

TERMINATING AN EMPLOYEE - OUTLINE SUMMARY

Title: Terminating an Employee Outline Summary
Abstract: This document summarises what to do if you need to fire someone.
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Terminating an Employee – Outline Summary or What to Do If You Need to Fire Someone

Firing an employee is one of the most challenging tasks any HR professional faces. It can be stressful, not only because of the emotional impact but also due to the legal implications. If not handled correctly, you may face potential litigation from the departing employee. Therefore, it is crucial to have a clear process in place and be fully prepared. This guide aims to help you navigate this difficult task professionally and smoothly.

Before the Termination

1. **Review Employee Files:** Examine the employee's records and gather any documents related to their obligations, such as confidentiality or non-competition agreements. Provide copies to the departing employee to remind them of their obligations post-termination.
2. **Checklist:** Utilize a checklist to ensure all necessary steps are covered. [Download our termination checklist here.](#)
3. **Choose the Right Location and Time:** Schedule the termination meeting towards the end of the workday in a neutral space, like a meeting room. This helps maintain privacy and reduces the likelihood of heated exchanges.
4. **Support Person:** If the employee wishes to have someone present, make appropriate arrangements in advance. This could be a translator, support worker, or trade union representative, depending on local laws.

During the Termination

1. **Clear Communication:** Clearly state that the employee's employment is being terminated and provide specific reasons for this decision. Lack of clarity can lead to misunderstandings and potential legal issues.
2. **Use of a Checklist:** Have a checklist available to guide the meeting, ensuring that both parties remain calm and the process is handled methodically.
3. **Company Property:** Arrange for the return of company property, including phones, laptops, and keys. Check if the employee has any company documents at home and make arrangements for their return. Also, ensure that email access is revoked.
4. **Address Grievances:** If the employee raises concerns about discrimination or retaliation, do not dismiss them. Document their grievances and assure them that their concerns will be investigated.

After the Termination

1. **Return of Personal Items:** Make arrangements for the return of any personal items the employee may have in the office or shared spaces. This could involve walking them back to their desk or scheduling a time for collection outside of working hours.
2. **Letter of Termination:** Provide a formal letter stating the termination of employment, the date, and any ongoing obligations as per their contract. In the UK, you are legally required to provide a written reason for termination.
3. **Final Pay:** Ensure that the final pay is calculated accurately, including any unused vacation time and sick leave. If possible, provide this payment in the form of a cheque, accompanied by a letter detailing the calculations.

Seven Common Mistakes to Avoid

1. **Lack of Professionalism:** Treat the employee with respect and dignity, regardless of the circumstances. How you handle the termination will reflect on the company and impact remaining employees.
2. **Failing to Follow Procedure:** Adhere to any established company procedures for termination. Consistency is crucial to avoid potential legal issues.
3. **Unclear Communication:** Be honest and direct about the reasons for termination, avoiding vague language or exaggerations.
4. **Poor Documentation:** Take detailed notes during the meeting and review them immediately afterward. Proper documentation is essential in case the termination leads to legal challenges.
5. **Failure of Morale:** When someone has their employment terminated it can have a negative effect on the remaining team members. Failure to monitor that and take any action needed to support the morale of the remaining team could have long term consequences.
6. **Failure to Reflect:** Take time to review and reflect on how the process went. Failure to do this could mean that no lessons are learned. Whereas, there are almost always lessons and most processes can be improved.
7. **Inaction:** If an employee is underperforming or negatively impacting team morale, it is important to act decisively. Delaying necessary actions can exacerbate issues within the team.

Conclusion

Handling employee terminations is inherently challenging, but with a structured and empathetic approach, you can navigate the process effectively. By adhering to legal requirements and best practices, you can ensure a respectful and compliant termination process that protects both the company and the departing employee.