











Resources

-  Burley-Allen, *Managing Assertively*
-  Falcone, *101 Sample Write-ups for Documenting Employee Performance Problems*
-  Kotter & Cohen, *The Heart of Change*
-  Hiatt, *Employee's Survival Guide to Change*
-  McKay, *Messages: The Communication Skills Book*
-  McKay, Rogers & McKay, *When Anger Hurts*
-  Steingold, *The Employer's Legal Handbook*
-  Tulgan, *It's Okay to Be the Boss*

 **www.shrm.org**
members can go to Templates & Tools → Toolkits
 Employee Relations → Terminations: Terminating Employees Involuntarily

 **www.change-management.com**
weed through the product ads to find useful articles, extensive links to internet resources, and a true gem: a Change Management Tutorial Series (<http://www.change-management.com/tutorial-change-leadership-mod1.htm>) ... with a fascinating debate about different approaches, combined with practical change leadership skills



**It is no use saying
 "we are doing our best."
 You have got to succeed in
 doing what is necessary.**

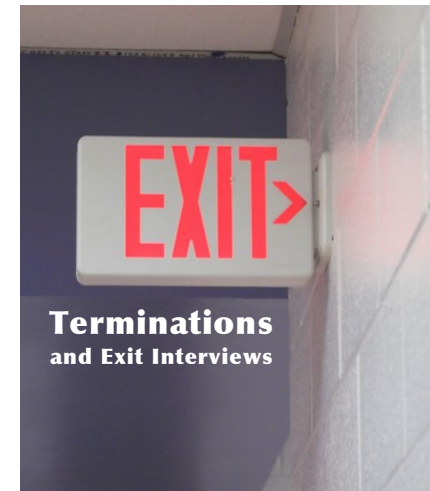
– Winston Churchill



Cargas Systems is an HRCI Approved Provider for HR professional development. Ask us about our *Business Skills for HR Professionals* series that targets the **Strategic Management** domain.

SAD GOODBYES

LCAHRM – February 2010



About the Speaker

Carol Hess brings nearly two decades of practical experience in human resources to her consulting work with a wide range of organizations. She speaks and writes for national audiences on maximizing team success for business prosperity. Carol holds an MBA in Administrative Management. She has received many awards including Working Mother of the Year by Working Mother magazine, HR Executive of the Year Honor Roll by HR Executive magazine, and one of Pennsylvania's 50 Best Women in Business by the state Commerce Department. Carol is manager of the Strategic HR Group at Cargas Systems.

Our least favorite task . . .

Every workplace has times when bad news needs to be delivered. Managers often look to Human Resources for assistance on how to give bad news. Perhaps just as often, they want to hand off the whole task to the HR staff. The most difficult of these assignments involves involuntary termination.

A national study done a few years ago by Vault, Inc. revealed how often these events do not go well:

- 42%** of terminations involved screaming matches
- 24%** of terminated employees sent negative mass emails on their way out
- 12%** of exiting employees vandalized or stole company property
- 4%** of termination meeting resulted in physical scuffles

There are a series of simple but critical actions you can take to prevent or reduce these incidents. Terminations will never be easy or pleasant but we can take steps to make sure they are handled with compassion, dignity and integrity.

- Abide by ethical termination principles
- Support any action with solid documentation
- Plan the termination interview
- Develop a Communication Plan
- Analyze the failure



your actions create
the culture

What you do speaks so loudly I cannot hear what you say.
– Ralph Waldo Emerson

Sample Questions

What is your primary reason for leaving?
Did anything trigger your decision to leave?

What was most satisfying about your job?
What was least satisfying about your job?
What would you change about your job?

Did your job duties turn out to be as you expected?
Did you receive enough training to do your job effectively?
Did you receive adequate support to do your job?
Did any policies or procedures make your job more difficult?

Were you happy with your pay, benefits and other incentives?
Were you satisfied with the performance review process?
Did this company help you to fulfill your career goals?

What was the quality of the supervision you received?
Did you receive sufficient feedback about your performance?
What could your immediate supervisor do to improve his or her management style?

Would you consider working for us again in the future?
Would you recommend working for this company to your family and friends?

What does your new company offer that we don't?
Can we do anything to encourage you to stay?

Do you have any tips to help us find your replacement?
What would you change to make our workplace better?

Did anyone in this company discriminate against you, harass you or cause hostile working conditions?

Any other comments?



Maximize Exit Interviews

Conducting exit interviews with departing employees can help you learn what your organization does well and what it needs to improve. Create a consistent process. Decide who will do the interviews, what will be asked and, most importantly, what you will do with the information you obtain.

- **How will you do the interview?**
Some organizations use written or online surveys. These give you data that is easy to compile and analyze but may be somewhat shallow. You will get richer and more complete information with in person interviews.
- **How will you structure the discussion?**
Start the discussion by assuring the individual that you want frank and honest answers. Stress that there will be no negative consequences for what is said. Explain that you take info from all the interviews and combine the comments so no one knows who said what. Explain that you do exit interviews to learn ways to improve the company and retain valued employees.
- **How will you use the information?**
Create a process for analyzing interview comments. You want to look for common themes and repeating patterns. Look for what you're doing right and what needs to be changed. Consider forming an Action Group that will determine how to use the information. They should identify changes, determine who should plan and implement changes, and monitor that something actually happens. If you don't plan to use the information, don't invest the time and energy in conducting interviews.



