

Termination

	Provincially Regulated	Federally Regulated
Termination of Employment Notice:	<p>When an employer ends the employment of an employee who has been continuously employed for three months, the employer must provide the employee with either written notice of termination, termination pay or a combination.</p> <p>The amount of notice to which an employee is entitled depends on their “period of employment”.</p> <p>The ESA does not require an employer to give an employee a reason why their employment is being terminated.</p> <p>An employer cannot end someone’s employment or penalize them if any part of the reason for terminating their employment is based on the employee asking questions about the ESA or exercising a right under the ESA, such as refusing to work more than the daily or weekly hours of work maximums.</p>	<p>An employer must provide an employee with at least two weeks' written notice of their intention to terminate their employment. In lieu of written notice, the employer must pay a minimum of two weeks’ wages at the regular rate to the employee, up to a maximum of eight weeks’ wages.</p> <p>This requirement applies to any employee except:</p> <ol style="list-style-type: none"> 1. An employee who has not completed three consecutive months of continuous employment. 2. An employee who terminates their own employment. 3. An employee who is dismissed for just cause. 4. An employee who is on a lay-off that does not constitute a termination of employment. 5. Where the contract provides an end and that the work ends on that date.
Severance/Termination Pay:	<p>An employer can terminate the employment of an employee who has been employed continuously for three months or more if either:</p> <ul style="list-style-type: none"> • the employer has given the employee proper written notice of 	<p>An employee who has completed at least 12 consecutive months of continuous employment qualifies for severance pay.</p> <p>Severance pay is two days’ pay at the employee’s regular rate of wages for each full year of</p>

	<p>termination, and the notice period has expired</p> <ul style="list-style-type: none"> the employer pays termination pay to the employee where no written notice or less notice than is required is given <p>Termination pay is a lump sum payment equal to the regular wages for a regular work week that an employee would otherwise have been entitled to during the written notice period.</p> <p>An employee earns vacation pay on their termination pay.</p> <p>Termination pay must be paid to the employee either seven days after the employees' employment is terminated or on the employee's next regular pay day, whichever is later.</p>	<p>employment, with a minimum of five days' pay. This is in addition to a notice of termination or pay in lieu of notice.</p> <p>An employer is required to pay severance pay except when:</p> <ol style="list-style-type: none"> 1. A lay-off does not result in a termination of employment. 2. An employee contract contains an end date, and the contract ends. 3. An employee is dismissed for just cause. 4. An employee quits or terminates their own employment.
Other Notes:	<p>The amount of notice or termination pay to which an employee is entitled depends on their "period of employment" and other factors. It is best to consult with an employment lawyer to understand what is considered reasonable for your individual circumstances.</p> <p>Some exemptions apply and are available here: Exemptions to notice of termination or termination pay</p>	<p>The amount of notice or termination pay to which an employee is entitled depends on their "period of employment" and other factors. It is best to consult with an employment lawyer to understand what is considered reasonable for your individual circumstances.</p> <p>Some exemptions apply and are available here: Termination, layoff or dismissal - Canada.ca</p>