



e2r Alert!

“I Quit!” – Managing Employee Resignations

Managing an employee resignation can be challenging, especially when it comes as a surprise. It is important that employers take the correct steps to ensure that departures occur smoothly, from both a practical and legal perspective.

Notice of Resignation

Under many provincial employment standards statutes employees are required to provide their employers with a specific amount of reasonable notice of resignation. An employee's employment agreement may also stipulate a longer notice period. Some provinces do not have such statutory requirements regarding resignation.

Resignation in Writing

It is very important that employers obtain the resignation in writing, rather than verbally or making assumptions. This eliminates any misunderstanding about the employee's intention to resign and the timing of the resignation. It also protects against common disputes between the employer and employee relating to the circumstances of the departure and who's choice it was.

Professional Response

In certain circumstances, employers may feel frustrated or disappointed with an employee who resigns. It is important to respond in a professional manner. Resignations are a natural part of conducting business. Generally, employers cannot refuse an employee's resignation despite how much they may want them to stay with the organization. However, they may wish to offer the employee an incentive to remain, such as a higher salary or additional benefits, depending on the situation.

After the Resignation

Once the resignation is received, there are several key steps an employer should take:

- Acknowledge the employee's resignation, confirm the last working day and advise of any necessary exit procedures. Often, it is best practice for this to be communicated in writing.
- Finalize compensation obligations by ensuring all outstanding payments are made according to employment standards (salary, benefits, vacation pay, etc.).
- Make the necessary arrangements to collect company property such as laptops, key cards, etc. It is your equipment so you may need to arrange for a courier pick-up at your expense.
- Remind the employee of any post-employment obligations (confidentiality, non-solicitation, etc.). Often, these obligations are outlined initially in the employment agreement.
- Consider conducting an exit interview to gain insight on their reasons for leaving and obtain feedback on improvements moving forward.
- Issue a Record of Employment as necessary.
- Notify other staff of the employee's departure by providing the necessary context (but keep it simple and professional). This may be done via email or in person. Typically, responsibilities will have to be reassigned accordingly.

Note that a previous e-Alert, *Exit Checklists- A Powerful Tool*, provides some further considerations to ensure there are minimal disruptions to the organization after resignation.

Don't hesitate to reach out to us with any related questions! Our Advisors are here to help you navigate the resignation process.