

# Separations

*There are two types of separations: voluntary and involuntary. For both types, be sure to engage with your supervisor and HR partners.*

**Voluntary separation** occurs when employees leave the organization on their own terms.

When you are faced with a voluntary separation, discuss these topics with the departing employee:

- **Ask:** Can you help me understand how you made your decision to leave?
- **Acknowledge:** We're thankful for all your work and everything you've done for us.
- **Share Information:** I will notify HR and the team. Would you like to personally share the news? How and when would you like to do that?
- **Schedule a Meeting:** Let's schedule some time to meet to discuss your transition. When works best for you?
- **Communicate with the team:** This will help your team members feel confident in your ability to lead them through the transition.
- **Gain information:** Engage with the employee leaving for key project information and to update of their job description.

**Involuntary termination** occurs when an employer or management decides to terminate the relationship with an employee for various reasons. Involuntary terminations can be with cause or without cause.



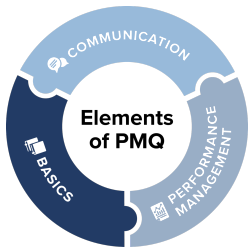
## With Cause

When an employee does something that deliberately violates company policy, he or she can be terminated "with cause," sometimes immediately. Examples of violations include violence, harassment, fraud, embezzlement, insubordination and more, depending on your policy.



## Without Cause

Sometimes referred to as "no fault," this involuntary termination isn't due to something the employee did wrong. Terminations without cause are usually layoffs or reductions in force.



## Prepare for and Deliver the Termination

*When it's time for the conversation, don't say something like "I'm really sorry" or "This is really hard for me." This is not about you or your feelings. Keep the conversation short.*

### Follow these steps as you are preparing for and delivering the termination:

- Arrange for a witness
- Have a plan
- Determine severance
- Prepare documents in advance
- Meet in person if possible
- Meet in a private location
- Give the real reasons
- Let the employee talk

Be aware of the legal issues. The following federal laws define the protected classes under which employees file claims with the Equal Employment Opportunities Commission (EEOC). The best way to protect yourself and your company is to document past performance issues.



**Title VII - Title VII of the Civil Rights Act of 1964** protects individuals against discrimination based on race, color, gender, national origin, religion or sex—and it includes pregnancy too.



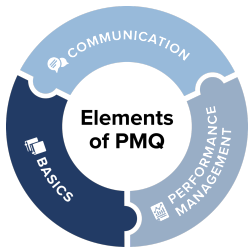
**ADEA - The Age Discrimination in Employment Act of 1967** protects people age 40 and older.



**ADA - The Americans with Disabilities Act of 1990** protects individuals from discrimination due to a disability.

## Tips for Delivering Bad News

- Be straightforward and let them know they're being let go because of their performance. Remember, because you have documented their performance issues and have effectively communicated their lack of performance - both verbally and written - this should not be a surprise to them.
- Remain polite and respectful.
- If possible and safe, give them a choice as to when to gather personal belongings.
- Let them talk.
- Don't be stubborn.
- Don't get emotional.



**There are a few logistics to remember for any type of separation to protect company assets:**

- ☐ Block computer system access.
- ☐ Change passcodes.
- ☐ Remove employee's name as a signatory to bank accounts or post office boxes, if applicable.
- ☐ Collect keys, identification badges and organization property.
- ☐ Obtain adequate personal security if situation has potential of becoming hostile for involuntary terminations.