SESLHD PROCEDURE COVER SHEET

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KEY TERMS	Separation of Employment, Resignation, Retirement, Exit Interview, Separation eForm, Separation Checklist, Termination, Medical Retirement, Dismissal, Voluntary or Forced Redundancy
SUMMARY	This procedure provides employees and managers an outline of procedures and processes applying when employees end their employment with South Eastern Sydney Local Health District.

1. POLICY STATEMENT

The purpose of this document is to outline the procedures and processes that apply when employees end their employment with SESLHD.

2. BACKGROUND

The aim of this document is to ensure that employees and managers are aware of the requirements when employees end their employment, including the Award notice periods, the forms required to be completed, the importance of exit interviews and surveys and the need for an appropriate handover to occur.

DEFINITIONS

Separation of employment – ceasing of employment by resignation, transfer to another Health District or NSW Public Sector agency, retirement, medical retirement, dismissal, voluntary redundancy or completion of a fixed or other term employment.

Separation eForm – is used to notify SESLHD and HealthShare of an employees' pending end of employment from SESLHD. The eForm can also be used if an action to Withdraw, Reverse or Amend the end date of employment is appropriate and can also be used for those employees with an assignment category of Contingent Worker.

Contingent Worker – a Contingent Worker is an employee of NSW Health who is not paid through the NSW Health payroll and whose records are maintained in the StaffLink system. Contingent Workers may include Students, Volunteers, Contractors, Chaplains, Clinical Observers, Visiting Medical Officers, Visiting Dental Officers, Honorary Medical Officers and Health Executive Service Officers.

3. RESPONSIBILITIES

3.1 Employees will:

- Provide the relevant period of notice as per their Award
- Complete a Separation eForm via StaffLink Employee Self Service (ESS) and a superannuation form, where relevant, at least one week prior to effective termination date
- Meet with their manager to complete the Separation Checklist form
- Complete the on-line Computer Network Access Form to terminate computer access
- Provide a formal handover, to their manager/colleagues, as appropriate
- Participate in an exit interview and complete and exit survey (voluntary)
- Update personal details including postal address and payslip delivery address for any future correspondence via StaffLink ESS.

3.2 Line Managers will:

- Ensure a Separation eForm has been completed at least one week prior to effective termination date. This is to ensure timely processing of final pay calculations and leave balances
- Conduct an exit interview with exiting employees, and to encourage the employee to complete an exit survey

- Ensure appropriate handover with the existing employee
- Complete a Separation Checklist (F293) and forward to Workforce Operations. Ensure ID, keys and any other SESLHD property is collected
- Check and update any areas of the Separation eForm not filled in by the employee via Manager Self Service (MSS)
- In certain circumstances the line manager may need to fill in the Separation eForm on behalf of the employee (i.e. a separation is processed for an employee who has not worked in six months)
- Advise the Health Safety and Wellbeing Unit the employee is ending employment if the employee has a current workers compensation claim within NSW Health
- Submit the last roster in HealthRoster to ensure the employee is paid for hours worked up to an including the end date of employment
- Approve and forward the online Computer Network Access Form
- Ensure temporary employment contracts do not extend past their end date without appropriate approval.

3.3   Senior Managers may:

- Conduct exit interviews if the employee does not wish to undertake the interview with their line manager (if requested by the employee)
- In consultation with the line manager address and consider issues raised by the exiting employee and implement strategies to address any workplace issues.

3.4   People & Culture Directorate will:

- Ensure that final payments are processed once the Separation eForm has been submitted
- Ensure the separation paperwork is completed for employees exiting SESLHD due to dismissal or Voluntary/Forced Redundancy or Medical Retirement.

3.5   HealthShare will:

- Notify the appropriate Superannuation Authority when an employee retires
- Ensure that final payments are processed once the Separation eForm has been submitted
- Provide (when requested) a Statement of Service to the exiting employee
- Provide (at the end of the financial year) a final Payment Summary to the exiting employee.

4.   PROCEDURE

4.1   METHODS OF SEPARATING EMPLOYMENT

4.1.1   Resignation/Own Accord
Resignation from employment is the most common form of ending employment. To resign an employee must make an unequivocal statement expressing a clear decision to end employment and nominate a specific date as the last date of employment (refer to 4.2) in

line with their Award. A Separation eForm is to be completed at least one week prior to effective termination date.

4.1.2   Retirement
In addition to the requirement outlined in 4.1.1, employees considering options for retirement who are members of State Government Superannuation schemes should seek advice from their Superannuation Authority regarding the superannuation aspects of their decision to retire. In all cases where an employee who is a contributor to a State Superannuation fund retires SESLHD is required to notify the appropriate Superannuation Authority on the relevant form.

