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About This Document

owner	HR
access & use	Restricted to Managers & HR
what it is	<p>A guide that:</p> <ul style="list-style-type: none"> ◆ Outlines the step-by-step process for involuntary terminations ◆ Provides point-and-click access to the documents needed, along with instructions and examples
who uses it	HR and Managers with direct reports
<p>Note: This document includes sensitive information. It should not be shared with staff members who do not have responsibility for direct reports. Use caution and discretion when using.</p>	

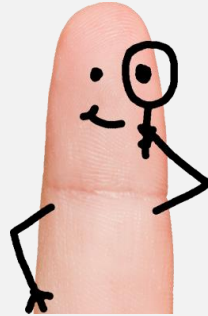
Overview

Involuntary termination is a difficult and stressful experience for everyone involved—HR, the manager, the employee, people the employee works with, and even others in the organization. The process around it is usually somewhat of a mystery, and when it happens, people fear they will be next. Fortunately, they don't happen very often, but when they do become necessary, it's critical to follow the right process.

At our company, we monitor and evaluate performance at various stages of employment:

- ◆ New employees or regular status employees in new positions go through a probationary period
- ◆ Regular status employees participate in an annual performance review
- ◆ Employees who are not meeting performance expectations undergo a performance improvement plan with their manager
- ◆ Employees who still don't meet performance expectations after the performance improvement plan are subject to involuntary termination

Bottom line, involuntary termination based on poor performance should never be a surprise to the employee. However, there are other circumstances under which involuntary termination may be



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Doc ID	Document Name	Description	Doc	Help	Ex.
PI-MGR-3200-M.	Performance Improvement Plan Form	Form template for managers to document and track the Performance Improvement Plan for a direct report			
DP-ALL-4610-M.	Staff Departure Checklist	Checklist that describes and assigns required tasks once it's confirmed an individual is leaving the company			

Guidelines & Steps

Types of Involuntary Termination

Involuntary termination can be done with or without cause.

Involuntary termination **without cause** is when employment is terminated for a reason other than poor job performance. In this case, termination usually comes as a surprise to the employee. For example:

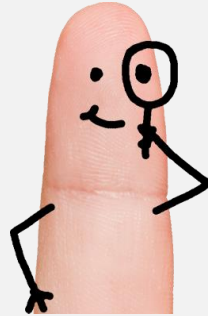
- ◆ Company restructuring
- ◆ Permanent or temporary lay-off
- ◆ Individual is not a good cultural fit with the company

Involuntary termination **with cause** is when employment is terminated as a result of an unsuccessful performance improvement process, or breach of the employment contract. In this case, termination is not usually a surprise to the employee. For example:

- ◆ Unsuccessful completion of probationary period
- ◆ Unsuccessful performance improvement plan
- ◆ Improper conduct as defined in the CUSTOMIZER: Insert name of document where improper conduct is defined, e.g., Employee Manual, including:
 - Illegal, fraudulent, dishonest, unethical, or hurtful behavior
 - Acts of violence
 - Serious negligence in the performance of duties.

Ensure there is sufficient evidence and/or witnesses to confirm the behavior.

If the termination is “with cause” there must be appropriate documentation available to support the decision should it be challenged in court by the employee.



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news before the meeting occurs, there's increased risk for the company.

There's no 'right' day of the week to terminate someone's employment. Some things to consider:

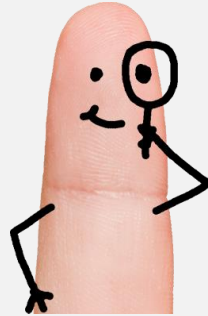
- Doing it on a Monday means the employee can get on with their search for employment the very next day.
- Doing it on a Friday means the employee has the weekend with friends or family to adjust and seek support.
- If possible, do not schedule the meeting on the employee's birthday or immediately before an important holiday or event in the employee's life (e.g., a wedding).
- ♦ **Meeting time.** The best time is at the beginning or end of the day when there are usually less people at the workplace. Whatever time you choose, the employee should be able to leave as soon as the termination meeting is over.
- ♦ **Meeting location.** Ensure a private spot where the discussion can be conducted out of public view.
- ♦ **Who attends:** The termination meeting is always attended by two people in addition to the employee:
 - The employee's manager, whose main role is to communicate the end of employment to the employee, and
 - HR, who acts as a consultant and support to manager and employee, provides reassurance, notes what transpires, and executes on administrative HR duties and legal requirements.

Step 3. Notify Payroll

Important: When giving directions to prepare for termination, speak only to those who must have the information, and remind them to use utmost discretion and confidentiality carrying out their tasks.

► HR

1. Direct Payroll to calculate payments to the employee that are required by legislation and do not require a waiver/release in return. These include:
 - Payment up to the end of day of the termination.
 - Unused vacation pay accrued up to the employee's last day of employment.
 - Any banked overtime.



