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| TITLE | Termination of Employment Policy |
| POLICY NO: | 2015-043 |

POLICY STATEMENT:

Superior EMS employs this policy to ensure that the termination of employees is handled with due diligence, and with a minimum of disruption to company business.

This 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.

SCOPE:

All Staff and Volunteers

POLICY:

Superior EMS 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" shall be defined as the failure to report back to work after three consecutive business days missed without prior notification to their supervisor.

In the event of a voluntary termination of employment, managers should attempt to retain the employee if it is in the best interests of Superior EMS. If this is not possible, the manager shall attempt to determine the employee's specific reason for leaving.



Resignations should be confirmed by the employee's department, in writing, and are binding on the employee and Superior EMS and cannot be changed except by mutual agreement.

**Superior EMS requests, as a courtesy, that employees voluntarily resigning their positions give at least two (2) weeks written notice to allow the company time to find a suitable replacement. Failure to give adequate notice may result in a not able-to-rehire status.*

Involuntary

- 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 the company. The company reserves the right to terminate an employee with or without cause and with or without prior written notice in accordance with applicable laws.
- Superior EMS will take an employee's service record into consideration prior to any involuntary termination. In the event that the employee has previously proven to be a valuable company asset, Superior EMS may explore the possibility of a demotion, or transfer.
- 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.

**The employee will receive his/her final paycheck in accordance with applicable federal, state and provincial laws.*

Employee Responsibilities

Terminated Employees

- Employees are expected to return all company property, including (but not limited to) keys, parking passes, security passes, keys, Superior EMS Identification, as well as any client lists.
- All employees privy to Superior EMS confidential information must be debriefed by a company officer no later than their last full day of employment.

General Responsibilities for Involuntary Terminations



Supervisor Responsibility

Whenever possible, Superior EMS managers will give warnings pertaining to unwanted behavior. In the event that the employee fails to correct the behavior, or violates company 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.

It is the responsibility of the immediate supervisor to ensure that staff members leaving Superior EMS return all items, which are the property of the department/Superior EMS.

Managers will inform the employee of the rationale for their termination of employment.

Human Resources Responsibility

All staff members leaving Superior EMS's employment normally will be interviewed by Human Resources. It is the responsibility of Human Resources to arrange the exit interview.

Human Resources will arrange for and disburse all final monies owing to the staff member and discuss arrangements with respect to social security benefits on the last working day. Upon notice of an employee's resignation / termination, managers must immediately alert Human Resources to the change in personnel, along with all pertinent information (e.g. reason for leaving, last day of work, etc.).

Human Resources will prepare a Record of Employment for the departing employee, and fulfill all reporting duties.

The HR Administrator shall supervise the terminated employee's exit-procedure.

The procedure is as follows:

1. The return of company property;
2. Notify the employee of the termination of all insurance and their conversion rights;
3. When appropriate, conduct an exit interview. The exit interview allows the terminated employee to openly disseminate information pertaining to his/her work experiences at Superior EMS. These interviews will be held in confidence. Superior EMS shall compile pertinent information from exit interviews to create feedback which may be used for future considerations towards company policy, and management directives.



Procedures for Specific Forms of Involuntary Terminations

1. **Termination of Probationary Employees** - If, after consultation with Human Resources, it is determined that an employee will be terminated during the probationary period, the employee will be given appropriate notice by Superior EMS in accordance with the Employment Standards Act of Ontario.
2. **Non-Renewal or Early Termination of Term Employment** - All term employment contracts shall include a specific provision clearly indicating that the contract expires automatically, without notice and without payment in lieu of notice, on the specified terminal date unless Superior EMS gives written notice to the contrary.

Term employment contracts shall include a specific provision clearly indicating that the contract may be terminated by Superior EMS prior to the end of the terminal date of the term appointment with appropriate written notice.

3. **Discharge for Willful Misconduct** - Willful misconduct implies an act of such gravity and seriousness that it constitutes a breach of the employee's fundamental obligations to the employer, and is therefore grounds for immediate dismissal.

If in the opinion of management, a staff member has purposely committed an act of serious misconduct such as theft, violence, gross negligence of duty, insubordination, abandonment of position, or breach of confidentiality, the manager must immediately review and discuss the best way to handle the particular incident with Human Resources.

If the review of the situation and other relevant facts so warrant, notice of discharge shall be given to the employee and his/her employment terminated immediately.

Under certain circumstances it may be appropriate to place the employee on leave with pay pending further investigation. If upon investigation the allegation is not confirmed to warrant dismissal, the employee will be reinstated. If the investigation confirms that dismissal is warranted, employment will be terminated immediately, with no notice or pay in lieu of notice.

4. **Termination for Reasons of Performance** - While performance issues are typically related to the employee's responsibility to carry out job duties proficiently, satisfactory performance also comprises such expectations as regular attendance and adherence to work schedules, and on-the-job behaviour with co-workers that supports and enhances



the effectiveness of the work unit, department and/or school.

Performance issues, relating to probationary and post-probationary employees, should be discussed with the appropriate Human Resources consultant at an early stage to ensure the situation is handled in the best way, including required documentation and advice on notice/severance entitlements, if applicable.

All performance discussions should be documented clearly setting out the areas of performance requiring improvement, the supervisor's expectations and required results, support available to the employee, and a time frame during which performance must improve.

5. **Probationary Employees** - For all new employees to Superior EMS, a probationary period of three months must be completed.

Periodically, during the probationary period, the supervisor should provide ongoing feedback to the employee to ensure the employee is aware of any performance deficiencies and the steps necessary for improvement.

At a minimum, mid-way through the probationary period, the supervisor should complete an interim probationary review and meet with the employee to review his/her performance. A final probationary performance review should be undertaken at least one month prior to the expiry of the probationary period and a recommendation made whether to confirm the employee to career status, or whether termination of employment should be provided through a formal notice of termination.

Under certain circumstances, it may be appropriate to extend the probationary period for a specified period of time. In such cases, the supervisor should discuss the reasons for the extension, the expectations which must be met in order for employment to be confirmed and the extended probationary period end date and that employment will be terminated should the performance expectations not be met, and confirm these details in writing.

Under no circumstances should the probationary period expire without either employment career status being confirmed, the probationary period extended or employment terminated.

6. **Post-Probationary Employees** - Unsatisfactory performance on the part of an employee who has completed his/her initial probationary period with Superior EMS should be managed in a similar fashion to probationary employees.



The supervisor should provide ongoing feedback to the employee to ensure the employee is aware of any performance deficiencies, the steps necessary for improvement, the support available including training, and a reasonable time frame in which to improve, and document such discussions in writing.

In cases where there is insufficient improvement, the supervisor will advise the employee, in writing, that his/her employment will be terminated unless the required improvement is made by a specified date. No later than the specified date, if performance expectations are still not met, a formal letter of notice of termination will be given to the employee. The supervisor must seek advice and assistance from Human Resources to initiate such termination.

Severance Pay

2. Severance pay is granted at the discretion of Superior EMS. 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.
3. No employee is entitled to severance pay upon termination.

Legal Compliance

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

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| Authority: | Chief of EMS Operations |



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