4.1.3   Medical Retirement/Termination
Employees seeking to end employment due to ill-health should contact a Human Resources Advisor in the first instance, to discuss options that are available to the employee and/or the possibility of medical retirement.

Line managers and Facility General Manager/Service Director, in consultation with HR Advisory Services, should carefully assess cases where employees on long term absences do not appear to be capable of returning to work due to illness or injury (not subject to a Worker's Compensation claim). Guidelines can be found in SESLHDPR/564 - Non-Work Related Injury or Illness Management and SESLHDPR/412 - Sick Leave Management.

4.1.4   Transfer to another Local Health District
When employees transfer within the NSW Health Service a Separation eForm is not required. HealthShare provides Workforce Operations (via the Local Roster Administrator (LRA) team) a LHD Transfer Report daily. The LRA team will contact the manager to confirm transfer date (last working day with SESLHD) and ADO balance to be paid out (or recouped for those in a negative balance if applicable).

4.1.5   Dismissal
Where an employee's appointment is terminated by the Chief Executive in one District/Service following a finding of misconduct, the termination will apply to any other employment across the NSW Health Service. All other NSW Health organisations where the employee holds employment must be notified of the termination. A process is available to employees to 'show cause' as to why the termination should not apply to their other employment in the NSW Health Service. HR Advisors/People & Culture must be involved in this process.

4.1.6   Voluntary Redundancy
Voluntary redundancy must be in line with NSW Ministry of Health Policy - PD2012_021 Managing Excess Staff of the NSW Health Service.

Voluntary redundancies may be offered to employees whose positions have been discontinued; where there is no likelihood of redeployment; or where the skills of the excess employee are not in demand. Before expressions of interest for voluntary

redundancy are considered, there must be consultation with the relevant industrial organisation.

4.1.7 Forced Redundancy
Forced redundancy must be in line with NSW Ministry of Health Policy - PD2012_021 Managing Excess Staff of the NSW Health Service.

4.1.8 End Temporary Employment/Contract
For temporary or fixed term appointments, which have a pre-determined end date Separation eForm must still be completed.

4.1.9 Permanent to Casual/Old Part Time to Casual/Temporary to Casual
Casuals, who have an employment history greater than 10 years' continuous service, will need to apply for payment of Long Service Leave (LSL) at the time of ending their employment. The Leave Application Form will need to be completed and sent to HSNSW-Payroll@health.nsw.gov.au.The calculation of this payment and checking of employee history is a manual process.

4.1.10 Visiting Medical Officer to Staff Specialist/Staff Specialist to Visiting Medical Officer
Visiting Medical Officers converting to Staff Specialist or Staff Specialists converting to Visiting Medical Officer are required to provide in writing to the Senior Medical Officers Service (SMOS) Unit a notification of resignation. This can be in the form of a letter; a separation form is not required. SMOS will process the change via a recruitment process.

4.1.11 Senior Medical Officers
To resign an employee must make an unequivocal statement expressing a clear decision to end employment and nominate a specific date as the last date of employment (refer to 4.2). A Separation eForm is required to be completed and actioned via Senior Medical Officers Services unit.

4.1.12 Contingent Workers
A Contingent Worker is an employee of NSW Health in StaffLink but who is not paid through the NSW Health payroll.

Contingent Workers may include; but not limited to:
- Students, Volunteers, Contractors, Chaplains, Clinical Observers
- Health Executive Service (HES)
- Visiting Medical Officers (VMOs), Visiting Dental Officers (VDOs)
- Honorary Medical Officers (HMOs), Clinical Observers

A Separation eForm will be required to be completed when ending employment.

4.1.13 Casuals – not worked in last six months
Nursing Workforce Units will run the *NSWH Casual Assignments Not Paid in 6 months Report* on a regular basis. The report identifies those employees who have not worked in any capacity within SESLHD in the previous 6 months who then have their employment automatically ended in StaffLink. Nursing Workforce Units will advise Workforce

Operations via the Local Roster Administrator team which casuals can be separated, Workforce Operations will advise HealthShare for processing.

4.1.14 Multiple Assignments

Employees may have one or more assignments (positions). For each assignment, which is ending a Separation eForm will need to be completed against the relevant position. Staff must notify the managers of each position.

4.1.15 Death

A Separation form will need to be completed where an employee's appointment is terminated due to their death. A certified copy of the death certificate or a notice of death should be attached to the Separation form. All monies owing to the deceased employee will be made payable to their estate. Advice must be provided to HR Advisory Services /People & Culture as soon as possible after notified of an employee's death.

