



Firing Checklist

from *Firing at Will: A Manager's Guide* by Jay Shepherd.
Copyright 2011. For more information, go to firingatwill.com

Here is a handy checklist to help you make sure that you've thought through everything and prepared for this most difficult of managerial tasks. (Chapter 6 takes you through the actual firing process in detail).

Before the Termination

- Don't fire when angry. Take enough time to make sure that you're not making the decision for emotional reasons.
- Choose the appropriate day and time to minimize additional pain. For example, don't do it right before Christmas, or on the employee's birthday, or when everyone else is going to be milling around.
- Choose a location in the workplace that offers privacy, with the door closed.
- If you're concerned about an angry or violent reaction, have security or another coworker nearby and ready.
- Have the employee's final paycheck ready for the meeting. Include pay for the entire day of the termination, as well as any other money owed. Make sure your payroll people keep the termination secret.
- Make sure you include pay to cover any accrued but unused vacation.
- If the employee has computer access, make arrangements to have her locked out of the system while you're in the termination meeting.

Not before and not after. And make sure the computer person keeps the termination secret.

- Prepare what you're going to say in the meeting, but don't write out an actual script.
- If appropriate, prepare a severance agreement to give to the employee. For an example, see Appendix C.
- Gather up any material that your state requires you to give to terminated employees. Often, this includes information on unemployment benefits and health-insurance continuation (COBRA).
- Decide how much notice you want to give, and how much transition time you need during which the fired employee will stay on. Hint: the answer should almost always be "none."

During the Termination

- Have a witness in the room unless you absolutely trust the employee you're firing.
- Don't beat around the bush. You're here to fire the person, not talk about the Red Sox or the weather.
- Speak about the firing as a done deal. Don't give the employee a false sense of hope that he might be able to change your mind and save his job.
- Choose the right way to say it. "We've decided to let you go" or "It's time for us to go our separate ways" are better than the lawyerly "We're terminating your employment."
- Resist the temptation to get into a debate about the employee's performance or conduct. Now is not the time for that, and you'll just end up making the employee defensive.
- Tell the truth and nothing but the truth, but not necessarily the whole truth. There's no need to go through every transgression the employee had. The less said, the better. Telling untruths, even white lies to soften the blow, is a risky proposition.
- Be firm but gentle, empathetic but steadfast. Remember that your goal is for the employee to leave with as much Retained Dignity as possible (refer to Chapter 7).
- If you're offering a severance package, present the agreement to the employee. Don't get into the details, other than to say what you're offering her. Focus on the severance as a way to help the employee

with her transition. Explain that she should take some time to review the severance details in the letter. Do not talk about the release you're seeking.

- Give the employee whatever other documents the state requires.

After the Termination

- If you're not worried about violence or theft or other disruption, you can let the employee return to her office or station unsupervised. If you are concerned, have someone walk her out with as much dignity and as little drama as possible. Offer to send her stuff home.
- If you've offered to write a letter of reference, do it right away. You don't want this hanging over your head, and you don't want to extend the time for having contact with the employee. On the other hand, if you've also asked her to sign a severance agreement, you might decide to wait until she returns it before giving her the reference.
- Inform other employees about the termination on a need-to-know basis. This should be a private tragedy, not a public spectacle. Don't worry overly about gossip, and don't do anything that would further embarrass the fired employee.
- Arrange to have the employee's phone answered by the appropriate person. Instruct that person about how to handle questions about the fired employee.
- Arrange to have the employee's e-mail forwarded to you or another appropriate person. You can then forward personal e-mail to the fired employee for a reasonable time, while keeping the business e-mail.
- If the firing was for a reason like theft or disloyalty, or if you have any reason to think that litigation might ensue, have your IT people make a disk image of her work computer. Resist the temptation to immediately reassign the computer to someone else. The hard drive may contain evidence that could help you in future litigation.