

 <b>BOARD POLICY</b>	Policy Name: <b>Termination of Employment (by Employer)</b>	Policy Number: 3.10	
	Approval Signature:	Section: Personnel	Page 1 of 3
	Supersedes:		
	Approved by Board: June 23, 2025	Next Review Date: 2027	
	Policy Contact (Position): Executive Director	Name of Responsible Committee: Executive Committee	

## **TERMINATION OF EMPLOYMENT (BY EMPLOYER) POLICY**

### **1. PURPOSE**

The purpose of this policy is to establish clear and fair procedures for the termination of employment at the NACC while protecting the rights and interests of both the organization and its employees.

### **2. AUTHORITY**

Under NACC By-laws, directors may adopt, amend, or repeal policies relating to the governance, management, operation, and affairs of the Corporation that are not inconsistent with the NACC's By-laws, as the directors may deem appropriate from time to time.

### **3. POLICY**

#### **(a) General**

- (i) It is NACC policy that the Association will follow and comply with the minimum standards established by The Employment Standards Code of Manitoba and its Regulations for all employees unless a employee has an employment contract that provide for different procedures.
- (ii) When it is necessary to terminate employment, NACC is committed to treating all employees with dignity and respect and in accordance with all employment laws.

#### **(b) Termination with Notice**

It is recognized that there will be circumstances where it may be necessary to terminate employees without cause. Where appropriate alternate employment offers will be explored which preserve the employees dignity and provide meaningful employment.

## Notice Period

Unless an employee has a contract that provides for different notice period, the amount of notice that NACC must provide employees depends on the length of time that employee has worked for NACC as determined by the following Employment Standards Code standards based on period of employment:

PERIOD OF EMPLOYMENT	NOTICE PERIOD
▪ less than one year	one week
▪ at least one year and less than three years	two weeks
▪ at least three years and less than five years	four weeks
▪ at least five years and less than 10 years	six weeks
▪ at least 10 years	eight weeks

NACC may allow the employee to work out this notice period, or pay wages in lieu of notice, for the same number of weeks.

### (c) Termination Without Notice

NACC acknowledges that there maybe circumstances where employees will be terminated with cause. In these situations, no alternate offers of employment will be made; and immediate discharge without notice will occur. Such circumstances may include, but is not limited to, the following:

- Actions that constitute a willful misconduct, disobedience or willful neglect of duty
- Violence in the workplace
- Dishonesty in the course of employment
- Has been employed less than thirty (30) days.
- Theft, unauthorized removal, or wrongful possession of NACC property, merchandise, and/or funds.
- Insubordination or refusal to follow work instructions.
- Falsification or alteration of any NACC official document or form including time sheet, employment application, expense claim, etc.
- Unreported absence of one day or more.
- Deliberate destruction of NACC property, equipment, or merchandise.
- Participation in or benefiting from unethical or illegal business practices.
- Failure and deficient performance which failed to be corrected under NACC Discipline Policy

### (d) Confidentiality

Terminations will to be treated in a confidential, professional manner by all involved. Upon termination, employees are entitled to receive all earned pay up to the date of termination.

**(e) Manner and Record of Dismissal**

The types of termination will be included in each employee's individual employment file.

An non-inclusive list of just causes for termination includes:

- A material breach of the employee's employment agreement or the NACC's policies;
- Unacceptable performance;
- Theft, dishonesty or falsifying records, including providing false information as part of an application for employment;
- Intentional destruction, improper use or abuse of our property;
- Violence in the workplace;
- Obscene conduct at our premises or during company-related functions elsewhere;
- Harassment of co-workers, supervisors, managers, clients, suppliers or other individuals associated with the Business;
- Insubordination or willful refusal to take directions;
- Intoxication or impairment in the workplace;
- Repeated, unwarranted, and willful lateness, absenteeism or failure to report to work;
- Personal conduct that prejudices NACC's reputation, services, or morale.

If terminated for cause, the employee will be provided with the reasons(s) for dismissal.

**(f) Return of NACC Property**

Upon the end of employment for any reason, an employee shall return all items of any kind created or used pursuant to the employee's service or furnished by us, including but not limited to computers, mobile devices, reports, files, diskettes, manuals, literature, confidential information, or other materials, which remain and are property of NACC.

**4. MONITORING AND REVIEW**

This policy will be reviewed every two (2) years by the Executive Committee or more frequently if required to ensure compliance with any changes in employment standards to ensure its continued relevance and alignment with the NACC's operations. Changes to the policy will be documented and communicated to the Board for approval.

**5. BOARD ACCEPTANCE**

This policy will be approved by the Board of Directors. The President / Chair of the Board will sign and date the policy to indicate its approval and adoption.

Reviewed: June 23, 2025

Revisions Approved: June 23, 2025