4.2   NOTICE REQUIRED

Employees are encouraged to give as much notice as possible, however, the notice period must not be less than that provided by the relevant Award. If an employee does not give the required notice, all Awards provide for a forfeiture of salary equivalent to the notice period. However, SESLHD has the authority to accept shorter periods of notice if determined appropriate to the situation and if it is non-disruptive to the department. Alternatively, if SESLHD refuses to allow an employee to work out that period of notice it is obliged to pay the employee that amount of money equivalent to the wages that they would have earned had the notice period been worked.

Notice required by the various Public Hospital Awards is as follows:

• Health Employees Conditions of Employment (State) Award	One Week
• Health Managers (State) Award	One Month
• Salaried Senior Medical Practitioners (State) Award	One Month
• Public Hospital (Medical Superintendents) (State) Award	Four Weeks
• Public Hospital (Medical Officers) Award	Four Weeks
• Hospital Scientists (State) Award	28 Days
• Public Hospital Professional and Associated Staff Conditions of Employment (State) Award	28 Days
• Public Health System Nurses' and Midwives' (State) Award	14 Days
• Public Health Service Employees Skilled Trades (State) Award	One Week

4.3   SEPARATION eFORM

The exiting employee is required to complete a Separation eForm in ESS StaffLink, which is to be completed and approved by the line manager and forwarded to Workforce Operations. The eForm is to be completed at least one week prior to effective termination date.

The eForm can also be used if the employee / employer elect to Withdraw, Reverse or Amend the end date of employment and can also be used for those employees with an Assignment Category of Contingent Worker.

Employees must also complete the relevant superannuation exit forms relating to their superannuation scheme of choice and submit these directly to HealthShare. This allows for prompt processing of superannuation payments. Advice and information relating to the appropriate superannuation form may be obtained from HealthShare.

Provided sufficient notice is given and all LHD property is returned, all termination payments, including final normal pay are paid in accordance with the Award.

4.4   STATEMENT OF SERVICE

If requested by an employee on their Separation eForm, a Statement of Service is to be provided by HealthShare. The certificate will contain details of employment including:

- Name
- Next increment date or hours worked towards next increment
- Employee's date of birth
- Name of Health District
- Date from and date to
- Employment Type
- FTE
- Recognised service for Long Service Leave
- Leave Without Pay taken
- Long Service Leave taken
- Grade classification

4.5   TRANSFER OF LEAVE

In accordance with Leave Matters for the NSW Health Service PD2019_010 Section 18 Staff Mobility, employees who end employment may transfer accrued annual, sick and long service leave entitlements when transferring from or to another Local Health District or NSW Public Sector Service (as defined in the *Government Sector Employment Act 2013*). The arrangements are subject to the employee ceasing with the former organisation and commencing service with the new organisation within two months.

Where an employee transfers within the NSW Health Service, they are retaining the same employer and therefore retain their accrued leave entitlements (and cannot elect to be paid the monetary equivalent of accrued annual or long service leave).

Employees who fall under relevant Awards (not applicable to BIC or Skilled Trades awards) may elect to cash out total accrued additional leave or cash out nominated hours of additional leave. The election to cash out additional leave applies to those employees who have accrued additional leave through the additional fifth and sixth week for working a seven day roster and/or the extra leave for working Sundays and/or Public Holidays.

Where an employee transfers between NSW Public Sector organisations employees may elect to be paid the monetary value of accrued long service, if employees have over seven years leave entitlement on termination, or have their entitlement transferred to the new employing organisation. It is up to the employee to make this election on their Separation eForm.

Sick leave may also be transferred from one NSW Public Sector organisation to another; however it cannot be paid out.

4.6   PAYOUT OF LEAVE

4.6.1   Allocated Days Off (ADOs)

Where an employee gives notice that they are intending to transfer to another NSW public sector organisation or to another organisation in the NSW Health Service, all reasonable steps should be taken to eliminate any accumulated allocated days off (ADOs) prior to the last day of service.

The NSW government sector mobility provisions do not provide for the transfer of accumulated ADOs between NSW public sector organisations. Any accumulated ADOs remaining on an employee's last day of service are to be paid out to a maximum of three.

In relation to the transfer of employees between organisations of the NSW Health Service, where there are still accumulated ADOs on their last day of service in the organisation, these are to be paid out to the employee by the organisation from which the employee is transferring.

Where an employee is ending employment from NSW Health the line manager should note the number of ADOs to be paid out on the Separation eForm. ADO payments will only be paid in accordance with maximum limits stipulated in Awards.

