



Procedure 3.14 - Termination of Employment

1. Application

This procedure applies to employees of NQBP.

2. Procedure

This procedure outlines the principles and processes NQBP follows for managing the cessation of a staff member's employment with NQBP.

2.1. Exit Checklist

All exiting employees must complete, an Exit Checklist (available on ERIC).

HR will email an 'Exit Checklist' to the employee and employee's direct Manager. The Manager must ensure the checklist is completed and all necessary tasks actioned; namely, the retrieval of any security passes, MSIC card, vehicles; mobile phone; laptop; or other electronic device.

The employee prior to departing signs off the Exit Checklist with the Manager and forwards or hands the completed Exit Checklist to Human Resources (HR), on, or prior to last day so systems access can be terminated and forwarding information recorded on personnel file.

2.2. Exit Questionnaire

The exit process provides employees with an opportunity to provide constructive feedback on the organisations strengths and weaknesses through the exit interview/or exit questionnaire.

All employees terminating employment will be invited by HR to participate in a confidential exit interview. Participation in the exit interview and/or exit questionnaire is voluntary. Options for completing an exit process include:

- The exit interview is conducted by a third party, that is, not the employee's direct supervisor or manager. This might include a HR representative or another supervisor/manager.
- Where an interview is not undertaken, the exit survey is emailed (or printed off and handed out) to the employee so that they can complete the survey in their own time and return it.

In instances where the exit interview and/or exit questionnaire raises significant matters or serious safety risks, the issues will be referred immediately to the Manager HR/IR who will raise the matter with the relevant Senior Executive and/or the CEO.

NQBP seeks honest and open feedback. Exiting staff will be treated respectfully and there will be no repercussions, or victimisation, as a result of employee's responses.

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2.3. Resignation or Retirement

2.3.1. Notice Period

All employees are required to give the contractual notice in writing or may risk losing pay in lieu of notice not given. By mutual agreement with the employee's manager, a shorter period of notice can be arranged.

The Notice periods are outlined in individual employment contracts or the relevant enterprise agreement.

2.3.2. Giving Notice

All resignations or applications to retire must be directed to the employee's manager/CEO or Human Resources and received in writing.

The NQBP manager or Human Resources should speak to the employee on receiving the application to determine the reason for departure if this is not clear in the resignation, and discuss the process for handover of role or departure.

The manager forwards the original written letter of notice, or email to HR as soon as possible, ideally no more than 24 hours from when it was received. Notification to HR is imperative to ensure that all salary, leave, any monies owing and other entitlements are processed correctly prior to the date of termination. Failure to do this may result in overpayment of exiting employees or delays in processing final payments.

The Human Resources department acknowledge all resignations/retirements and confirms with the employee the last day of employment (after checking with the Manager and terms of employment).

The employee's resignation letter should include the following details:

- employees name and signature;
- date submitted;
- a statement of the decision to resign from the position currently held with NQBP;
- a brief outline of the reasons for resignation; and
- the date the resignation will be effective, that is, the final date of employment.

2.4. Unsatisfactory Performance/Behaviour (Termination by NQBP)

Termination by NQBP must not occur unless there is prior consultation with and approval from the Manager HR/IR, General Counsel and the Chief Executive Officer.

If a decision is made to terminate the employment of an employee, the employee's Manager must meet with the employee to advise him or her about the termination and, in particular, confirm the reason(s). The employee will be provided with a letter of termination outlining the reasons and process of termination, except in the circumstances where dismissal occurred for serious misconduct.

2.5. Serious Misconduct (Summary Dismissal)

Summary dismissal must not occur unless there is prior authorisation from the Manager HR/IR, General Counsel and the Chief Executive Officer.

Notice is not required in relation to the termination of an employee found to have engaged in serious misconduct (summary dismissal). That is, the conduct is of a nature that it would be unreasonable to require NQBP to continue the employment of the employee concerned during the required period of notice.

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Upon receiving notice of termination, the employee is required to immediately:

- cease carrying out his or her duties and responsibilities as directed; and
- return all NQBP property which may be in the employee's possession or control.

The employee will not be provided with access to any equipment, nor should he or she be allowed to remove any files including personal files. Any files kept at the workplace are considered NQBP's property and may be reviewed by the Manager and IT. Any files found to be of a personal nature will be promptly returned to the employee.

Human Resources or the employee's manager may escort the employee from the office building or work site following summary dismissal.