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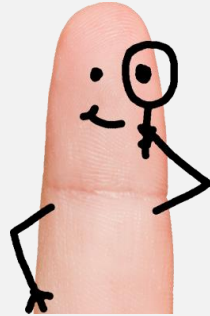
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3. Assemble a list of company-owned resources that will need to be returned by the employee. For example, cell phone, key cards, parking pass, company credit card, laptop, etc.
4. Determine how the employee's personal items will be retrieved from their workspace. Will the employee be permitted to collect them after the meeting, return at a later time to do so, or will HR pack them up and send them to the employee's home?
5. Arrange transportation for the employee after the meeting. Be prepared to provide a taxi if the employee doesn't have a vehicle or is too upset to drive. Have an appropriate amount of cash on hand to pay for the taxi fare, or arrange for the taxi service to bill the company directly.
6. While rare, there are circumstances when an employee may react negatively or even violently as a result of an involuntary termination. Consider the temperament of the employee and assess the risks and likelihood of a negative or confrontational reaction. If you believe that conflict or violence may occur, contact security to discuss precautions or arrange for security personnel to be on site during the termination meeting.
7. Just prior to the termination meeting, instruct the appropriate people to complete the following tasks while the termination meeting is in progress, and remind them of the sensitive and confidential nature of the request:
 - Office Administrator – immediately deactivate departing employee's key cards, or notify building security to do so, as applicable.
 - IT – immediately deactivate or change all computer passwords and login credentials, and ensure the employee is no longer able to access the server via VPN or email/webmail. Give instructions on where the employee's email and phone should be forwarded.
 - CUSTOMIZER: List any additional departments in your company that must be notified when employment is terminated, e.g., finance for company credit card cancellation, cell phone cancellation, etc.

MANAGER

8. Review the following documents:
 - The termination documents HR has prepared for presentation to the employee at the meeting, so you are familiar with their content.
 - The [Staff Departure Checklist](#), to make sure that all employee departure items have been considered prior to the termination meeting.
9. Compile a list of all passwords or job procedures that need to be collected from the employee. Pass this list on to the HR representative who will collect them from the employee at the end of the meeting.



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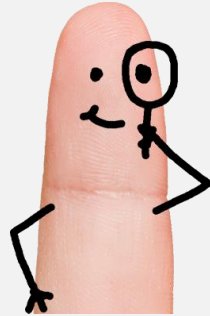
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8. Collect as many company-owned resources as possible from the employee before they leave the building. For example:
 - Access keys/key card. Forward to CUSTOMIZER: Insert the individual's title, not name
 - Company-issued mobile phone. Forward to CUSTOMIZER: Insert the individual's title, not name.
 - Job-specific procedures or passwords identified by manager before the meeting. Forward to manager.
 - Company-issued credit card. Forward to CUSTOMIZER: Insert the individual's title, not name.
 - Parking pass & decal. Forward to CUSTOMIZER: Insert the individual's title, not name.
 - Company equipment (including lap tops, printers, and all other equipment belonging to the Company). Forward to CUSTOMIZER: Insert the individual's title, not name.
 - Company documents, manuals or books the employee may have been accessing when away from the Company facilities. Forward to manager.
9. Instruct the employee that any of the above items not available for collection on the day of termination must be returned within CUSTOMIZER: Insert number of days, e.g., 3 business days. Tell them to:
 - Schedule a time with you to drop off the items.
 - Communicate with an identified liaison before entering the building.
10. Ask the employee if they have transportation to get home, or if there is anyone they would like to call to come and collect them. If not, advise the employee they are welcome to take a taxi home at the company's expense.
11. Talk to the employee about how and when to collect personal items from their workspace. For example:
 - They may return to their desk after the meeting only to collect necessary personal items, such as a purse.
 - They may schedule a time with CUSTOMIZER: Insert the individual's title, not name to pack up personal belongings at a later date, at their convenience. Assure the employee that no one will go through their personal effects before the scheduled packing date.
12. Stay with the employee for as long as is needed, particularly if they are visibly upset.



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- ♦ The employee must NOT have access to their computer before leaving the building, under any circumstances. The employee may be desperate to access their computer to retrieve personal files and may make it very difficult for you to say ‘no’. Firmly advise them that we have to follow Company policy and there are no exceptions; however, they are welcome to retrieve those files at a later date while in the company of CUSTOMIZER: Insert the individual's title, not name.

Step 7. Announce the Employee’s Departure

There are three groups to be notified when an employee departs the company—the department they worked in, the rest of the company, and external stakeholders or clients they worked with.

MANAGER

1. As soon as is feasible after the termination meeting, hold a departmental meeting. During that meeting:
 - Inform the department about the employee’s departure.
 - Do not discuss the reason for the termination.
 - If the termination was without cause, offer: “I know you must be concerned about XX, and I wanted to assure you that this decision was not made lightly. It was a difficult decision to make but we believe it was the right decision for the business. . XX has been provided with assistance and support from the Company, which we feel is fair while he/she is looking for other employment.”
 - Discuss transition procedures - who will be responsible for what.
 - Reassure staff that the employee’s departure is not an indication of imminent terminations.

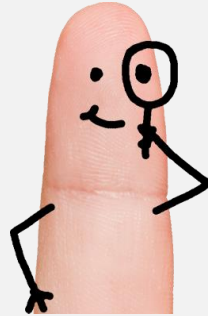
HR OR MANAGER

2. Announce the employee’s departure by email to all staff. See example script, below.

Example Script – Announcing Departure of an Employee

It is with regret that we announce the departure of <Jane Doe> effective today. We are currently in the process of finding a replacement for <Jane>, but in the meantime, <John Day> will be the contact person for <Jane’s> job responsibilities.

If you have any questions regarding <Jane’s> departure, please direct them to your manager or me. We wish <Jane> all the best in her future endeavors.



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