Minimum Period of Working Notice** |
| --- | --- |
| More than 13 consecutive weeks but one year or less | one week |
| More than one year but three years or less | two weeks |
| More than three years but five years or less | four weeks |
| More than five years but 10 years or less | six weeks |
| More than 10 years | eight weeks |

Notice is not required in the following circumstances:

* the employee has worked for less than 13 weeks;
* the employee quits;
* there is just cause to fire the employee; or
* the employee receives pay instead of notice.

Final Pay and ROE

Upon termination, whether voluntary or involuntary, for cause or not-for-cause, the organization will:

* Provide any monies owing within 14 days of employment being terminated:
	+ all wages owed to the employee
	+ all vacation and public holiday pay owed
	+ any pay instead of notice (if required)
* Issue a Record of Employment (ROE) within 5 calendar days after the end of the pay period in which an employee’s interruption of earnings occurs so that eligible employees may apply for Employment Insurance (EI)

If the payday falls within the 14-day period, the employee’s pay will be provided on that day.

Return of Employer Property

Whether the termination is voluntary or involuntary, the employee must return all company property including such items as keys or computer devices. All intellectual property, or information, products or content created for the employer will remain the property of the employer.

Rehiring

Employees who are terminated for cause may not be eligible for rehire.

References

[Organization Name] may provide references upon request. Please speak to [Insert Title] regarding the specifics of this program.

Exit Interviews

[Organization Name] invites all employees who have retired or resigned from the organization to share their thoughts and reasons behind their decision to leave via an exit interview.The information gathered from the exit interview will be used to improve processes within the organization.