

Termination Compensation

Reviewed Date		Number	<i>HR0207</i>
Revised Date	<i>February 8, 2017</i>	Approved Date	<i>December 19, 1990</i>

Introduction

It is the Board of Health’s intent to provide as much as is financially possible continuous employment to all employees. However, conditions may arise which necessitate the dismissal of an employee without cause.

Purpose

The purpose of this policy is to provide an equitable measure of compensation for eligible individuals whose employment has been terminated by the Health Unit for reasons other than for cause. This policy does not address Mass Terminations as defined in Ontario’s Employment Standards Act 2000, as may be amended from time to time or terminations for cause. This policy does not apply to ONA members who are referred to their collective agreement.

Legislative Authority

Ontario Employment Standards Act 2000, as may be amended from time to time (hereafter referred to as the ESA).

Policy Definitions and Interpretation

N/A

Policy

A full time or part time employee who is terminated for reasons other than for cause, shall receive in accordance with the minimum requirements of the ESA:

- Termination notice, as working notice, or pay in lieu of such notice, or a combination of both: and,
- Continuation of their current employee benefits entitlement during the period of termination notice.

Depending upon their eligibility under the ESA an employee terminated for reasons other than for cause may also be entitled to Severance Pay under the ESA. The Board of Health will honor any such Severance Pay entitlements at a minimum.

Beyond ESA Severance Pay entitlements, and subject to certain conditions, the Board of Health’s Policy is to provide additional Severance Pay to an employee terminated without cause to assist him or her in making a transition to other employment.

Further to this Policy, the Board of Health will pay Severance Pay according to the following schedule which shall be taken to include and satisfy employee Severance Pay entitlements under the ESA.

Length of Service	Entitled Severance Pay
3 months to less than one year's service	1 week's salary
1 - 10 Years' Service	1 week of salary for each year of service completed plus 1 additional week of salary. For example: <ul style="list-style-type: none"> • an employee with 1 year completed service gets 2 weeks of salary as Severance Pay. • an employee with 10 years completed service gets 11 weeks of salary as Severance Pay.
11 Years' Service and Over	10 weeks of salary plus 4 weeks of salary for each year of service completed over 10 years up to a maximum of 52 weeks of salary. For example: <ul style="list-style-type: none"> • an employee with 11 years completed service gets 14 weeks of salary as Severance Pay; • an employee with 20 years completed service gets 50 weeks of salary as Severance Pay; • an employee with 21 or more completed years of service get 52 weeks of salary as Severance Pay.
Termination with Cause:	None
Resignation:	None
Retirement or Death:	None

The entitlements set out in this Policy shall be the sole termination entitlements of an employee terminated without cause, which are intended to displace the presumption of entitlement to reasonable notice or pay in lieu at common law.

An employee is entitled to vacation earned up to the effective date of termination. If an employee is provided pay in lieu of termination notice, vacation continues to be earned during the period of such termination notice as if the employee were actively employed during the period of termination notice.

Accumulated sick leave credits will be paid on termination at the established rate for sick leave accumulated prior to December 31, 1988 for eligible non-union employees.

Procedures

N/A

Related Policies

HR0208 Resignation and Retirement

Related Forms

N/A

Final Approval Signature: _____

Review/Revision History:

Revised: February 2017 Revision reflecting legal updates

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September 2010 Policy re-numbered, previous number B3.140