

TERMINATION CHECKLIST

This termination checklist provides a comprehensive and systematic guide to managing employee terminations, ensuring compliance with HR policies and legal requirements. It covers essential steps, such as documentation, legal compliance checks, termination criteria, and post-termination considerations. Please note that the information provided is intended for general guidance only and should not be considered as legal advice or a direct replacement for professional HR consultation.

HR POLICIES & CONTRACTS

- Review your organization's HR policies, employee handbook, and employment contracts to understand the procedures and grounds for termination. Ensure you comply with your
- company's internal policies and procedures.

CONSULT HR AND LEGAL

- Consult with your HR department or legal counsel before proceeding with the termination to ensure you're following the correct procedures.
- Confirm that the termination aligns with your company's policies and is in compliance with relevant employment laws.

DOCUMENTATION

- Maintain detailed records of the employee's performance or behavioral issues that have led to the decision to terminate.
- Gather performance appraisals, warning letters, and any communication regarding performance concerns.

LEGAL COMPLIANCE

- Title VII of the Civil Rights Act
- Age Discrimination in Employment Act (ADEA)
- Americans with Disabilities Act (ADA)
- Family and Medical Leave Act (FMLA)
- Fair Labor Standards Act (FLSA)
- Be aware of state and local employment laws that may apply to your specific location.

CRITERIA

- Clearly define specific criteria for termination

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ALTERNATIVES

- Explore alternative solutions, such as reassignment, additional training, or a performance improvement plan (PIP), if applicable, before proceeding with termination.
- Determine whether there is a reasonable chance for the employee's performance or behavior to improve.

OFFER SUPPORT

- Provide information about post-employment benefits, such as COBRA health insurance coverage.
- Offer guidance and resources to help the employee transition out of the organization

POST-TERMINATION

- Conduct exit interviews to gather feedback on the termination process, if possible.
- Use the feedback to identify areas for improvement in your termination procedures.

HOLD A MEETING

- Schedule a termination meeting with the employee to discuss the reasons for termination and the next steps in the process.
- Conduct the meeting in a professional, respectful, and confidential manner.

COMPANY PROPERTY

- Collect company property from the employee, such as keys, badges, laptops, or other equipment.
- Ensure that the employee returns all company assets.

FINAL DOCUMENTATION

- Complete all necessary paperwork, including the termination letter, final paycheck, and any relevant forms.
- Keep records of the termination meeting and any signed documents.

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TERMINATION CRITERIA/GUIDELINES

- Consistent underperformance that hasn't improved despite interventions.
- Violation of company policies or ethical standards.
- Insubordination or refusal to follow instructions.
- Harassment, discrimination, or unethical behavior.
- Failure to meet established goals or expectations.
- Severe misconduct, such as theft, violence, or dishonesty.
- Irreparable damage to workplace morale or relationships.
- Lack of necessary qualifications or credentials for the job.
- Violation of employment contract terms.
- A repeated pattern of behavior that disrupts the workplace.

DISCLAIMER

This termination checklist is provided for informational purposes only and should not be considered a substitute for professional advice. It is essential to consult with qualified HR professionals and legal counsel to ensure that any termination process complies with applicable employment laws, company policies, and best practices. The use of this checklist is at your own discretion, and HR for Health shall not be liable for any actions taken based on the information provided herein. Every termination scenario is unique, and professional guidance is highly recommended to address specific circumstances.

Assess risk. Take action. Practice preventative HR care.

You always have options in how to respond to HR mistakes you've uncovered. You'll need to decide for yourself what's practical, what's in your budget, and what's the right thing to do.

Fortunately, **HR for Health** will be there for you every step of the way to help you navigate these difficult waters. Our automated, cloud-based software will help you scale efficiently, so you can reclaim some precious time and money.

SCHEDULE HR RISK ASSESSMENT CALL



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