

	TERMINATION OF EMPLOYMENT	Human Resource Manual
	Lay-Off	Section 1802

LAY-OFF

PURPOSE

1. This section outlines the process to be followed when a position is eliminated because the duties are no longer required to be performed.

APPLICATION

2. These guidelines and procedures apply to all employees.

DEFINITIONS

3. **Continuous Employment and Continuous Service** means:
 - (1) (a) uninterrupted employment with the Public Service; or
 - (b) uninterrupted employment with the Government of the Northwest Territories provided that the employee was employed by the Public Service on April 1, 1999.
 - (2) prior employment of an employee who was laid off and reappointed to a position in the public service.
 - (3) where an employee other than a casual ceases to be employed for a reason other than dismissal, abandonment of position or rejection on probation, and is re-employed within a period of three (3) months; his/her periods of employment for purposes of superannuation, severance pay and vacation shall be considered as continuous employment with the Public Service.
4. **Lay-off** means an employee whose employment has been terminated because of lack of work or because of the discontinuance of a function and who is suitable for continued employment in the Public Service. Lay-off does not mean an employee whose employment has been terminated because of a transfer of the work or function to another employer where the employee is offered employment with the new employer.
5. **Deputy Head** means the Deputy Minister of a Department, The Chief Executive Officer or President of a Board or Agency, or a person duly appointed as a Deputy Head.

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6. **Internal Competition** is a competition held within a department that is limited to employees of that department who have been notified that their positions will be discontinued or significantly changed.
7. **Reasonable Job Offer** means an offer of indeterminate employment within the public service, normally at a pay level equal to or greater than the employee's current level. Where possible, a reasonable job offer shall be within the employee's headquarters.
8. A change in departmental structure, responsibilities or functions must be made in accordance with the Government's Organization Policy.
9. Employees may be placed in other vacant positions for which they are qualified within the Department.

AUTHORITIES AND REFERENCES

10. Main Collective Agreement with the NEU
Article 2.01(s) Interpretations and Definitions
Article 31.01 – Lay-off

CONTACTS

11. For further information or clarification, please contact:

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