4.6.2   Annual Leave

The Annual Holidays Act 1944 provides that, on termination, an employee is entitled to payment in lieu of all annual leave accrued but not taken. It does not affect the obligation of an employer to give, and an employee to take, annual holidays in accordance with the Act. Should annual leave not be taken as required, an employee forfeits the right to take the entitlement as leave but retains the right to payment in lieu of such leave upon termination.

An employee whose employment terminates prior to the expiration of a period of 12 months from their date of appointment or their last anniversary date of appointment, shall be entitled to a pro-rata payment for annual leave, such payment to be calculated on the basis of 1/12th of the employee's ordinary pay for that period of employment per month of employment. Casual and temporary employees are also entitled to payment of the monetary value of pro-rata annual leave at the conclusion of each engagement.

Some Awards include additional provisions related to the pro-rata payment of annual leave on termination (for example, the Nurses Award).

Where a terminating employee is being paid workers' compensation payments for part of the period since annual leave last fell due, the employee's pro-rata payment in respect of annual leave is to be calculated on the basis of the ordinary pay for the whole of the period in question.

Annual leave loading is not payable when an employee is paid the monetary value of annual leave to the employee's credit in resignation.

Employees who cease working in the NSW Health Service and who commence working immediately in another public sector organisation may be entitled to transfer their annual leave loading entitlement under the government sector mobility arrangements. Employees who move between the NSW Health Service and a non-declared affiliated health organisation and who are entitled to elect to transfer their annual leave to the new employer will also have their annual leave loading entitlement transferred.

Employees who transfer between organisations of the NSW Health Service will retain their accrued annual leave loading entitlements.

Upon retirement or termination by the employer for any reason other than misconduct, an employee who has qualified for an annual leave loading by completing 12 months service but who has not taken annual leave since so qualifying, shall be paid the loading which would have been payable had such leave been taken.

4.6.3 Long Service Leave

On termination from the NSW Health Service, an employee is entitled to receive the monetary value of all long service leave accrued and not taken at the date of termination, if employee has more than seven years service.

Employees who have completed at least five years' service and less than seven years' service and whose services are terminated for any reason other than serious and wilful misconduct, who resign their employment on account of illness, incapacity or domestic or other pressing necessity, are entitled to request the payment of the pro rata payment for long service leave on the basis of two months leave for ten years' service. Such applications should be made in writing to Human Resources Advisory Services.

The taxation of long service leave paid on termination differs depending on when the long service was accrued.

4.6.4 Sick Leave

Sick leave entitlements are cumulative and there is no limit to the balance which can accumulate. Unless the sick leave credit is transferred with the employee to another NSW public sector organisation under the NSW government sector mobility provisions or to a non-declared affiliated health organisation under the arrangements provided in the *Health Services Regulation 2003*, an untaken sick leave balance lapses on termination of service and cannot be revived even if the employee resumes service with the same employer at a later date.

4.7   OVERPAYMENTS

An overpayment may occur if inaccurate information is entered by HealthShare or late communication is received from the manager regarding the employee's assignment status held in StaffLink which could impact salary, allowances and any other monies paid to the employee.

An overpayment may also occur when the manager enters incorrect hours in the Roster System. These errors could result in hours, allowances, overtime and penalties being paid incorrectly.

If an employee has an overpayment recovery plan in place when they end employment HealthShare will recover as much money from the employee as possible prior to termination. This includes hours worked in the week(s) leading up to the separation, any leave payments and Eligible Termination Payments (ETP's).

4.8   BLIND PAYMENTS

Blind payments (also referred to as "prepayment to payday" or "advance week") applied to employees who were employed in NSW Health and was paid to new employees at commencement prior to 2009 (see time periods below for exceptions). Because the pay period ends on a Sunday but payday was not until Thursday staff received the payment for the hours expected to be worked from Monday-Thursday payday. The extra hour's payment was in advance of the timesheet or Kronos entry submitted. This was to bring employees who started part way through a pay cycle in line with other employees. The monetary amount received is stored in the "blind payment" field in the payroll system and is recovered by HealthShare when an employee separates from the Health Service.

Up until September 1998 this payment was provided for all permanent staff, since then it was only applicable to the following awards:
- Health Managers
- Health Employees
- Hospital Scientists/Scientific Officers
- Administrative & Clerical
- Pharmacists
- Radiation Scientists
- Apprentices
- Engineers
- Computer Staff
- Public Relations/Project Officers
- Trainees
- Skilled Trades

Between 2002 and 2009 blind payments were only paid if the manager of the employee requested it at the time therefore not all new employees in this time period received the payment and therefore not all employees will need it recovered.

