

# PRE-TERMINATION CHECKLIST

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Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_

These items should be considered before the termination of an employee. Not all items will apply to all employees or all circumstances. Please check those you have considered before making the termination decision.

- Determine if the termination is the fault of the employee or the system. If the latter, termination may not solve the problem. You may even replace them with another failure.
- The employee's personnel file has been reviewed and proper documentation supports the termination decision, including investigation, warnings, and witness statements.
- Any company policies and procedures violated by the employee are reasonably related to the operation of the business or the employee's job performance.
- Any discipline and termination actions follow company policies and procedures.
- Other employees have been treated similarly under the same or similar circumstances.
- The employee has been subjected to progressive discipline where justified.
- If the employee is within a protected class (over 40, female, minority, medical leave, pregnant, religious, military, victim of domestic violence or crime, disabled, etc.), improper motives have been ruled out.
- All employee complaints (safety, health, discrimination, whistleblowing, pay disparities, working conditions, etc.) have been investigated and the recommended termination is not the result of retaliation for communicating any grievance, claim or complaint.
- Before recommending termination, have you considered: restructuring the job; moving the employee's work location; a demotion; a transfer; new supervision; leave without pay; referral to an employee assistance program; voluntary resignation; or other alternatives?
- There are no implied, written or oral contracts with this employee governing the termination decision. (Check the employee handbook.)
- The termination has been independently reviewed and approved by the Human Resources Department or another manager.
- Written notice of termination has been prepared and reviewed.
- A plan has been adopted for informing the employee of their termination in a brief and dignified manner.
- Termination is set for Tuesday, Wednesday, or Thursday morning in the employee's office, the conference room, or another "safe" place that offers privacy.
- You have considered consulting an employment lawyer prior to the termination decision. (See [www.worklaw.com](http://www.worklaw.com))

Supervisor Signature: \_\_\_\_\_

Date: \_\_\_\_\_