

2. Human Resources

2a.6 Employee Termination and Resignation Policy

This policy must be read in conjunction with Riverina Conservatorium of Music (RCM) Human Resources Policies General Outline, Definitions and Relevant Legislations.

1. Purpose

- a. The RCM is committed to providing a legal, fair and transparent working environment.
- b. This policy is designed to provide all employees of the RCM with a clear guide to termination and resignation procedures.

2. Additional Definitions

- a. **Probation Period:** is a period of time, usually 6 months, beginning from when the employee starts employment, which allows both parties – employer and employee to assess their work relationship for the long term.

3. Application of Policy

3.1 EMS Salaried Staff Resignation

- a. EMS Salaried staff working at the RCM are required to give the Riverina Conservatorium of Music four weeks' notice in writing of their resignation.
- b. The RCM may elect to pay a staff member in lieu of part or all of their notice period. Alternatively, the RCM may require a staff member not to report for work, or provide them with altered duties, during part or all of the notice period.

3.2 Casual Staff

- a. Casual employees of the Riverina Conservatorium of Music may resign their employment from the RCM in writing no less than four (4) weeks prior to the date of resignation.

4. Details

- a. The RCM may enter a process with a view to terminate a contract of employment where it has been established that any of the below conditions have been satisfied (Please Note: this process may not be applicable for staff under probationary periods, and instead immediate termination may apply):
 - i. There is a clear breach of the contract of employment.
 - ii. There is a demonstrated inability or refusal to fulfill the duties outlined in the contract of employment.
 - iii. There is a demonstrated inability or refusal to work cooperatively with colleagues.
 - iv. There is a refusal to follow reasonable and lawful instructions

- v. Conduct which is perceived by the RCM to be a deliberate attempt to harm the good reputation of the organisation.
- vi. Any act of dishonesty such as embezzlement, theft or fraud involving the RCM's assets, money or property has been committed
- vii. Any act that reasonably constitutes gross misconduct, negligence of duties or duty of care has been committed.
- viii. A staff member has been provided with three warnings in relation to:
 - 1. Performing their work in a manner reasonably considered by the RCM to be unprofessional or in a manner which results in complaints from students/parents/guardians that cannot be reasonably remedied;
 - 2. Conduct in the workplace which breaches the RCM's Code of Conduct Policy.

- b. Where any of the conditions of Section 4(a) of this policy are alleged, all RCM personnel will be afforded the opportunity to respond to the allegations.
- c. The RCM will seek outside legal and other professional advice on matters leading to termination of employment.
- d. Employment may be terminated without notice or payment in lieu of notice where proven serious misconduct has occurred.

4.1 Post separation provisions

- a. The RCM will respect the professional and personal reputation of any personnel leaving the employ of the RCM and expects this to be reciprocated.
- b. Where a student is enrolled at the RCM, a teacher may not accept this student as a *non-RCM private student* within twelve months of separation unless express permission has been negotiated with the Board of Management.
- c. Use of the RCM's issued student contact lists for private teaching purposes will be regarded as a breach of Section 4.1 (e) of the RCM's Code of Conduct Policy and may result in legal action.
- d. Students of a teacher are regarded as clients of the RCM and the RCM will hold persons accountable for any loss where RCM students are taken as private students within the conditions laid out in Section 4.1 (b) of this policy.

4.2 Return of RCM property

- a. Immediately upon resignation or termination of your employment for any reason, all property belonging to the Riverina Conservatorium of Music must be returned. This includes, but is not limited to:
 - i. Musical instruments
 - ii. Sheet music
 - iii. Mobile phones

- iv. Computers/Electronic equipment issued by the RCM including, but not restricted to:
 - 1. Portable computers (tablets, iPads, laptops)
 - 2. Recording equipment
 - v. Keys
 - vi. Computer storage
 - vii. Furniture
 - viii. Documents
 - ix. Student records
 - x. Student contact information
- b. All staff upon their resignation or termination of employment for any reason, will attend an exit meeting to discuss their exit process and return all RCM items as listed above in 4.2.a.
- c. After the staff member's exit meeting, the RCM will:-
- i. cancel all RCM accounts, system logins and email addresses for this staff member.
 - ii. Retain a copy of the staff member's RCM emails and system accounts including all files and documents for a period determined by the RCM.

(Please Note: where termination is due to serious misconduct, the RCM may cancel all system and account logins immediately without an exit meeting)

- d. Upon resignation or termination of employment for any reason, the RCM may withhold any monies due to any outstanding debts to the RCM. These monies may be withheld until all debts are paid.

5. Variations

- a. If a worker is unsure about any matter covered by this Policy, they should seek the assistance of the Executive Team Member(s).
- b. *The RCM reserves the right to vary, replace or terminate this policy from time to time.*

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