

Title:

Jeffrey Percival B.A.(Hons.), B.Journ., LL.B.

Partner – Employment & Labour

(Pallett Valo Logo)

New Title:

On The termination meeting

(Music carries under visual)

(talking Head)

One of the issues that we see quite often as employment lawyers is when HR managers come to us about how to conduct a termination meeting with an employee who may be volatile: who may be objectionable; who may get really, really upset by the proposed termination. And how best to handle those meetings.

(“B” Roll)

So, the advice we often will give is, think through the termination meeting very, very carefully. Plan it out very, very carefully. The termination meeting should be short and brief. Five to ten minutes maximum. It should not be longer than that. It is not an opportunity for the employee to plead their case as to why they should keep their job. They have been let go. Stay firm on that decision.

(talking head)

Give them the termination letter in an envelope. Do not get into a discussion about what they did or did not do right as an employee. It is an opportunity for you as an HR manager and for the manager of the employee to simply relate to the employee that they are being let go, to take the package that’s been given to them and to consider it carefully.

(“B” Roll)

You do not want to have a full and final release signed at that meeting, and if you do, you run the risk that a lawyer afterwards is going to say...that they didn't have time to consider what was in the package. You want to give the employee the time to go get professional advice. It's in their interest, it's in your interest.

(talking head)

Once you get the full and final release, you're absolved of further litigation, you're absolved of further obligations to the employee apart from what's in the termination letter. So, don't get them to sign it on the spot.

("B" Roll)

Tell them to go get whatever advice they need and that they are to get back to you within a period of 5 to 7 days at the maximum. If you are concerned about a particularly volatile employee, arrange to have two people there. The HR manager and the direct manager of the employee. Arrange to have security available if necessary.

(talking head)

It's important that you maintain the person's dignity. Keep in mind that when you give them that package and when you tell the employee that they are being let go - after that moment - they are not going to hear a word you say. They are going to be in shock that they have been let go. All they are thinking about is, what is this going to mean for me. What is this going to mean for my family. What is this going to mean for my finances, my mortgage etc. So anything you say is not going to be absorbed. That's why it's key to keep this a short meeting.

("B" Roll)

Don't have them go and get their personal effects. Because again, you want to make sure that you protect their dignity and their privacy. Get them out of the premises, offer to give them a cab if necessary, arrange to have their personal effects sent directly to them.

(talking head)

Make sure the the employee understands that they are being let go and that they are escorted out of the building in as dignified manner as well as possible.