4.9   EXIT INTERVIEW AND EXIT SURVEY

Employees ending their employment should be offered and encouraged to participate in an exit interview and to complete a confidential exit survey. Exit interviews and surveys should be conducted between notification of end of employment and the actual date of end of employment, preferably not the last day.

The intention of conducting exit interviews and surveys is to assist SESLHD to understand why the employee is leaving and to acquire information to help better manage retention. The survey is a de-identified and confidential process.

The SESLHD Online Exit Survey provides a confidential medium for exiting employees to detail their experience working for SESLHD and their reasons for leaving. As a confidential process any individual issues cannot be followed up. The information gathered from exit surveys provides important indicators of the SESLHD culture, employees' opinion in regard to working conditions and work environment, and the reasons that employees leave the organisation. The information assists in developing or refining operational planning, workforce planning, recruitment, training, development strategies, and job design.

If employees do not have access to the intranet to complete the survey, a link can be emailed to exiting employees to complete at home. The link is also available on the SESLHD intranet under Workforce Services.

Exit interviews are generally undertaken by the line manager of the existing employee. In some circumstances employees may have concerns about undertaking an exit interview with their direct manager. In these circumstances arrangements should be made for a more senior manager to conduct the exit interview.

As a face-to-face process the exit interview provides an opportunity for the manager and employee to have a more detailed conversation about the employee's experiences working at SESLHD, the reasons that contribute to their leaving, and what changes may have encouraged the employee to stay. This provides an opportunity for managers to assess what changes can be made at a local level to improve working conditions and retention of employees.

4.10   SEPARATION CHECKLIST

Employees and managers must ensure that all equipment and/or SESLHD property are returned on or before the last day of employment, including mobile phones, locker keys, department keys, swipe cards, uniforms and identification badges, motor vehicles, etc.

Employees must ensure that all relevant business records under their control are appropriately managed prior to the last day of their employment. This involves a formal handover of all business records, including physical paper files, electronic files, and emails. It is essential that a formal handover of business records forms part of the end employment process, to ensure SESLHD maintains compliance with the *State Records Act 1998* (refer also SESLHDPD/196 Records Management Policy), and to ensure continuity of work after employment has ended.

Employees must also complete the Separation Checklist (F293) and have it signed by the manager before submitting the form to Workforce Operations. Upon receipt of this form Workforce Operations will proceed with processing the Separation eForm for HealthShare to issue the employee's final pay.

Employees are required to change their payslip preference to email and provide a personal email address via ESS prior to ending employment. This will allow a final termination payslip to be received by email. If an employee wishes to receive a printed payslip, this can be requested from HealthShare Customer Service Desk, the printed payslip will be distributed five business days following request. Employees should ensure any changes of postal address following end of employment before the end of the financial year are to be communicated to HealthShare to allow for receipt of final Payment Summary.

8. DOCUMENTATION
Separation eForm – ESS StaffLink
Separation Checklist
SESLHD Staff Exit Survey
Computer User Accounts Form

8. AUDIT
Not required

7. REFERENCES

7.1 Internal References
SESLHDPD196 – Records Management Policy
SESLHDPR/564 – Non-Work Related Injury or Illness Management
SESLHDPR/412 – Sick Leave Management

7.2 External References
Awards and Conditions
NSW Ministry of Health Policy Directive – PD2019_010: Leave Matters for the NSW Health Service
NSW Ministry of Health Policy Directive – PD2018_031 Managing Misconduct
Manage Employee Separation – From NSW Health
Manage Employee Separation – Voluntary/Forced Redundancy
Manage Employee Separation – With Reason of Deceased
Manage Employee Separation – Ending an Assignment
Manage Contingent Worker

8. REVISION AND APPROVAL HISTORY

Date	Revision No.	Author and Approval

July 2015	0	Kelly Crawford, A/Manager Recruitment and Workforce Transaction Services, SESLHD
July 2015	1	Endorsed by Peggy Pollock, A/Director Workforce Services
September 2015	1	Approved by DET
September 2015	1	Approval from Executive Sponsor to publish document
November 2017	2	Update of links, department names and system names
March 2018	3	Update to Section 4.8
March 2018	3	Processed by Executive Services
May 2019	4	Minor review. Approved by Director Workforce Services. Updated links to *PD2019_010: Leave Matters and Managing Misconduct Policy.* Formatted by Executive Services prior to publishing.
July 2020	5	Minor review - update of contact points and department names. Approved by Executive Sponsor. Processed by Executive Services prior to publishing.

COMPLIANCE WITH THIS DOCUMENT IS MANDATORY