

# Corporate Policies

**SECTION: CHANGE OF STATUS, TERMINATION AND RETIREMENT**  
**SUBJECT: Termination**

POLICY/PROCEDURE NO. 10.1.0

EFFECTIVE DATE: October 16, 2002

PAGE: 1 OF 4

SUPERCEDES POLICY DATED:

APPROVED BY: Council AF123-2002

## **POLICY STATEMENT:**

All employees of the Corporation have an implied or an express employment agreement. The termination of that agreement will sever the working relationship with the Corporation and the obligations the Corporation and the employee have to one another, unless otherwise specified.

An employee shall be considered to be terminated when the employment relationship with the Corporation has ended. Termination of the employment relationship may be initiated by the:

1. Employee
2. Corporation
3. Terms and Agreements of Contract

Terminations from the Corporation will be in accordance to applicable legislation including Ontario *Employment Standards Act, 2000* or as per the terms and conditions of the employee's employment contract or collective agreement.

Where the Corporation has cause to terminate an employee, the termination will be without notice or pay in lieu of notice.

## **PURPOSE:**

To ensure that all employees are aware of the Corporation's termination processes.

## **SCOPE:**

All employees.

## **PROCEDURE:**

## **DEFINITIONS OF TERMINATION**

The following provides details to the circumstances to which a termination may arise:

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## 1. NOTICE OF RESIGNATION

All employees are required to give written notice of their intention to resign. The Corporation requires a minimum notice of two (2) weeks so that the organization has reasonable time to recruit a suitable replacement. The written notice should indicate the effective date of the resignation and should be provided directly to the employee's supervisor.

The Corporation reserves the right to relieve the employee of the requirement to attend work for the duration of the two (2) week notice period. The Corporation may waive the requirement of two (2) weeks notice from the employee.

## 2. TERMINATION

- a. The Corporation reserves the right to terminate an employee's employment in accordance with its obligations under the Ontario *Employment Standards Act, 2000* and common law jurisprudence.
- b. An employee may be terminated without notice or pay in lieu of notice as a result of just cause.

## 3. CONTRACT TERMS AND CONDITIONS

At the expiration of a contract period, as outlined in the terms and conditions of a time-specific employment contract, an employee is considered to be terminated.

A contract period may be extended by mutual agreement. Such extensions shall be in writing and executed by both the Corporation and the contract employee.

## TERMINATION PROCESS

### 1. RESPONSIBILITIES OF THE HUMAN RESOURCES DIVISION

- a. Consultation:

The supervisor will consult with the Human Resources Division throughout the termination process.

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b. Record-Keeping:

Employee files of reference and all records regarding terminated employees will be retained by the Human Resources Division or relevant Operating Departments (*see Employee File of Reference Policy 6.3.0*) according to applicable legislative requirements.

## 2. RESPONSIBILITIES OF THE SUPERVISOR

a. Documentation/Processing:

All documentation and processing of an employee's termination will be completed by the supervisor.

b. Consultation:

Upon resignation and/or termination, supervisors will maintain ongoing consultation with the Human Resources Division.

c. Access and Property/Equipment:

The supervisor is responsible to ensure that:

- i. Physical access to the Corporation's premises (other than public areas) is terminated;
- ii. Electronic access to the Corporation's Information Technology systems is terminated; and
- iii. All of the Corporation's property is retrieved.

d. Current and Historical Work Files:

The supervisor is responsible to ensure that all work-related files are retrieved and fully secured.

e. Debt Obligation:

The supervisor is responsible to inform the terminating employee of the employee's debt obligation(s) to the Corporation, if such debt exists. Where possible, the supervisor shall endeavour to determine the debt amount.

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### 3. RESPONSIBILITIES OF THE EMPLOYEE

- a. Resignations are to be made in writing and provide, at a minimum, two (2) weeks notice.
- b. Employees will return all of the Corporation's property, files, materials, etc.

### **ACCOUNTABILITY:**

All employees, at all levels, are responsible to adhere to this policy as outlined.

### **ADMINISTRATION:**

Human Resources Division, City of Brampton 1<sup>st</sup> Flr-2 Wellington St. West Brampton, Ontario L6Y 4R2

### **CONTACT:**

Human Resources Advisor, Human Resources Division.