

Number:	RHR-216
Title:	Termination of Employment for Administrative Reasons
Person responsible for enforcement:	Vice-Rector, Administration
Entered into force:	September 18, 2013
Approved:	September 18, 2013 by the Council of Administration <i>This document replaces all previous regulations on this subject.</i>
Exception:	No exception to this regulation without prior written authorization from the Council of Administration

In this document, the masculine form is used without prejudice and for conciseness purposes only.

1. Objective

The University must occasionally modify the allocation of financial and human resources, considering its priorities, evolution and budgetary constraints. Where the University decides to eliminate a position for administrative reasons, the University seeks to ensure a fair and equitable treatment of its employees, while limiting as much as possible, the negative consequences of such a decision.

2. Definitions

Administrative reasons: all structural reorganization, financial limitations or other reasons (excluding termination for cause) resulting in the elimination of existing full-time administrative staff positions.

Positions deemed equivalent: positions that include equivalent duties and job requirements as the position being abolished.

3. Regulations

- 3.1 All requests for abolishing a position must be submitted to the Executive Committee by the administrative unit Manager and signed by the director of Human Resources. The final decision on whether to grant the request rests with the Executive Committee.
- 3.2 Following the Executive Committee's decision, the administrative unit Manager and the Director of Human Resources must meet with the employee concerned to advise him of the termination of his position for administrative reasons, the reasons for the abolition of the position and of the assistance that will be provided by the Human Resources Service.
- 3.3 In cases where there are vacant positions in an administrative unit equivalent to the position being abolished, the staff member occupying the eliminated position will be transferred to one of the vacant positions.
- 3.4 For positions evaluated at 400 Hay points or less, there must be a notice of at least 8 weeks between the formal notice of abolition of the position and the official date of layoff. For positions evaluated at 401 hay points and more, the notice is at least 12 weeks. The notice period will start at the date on which the letter is given to the employee, advising him of the application of the regulation on elimination for administrative reasons. A copy of this letter is sent to the employee's supervisor.

- 3.5 During the notice period, Human Resources shall give priority to the affected employee for those positions for which, in the opinion of Human Resources, the affected employee is qualified to occupy. In the event the one responsible for an administrative unit refuses to hire such a person, he will be required to submit his reasons in writing to Human Resources.
- 3.6 An employee who receives a notice of termination and leaves his job at the University before the end of the notice period will not receive any other compensation except severance pay under Article 3.7 of this Regulation. In this case, the University will cease to provide insured benefits. However, if the University terminated employment before the end of the notice period, the employee would receive the equivalent salary for the period not worked.
- 3.7 Severance pay for termination shall be paid to the terminated employee when it has not been possible to transfer him to another position at the University during the notice period.

Severance pay for employees will be:

- for positions evaluated at 400 Hay points or less, two weeks' wages and,
- for positions evaluated at 401 Hay points or more, four weeks' pay, and,

for each full year of continuous full-time service to the University (excluding unpaid leave for more than one month), up to a maximum of fifty-two weeks.

For the purpose of calculations in each case, 1/12th of one week of severance shall be granted for each month of continuous full-time service at the University in excess of full years of service at the University.

- 3.8 Should a terminated employee be rehired by the University within one year after the date of termination, he will retain his original seniority for calculating purposes of annual leave and other University benefits, less the period of time not worked during that year. Should he be rehired by the University during the period covered by the severance payment, the balance of the severance payment must be returned to the University, unless the employee agrees in writing to waive his seniority.

4. Interpretation

The Vice-Rector, Administration is responsible for the interpretation of this regulation. It is enforced by the Human Resources.