

## **Employee Severance By-Law # 13**

### **SEVERANCE PAY FOR EMPLOYEES OF HAZELBURN CO-OPERATIVE HOMES OF TORONTO INC.**

1. Under the following circumstances and subject to clause 2, an employee shall receive severance benefits calculated on the basis of their weekly rate of pay:

a. **Lay-Off**

On lay-off, one (1) week's pay for each complete year of continuous employment and, in the case of a partial year of continuous employment, one (1) week's pay multiplied by the number of days of continuous employment divided by three hundred and sixty-five (365).

b. **Voluntary Termination of Employment.**

With ten (10) or more years of continuous employment, one (1) week's pay for each complete year of continuous employment and, in the case of a partial year of continuous employment, one (1) week's pay multiplied by the number of days of continuous employment divided by three hundred and sixty-five (365), to a maximum of thirty (30) weeks' pay.

c. **Death**

If an employee dies, there shall be paid to the employee's estate, one (1) week's pay for each complete year of continuous employment and, in the case of a partial year of continuous employment, one (1) week's pay multiplied by the number of days of continuous employment divided by three hundred and sixty-five (365), to a maximum of thirty (30) weeks' pay, regardless of any other benefit payable.

d. **Termination for Cause for Reasons of Incapacity**

When an employee has completed more than one (1) year of continuous employment and ceases to be employed by reason of

termination for cause for reasons of incapacity, one (1) week's pay for each complete year of continuous employment and, in the case of a partial year of continuous employment, one (1) week's pay multiplied by the number of days of continuous employment divided by three hundred and sixty-five (365), to a maximum of twenty-eight (28) weeks.

e. **Termination for Cause for Reasons of Incompetence**

When an employee has completed more than ten (10) years of continuous employment and ceases to be employed by reason of termination for cause for reasons of incompetence, one (1) week's pay for each complete year of continuous employment and, in the case of a partial year of continuous employment, one (1) week's pay multiplied by the number of days of continuous employment divided by three hundred and sixty-five (365), to a maximum of twenty-eight (28) weeks.

2. The period of continuous employment used in the calculation of severance benefits payable to an employee under this Article shall be reduced by any period of continuous employment in respect of which the employee was already granted severance pay, retiring leave or a cash gratuity in lieu of retiring leave. Under no circumstances shall the maximum severance pay provided under clause 1 be pyramided.
3. The weekly rate of pay referred to in the above clauses shall be the weekly rate of pay to which the employee is entitled for the position in the prescribed employment contract and rate of pay immediately prior to the termination of their employment and based on the typical hours worked by that employee.
4. Definitions:  
**Incapacity:** The long term physical, mental or emotional inability to perform the required job description. Proof of incapacity must be provided by medical documents stating clearly the employee's incapacity to perform their job description. At the discretion of the Hazelburn Board of Directors,

duly authorized legal documents declaring the employee as incapacitated may also be accepted.

Approved by the Board of Directors March 16, 2016

Approved by the Membership April 20, 2016