

Termination Policy and Procedure

Policy

Sampson Media is committed to provide clear guidelines about the termination of employees.

Scope

This applies to all employees of Sampson Media. Termination may be because of:

- Redundancy – the position is no longer needed.
- Retrenchment – there are reduced positions
- Employee resigns
- Serious misconduct investigated according to disciplinary procedure
- Unsatisfactory performance

Procedure

Resignation or Dismissal

Notification of cessation of a staff member's employment must be provided in writing.

The employee is to provide resignation notice outlining intention to resign and the final date of employment. Notice must be provided as per the employee's employment contract or award.

Where Sampson Media terminates employment due to redundancy, retrenchment, unsatisfactory performance or serious misconduct, a notice of termination will be provided, outlining final date of employment and reasons for termination.

Expectations of performance is included in each staff member's contract, as well as in the staff Code of Conduct.

Redundancies

Sampson Media will offer genuine redundancies and voluntary redundancies where the need may arise, and will follow the requirements set by Fair Work Australia and individual contracts.

A genuine redundancy is when:

- the person's job doesn't need to be done by anyone
- the employer followed any consultation requirements in the award, enterprise agreement or other [registered agreement](#).

And may occur when the business:

- introduces new technology (eg. the job can be done by a machine)
- slows down due to lower sales or production
- closes down
- relocates interstate or overseas
- restructures or reorganises because a merger or takeover happens.

Sampson Media will consult with employees as soon as possible after the decision has been made to make changes. The consultation process will include:

- notifying the employees who may be affected by the proposed changes
- providing the employees with information about these changes and their expected effects
- discussing steps taken to avoid and minimise negative effects on the employees
- considering employees ideas or suggestions about the changes.

Source reference: Fair Work Act 2009 (Cth) section 119, 139, 388, 389 external-icon.png

Sampson Media will use Fair Work Australia's Notice and Redundancy Calculator and Redundancy Template as the proper tools in the situation of redundancy.

Some employees don't get redundancy payments when their job is made redundant.

The following employees don't get redundancy pay:

- employees whose period of continuous service with the employer is less than 12 months
- employees employed for:
 - a stated period of time
 - an identified task or project
 - a particular season
- employees terminated because of serious misconduct
- casual employees
- trainees engaged only for the length of the training agreement
- apprentices.

Exit Interview

All employees will be entitled to an exit interview with their manager.

The purpose of the exit interview is to seek information from the employee as to their experience of employment with the organisation and to identify areas for improvement.

The exit interview is a confidential discussion.

Information provided during the exit interview is reviewed and incorporated into Sampson Media's ongoing quality improvement activities as required.

Written Reference

Employees with more than two (2) months service can be provided with a written reference on performance and service details, unless dismissed for serious misconduct.

Employees with less than two (2) months service or those who are dismissed due to serious misconduct may, upon request, be provided with a written statement of service containing the length and nature of the employment.

Return of Sampson Media's property.

On or before the employee's final date of employment, the employee is to:

- Return all property of the organisation (including keys, documents, information technology equipment, intellectual property)
- Return or be reimbursed with outstanding petty cash
- Remove hard copy and electronic personal and confidential files
- Inform supervisor of any passwords/codes that may prevent access to computer files.

Administration

Before the employee's final date of employment, Sampson Media will:

- Calculate remaining leave entitlements and final payments according to law
- Ensure forwarding contact details are provided by the employee
- Inform the employee's superannuation fund of the employee's final date of employment.

On or before the employee's final date of employment, Sampson Media will:

- Restrict computer network access – both office and remote
- Remove as a signatory to financial and other transactions.

Record Keeping

The staff member's resignation letter or a copy of **Sampson Media's** employment termination letter is filed in the employee's personnel file.

The staff exit interview and checklist will be filed in the employee's personnel file.