

SPEAKOUT

THE MAGAZINE FOR AUSTRALIAN SPEECH PATHOLOGISTS

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**Faces of
the future**

**NEW AGED
CARE GUIDE**

**Revised
Tracheostomy
Practice Guideline**

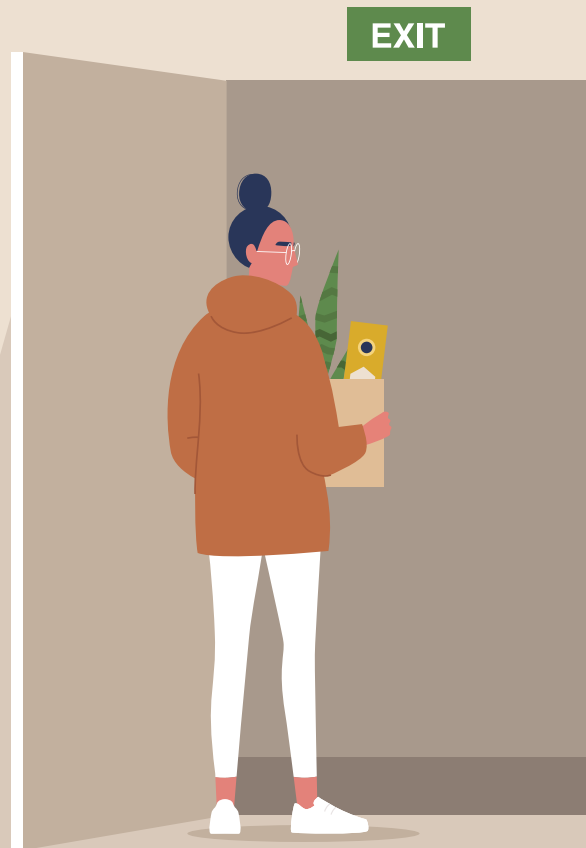
**Support and
resources for
students and early
career graduates**

**Back to work,
COVID safe!**



**Speech
Pathology
Australia**

In practice



What needs to happen when a speech pathologist resigns?

When a speech pathologist or staff member is ready to exit the business, both the employer and the resigning employee should follow the organisation's exit procedure.

Managers, employees and contractors should take a proactive approach by becoming familiar with the exit procedure at the beginning of employment. Reviewing this information will ensure a smooth transition for everyone involved when an employee resigns.

It is a good idea for an exit procedure to include a checklist, which could include the following reminders.

Resignation confirmation - An employee's resignation must be unequivocal and unambiguous, taking into account all of the circumstances in which it was delivered. If someone says "I quit" or similar in the heat of a difficult situation, it is important to find out whether they meant it or were just venting, otherwise the termination could amount to wrongful dismissal.

Regardless of the circumstances, if an employee is clear on their decision to resign, this should be confirmed in writing. After written confirmation, if the employee changes their mind, the employer is not obligated to continue their employment.

If an employee feels they have no choice but to resign, or if they have "walked off the job" and appear to have abandoned employment, both the employer and the employee should seek professional HR advice.

Post-contractual obligations – If their contract of employment contains clauses such as non-solicitation and non-competition covenants, or restraints of trade, then this should be discussed with the employee. As an option, during the exit process, the employee could be issued with a written reminder of post-contractual obligations.

Notice period – It is important for the employer and employee to agree on the last day of employment and confirm this in writing. Reasonable notice usually starts at one week and increases with length of service and position. However, in most cases, the required notice period is already specified in the relevant EBA, Award or contract of employment and should be included in any reminder of post-contractual obligations. The notice period must be adhered to unless both parties agree otherwise. If there is a negotiation of the notice period, such as a buyout, a payout, 'gardening leave' or special circumstances, it is a good idea to seek professional HR advice.

Depending on the organisation's HR protocols, there may be separate leave and access policies for employees on their notice period. If this is the case, employees should be reminded of these changes.

When discussing the notice period, consider the amount of time needed for the completion of current projects and reports, and for a proper handover of work and clients.

Work/client handover – Set aside ample time for discussing, planning, and actioning a thorough handover of work and clients. Some employers may need to coordinate this with the onboarding of a new employee to fill the role, so “replacing the role” may be added to the exit procedure checklist.

Regardless of whether the exiting staff member is a contractor or permanent employee, best practice is for the employer to pay for the employee's time during the handover process. If the employer requests or expects a contractor to participate in a handover without pay, the employee is entitled to decline. When regular communication, feedback, updates and record-keeping is already an integral part of the day-to-day work culture, this may ultimately minimise the time/resources required for a handover.

Clear, thoughtful communication is particularly vital during the client and employee handover phases. Maintaining trust and loyalty is important to client relations and employee relations alike.

Business property handover – In addition to office equipment, computers, uniforms, mobile phones etc., employees must return any credit cards, keys/secure access, work vehicles, or any records or resources. The handover should also include email accounts, voicemail and passwords.

Personal items – The employee should leave their work area tidy and remove all personal items.

Final formalities and financials/further contact – During the notice period, employers should finalise any outstanding wages, leave payments, entitlements or reimbursements. At the end of the notice period, they should also provide a relieving letter including all of the details of final settlement. Some employers may also wish to provide employees with a statement of service, or some kind of recognition of the employee's contribution to the business. Employers will need the employee's updated contact details for any future correspondence.

Exit interview – Employers should provide the option of an exit interview towards the end of the notice period. This is a valuable opportunity for both the employer and the employee to give and receive feedback, and address any outstanding items. Another option is to offer a confidential exit survey, however conducting the exit

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interview in-person rather than via survey allows both parties to practice having courageous conversations. Exit interview records may be retained and reviewed to assist with the continuous improvement of the workplace culture.

Employers and employees (including contractors) each have responsibilities to consider and conversations to have before the employee leaves the practice. In general, the employer is responsible for ensuring that their managers are aware of the exit procedure and know how to implement it. Managers are responsible for informing employees about the exit procedure and managing the process when applicable. Employees and contractors should regularly review their HR manual and be familiar with the exit procedure. This familiarity will support positive conversations and ensure the transition period after giving notice and leaving the workplace goes smoothly for all.

The HR person or team is responsible for regularly reviewing all HR procedures including the exit procedure. In small practices, often the business owner or office manager assumes a number of roles and handles everything staff related. In these cases, it can be really beneficial to seek the support of a professional HR advisor.

Anna Pannuzzo is the Director of WorkPlacePLUS. SPA members receive special member benefits with WorkPlacePLUS for support with HR & IR issues affecting your practice. For more information, contact Anna on (03) 9492 0958 or visit www.WorkPlacePLUS.com.au.