Immediately after meeting with the employee to advise him or her about the dismissal, the Manager must personally advise Security and IT to remove access to NQBP work sites and to all IT systems.

HR must ensure all final payment documentation is fully completed and sent to Payroll.

All parties involved in the summary dismissal (supervisor/manager, general counsel and HR) must ensure documented evidence is recorded and stored appropriately, taking into consideration confidentiality.

2.6. Surplus Positions (Redundancy)

2.6.1. Notice Period

Refer to individual employment contracts or the enterprise agreement for required notice provisions and other requirements and/or entitlements.

2.6.2. Giving Notice

Following the required process, the employee will be provided with a letter detailing any specific requirements and HR must ensure all final payment documentation is fully completed and sent to Payroll.

2.7. Abandonment of Employment

The absence of an employee from work for a continuous period exceeding three (3) working days without the consent of NQBP and without notification to NQBP is prima facie evidence that the employee has abandoned their employment.

Provided that:

- if within a period of 14 days from their last attendance at work;
- or the date of their last absence in respect of which notification has been given; or
- consent has been granted;

An employee has not established to the satisfaction of NQBP that they were absent for reasonable cause, they will be deemed to have abandoned their employment.

Termination of employment by abandonment will operate from the date of the last attendance at work or the last day's absence in respect of which consent was granted, or the date of the last absence in respect of which notification was given to the employer, whichever is the later.

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2.8. Steps to Determine Abandonment

Where the situation arises that an employee is absent from work and does not contact NQBP, the manager with HR will take all reasonable steps to make contact with the staff member.

Where the staff member is absent from work for three (3) working days, the manager with HR will attempt to make contact by using the last known email and/or phone number (mobile and home) and should write to the employees last known home address. The letter will request the staff member to contact their NQBP Manager / HR within 2 working days and will inform the staff member of the possible consequences of their ongoing absence. Consequences include suspension of salary and being deemed to have abandoned their employment.

The manager should check with the staff members' immediate colleagues to ascertain if the staff member has made contact with them or the organisation.

This process should continue until all avenues have been exhausted. It may be appropriate for HR to contact the employee's nominated next of kin.

Should the manager /HR reach the employee, they should seek to ascertain from the staff member the reason for their absence and their anticipated date of return. The staff member should be requested to formalise this absence by providing written advice of their intentions (for example, through the completion of a leave application or other written advice).

If the staff member has made no contact with the organisation following the issuing of a letter, or has failed to formalise this absence by providing written advice of their intentions and does not return to work and a total of fourteen (14) working days have passed, HR will advise the relevant executive that the staff member has abandoned their employment. This advice will detail all attempts to contact and any communication received from the staff member.

After deciding that the employee has abandoned employment, a termination letter will be sent to the employees last known address and the appropriate payroll process is commenced to pay out any monies owed.

All parties involved in the process to determine abandonment must ensure documented evidence is recorded and stored appropriately, taking into consideration confidentiality.

The Manager must advise Security and IT to remove access to NQBP work sites and to all IT systems. The Manager and IT must discuss with HR the repossessing of any NQBP assets.

3. Termination of Employment Policy, Procedure and Legislative Framework

NQBP is a Government Owned Corporation and a port authority and is required to comply with its own policies, prescribed applicable legislation and State Government policies and procedures. This procedure should be read in conjunction with:

- (a) Policy 3 - Human Resource Management;
- (b) *Fair Work Act & Regulations 2009* (Cth).

4. Procedure Review Date

This procedure should be reviewed by 30 June 2018.

5. Definitions

Contractors: means contractors or consultants engaged by NQBP under a personal services consultancy agreement or other similar arrangements.

NQBP: means North Queensland Bulk Ports Corporation Limited ACN 136 880.

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EXAMPLE

Resignation from NQBP's Employment

[Insert your full name]
[Insert your full postal address]
[Insert a contact phone/mobile number]

[Insert the date]

RE: Resignation from North Queensland Bulk Ports Corporation (NQBP)

To [Insert your supervisor or Managers name]

I wish to give notice of my intention to resign from my position as [Insert position title] with NQBP as of [Insert date of last day of employment with NQBP].

[Insert a brief outline of reason(s) for resigning, for e.g. accepted another position more appropriate for my skills etc.]

[If desired - Insert any details you want to communicate or questions you seek answers to about the resignation arrangements]

[If desired - Insert any other comment you wish to leave with, i.e. thanks, regret, etc.]

Yours sincerely,

[Insert signature]
[Insert printed name]

Forward to Manager and Human Resources Department

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