

Separation with Grace: Steps to a Smooth Termination

When separating an employee, you want to avoid repercussions such as being pursued for wrongful termination, being forced to rehire the employee, and/or paying damages. Most cases that end up disputed are usually those where a problem had not been addressed and there was no back-up documentation. Without proper documentation to support a decision to terminate, it becomes a question of 'he said, she said' and the burden lies on the employer to demonstrate the termination was made for a just cause and was conducted properly.

1) Let employees know where they stand.

An employee shouldn't be surprised that he or she is being fired. Whether the employee is not performing up to standard or does not work well within their team, you need to be clear about problems as they occur. Take notes so you can provide specific details such as customer complaints, inappropriate behavior, missed deadlines, etc. Meet with the employee and give examples of problems regarding performance or behavior. Keep notes in an employee file.

2) Develop a plan and timeline for improvement.

Whenever practical, develop an improvement plan with the employee, and be clear about when you expect to see changes. Set realistic goals that are measurable. After each one-on-one, follow up with a written recap of the conversation in an email or on paper to the employee. Re-state what is expected of the employee and when. Be encouraging. Share you are confident the employee will make the necessary improvements, but also be clear on the possible consequences if the employee fails to improve.

3) Don't beat around the bush.

Once you've made your decision, move on it. Delaying the process will only cause confusion and anxiety for all involved. Start by putting yourself in your employee's shoes. If you were being fired, you wouldn't want "the bait and switch," talking about your family or the weather and then transitioning into, "you're fired." The conversation should be respectful; not casual.

4) Meet in a private place, face-to-face.

No matter how it is delivered, hearing that you are being fired brings up emotions and can be embarrassing. Don't do it in front of other workers. It brings morale down and has the potential to be more destructive than the termination itself.

5) Have a witness.

You should always have another manager or trusted staff member with you when meet. This gives you a witness to confirm your actions were ethical and legal, in the event the terminated employee takes any legal action.

6) Be prepared for questions.

Your employee may ask questions about why they are being let go. Address their questions by discussing their lack of performance, etc. The decision has been made, so there is no reason to discuss any issues at length. Try to be specific yet brief.

7) Provide reassurance.

Keeping an employee that is not engaged is not only bad for your company, but also for the employee. There are times when separation has nothing to do with a lack of effort or good intentions from all parties. Sometimes, it's just not a good fit and that is okay. Assure the employee that they have potential and that in a different environment, better suited for them, they will have the ability to thrive.

8) Allow the employee to leave with dignity.

Always do your best to ensure a fired employee can depart with dignity. For example, there is usually no reason for a departing employee to personally pack up his or her belongings and say goodbye to co-workers. And there is certainly no need, under normal circumstances, to have someone escorted to the door.