Follow Termination Principles

All terminations must . . .

- . . . be done living within the organization's Core Values
- . . . be evaluated
- . . . be planned
- . . . be legal and fair
- . . . done with input from HR but not necessarily by HR

LIVE YOUR VALUES

How your organization makes termination decisions and how those decisions are communicated shapes your corporate culture. Continually step back to assess not just *what* you are doing but *how* you are doing it. It's the **HOW** that reflects and strengthens your values – or that produces a confusing and toxic disconnect between who you say you are and how you actually treat people.



☼☼☼ Treat People Fairly and Legally

If you decide to terminate employment, remember that workers have a right to be treated fairly. You need to **afford due process**, which means recognizing the employee's right to be informed of unsatisfactory performance, to have a chance to defend him/herself, and to improve before an *adverse employment action* (disciplinary action such as discharge) is taken. The employee must understand both the expectations and the consequences of failing to meet the performance standards (*If you don't make these changes, your job is at risk*).

- **BE CLEAR** → The employee must understand your expectations and the consequences of failing to meet the performance standards. The employee also needs to know what will happen if he doesn't make changes. If a write-up merely documents a performance problem without pointing out the consequences of failure to improve, it lacks the "teeth" necessary to meet due process guidelines. The employee needs to know his/her job is at risk.
- **BE CONSISTENT** → Workers have a right to consistent, predictable employer responses. Performance problems cannot be ignored in certain situations or with certain staff without the company being perceived as arbitrary, unreasonable or even discriminatory.
- **BE APPROPRIATE** → The discipline must be appropriate for the offense, taking into consideration the employee's track record and prior disciplinary history.
- **BE REASONABLE** → The employee should be given an opportunity to respond. Allow a reasonable period of time for improvement. If the time is too short for an employee to make the required changes, disciplinary actions appear to be artificial, merely excuses for termination



☼☼☼ Analyze the Failure

Don't be too quick to move on after the termination. Take time to talk with the involved parties and think deeply about what happened. Making a mistake is not a big problem; making the same mistake over and over is.

- ☒ What did we miss in the hiring process? How can we prevent that from happening again?
- ☒ Where did the relationship go negative? What warning signs were there? What interventions did we try? How much real coaching went on to help the employee make needed changes?
- ☒ What did we learn?
- ☒ What will we do differently the next time?



It ain't what you don't know that gets you into trouble. It's what you know for sure that just ain't so.

– Mark Twain

Develop the Communication Plan

- What needs to be in writing?

Prepare a written termination notice to be given to the employee. Describe the performance problems, the steps taken thus far and the reasons for termination. The reasons given should be concise but accurate. This letter could potentially be a key document if the termination is challenged.

- What needs to be said?

In talking with the terminated employee, there are two common mistakes: being so vague that the employee doesn't know s/he has been terminated ... or talking too much. You also need to plan what you will say to others.

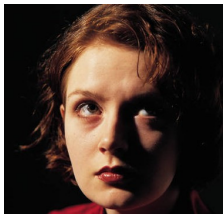
- Who else needs to know?

Think about who will be affected by this employee's departure. Prepare the messages for co-workers, customers, professional colleagues. Do NOT give details to justify your actions or make negative comments about the employee. People will be naturally curious about what happened but you need to honor the terminated employee's privacy

I honor the confidentiality of all employees and won't comment about any specific person or situation.

Discuss termination decisions only with those people who need to know. This list may include the employee's other immediate supervisors, department management, and your legal counsel.

Tell customers that the employee no longer works for the company and who will be taking care of his/her duties and responsibilities.



Termination impacts everyone. Even the well-deserved firing of someone not liked by co-workers will affect the whole team, especially if it is handled badly. Expect increases in minor conflicts, irritability, complaints, errors . . .

Create Solid Documentation

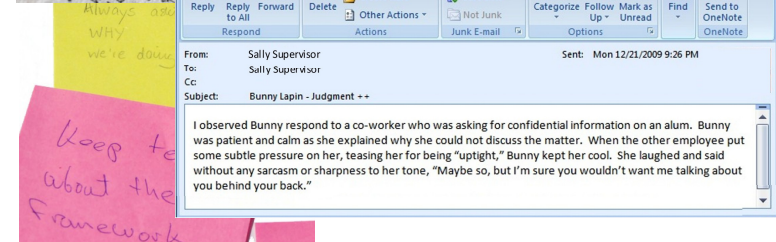
Train all your supervisors and managers in **behavior-based documentation**. They need to consistently record negative and positive performance and actions. Documenting positives is a critical piece of the puzzle. Those notes demonstrate that your organization sets performance standards and is fair in assessing employees' work. Every one of your supervisors should be able to fill in the blanks:

If it isn't _____,
it didn't _____.

Behavioral documentation means that the supervisor observes and records what employees actually say or do – the behaviors – rather than an interpretation or judgment of what happened. Instead of writing down that the employee was *irresponsible ... insubordinate ... inconsiderate ... unprofessional ... not a team player ...* the supervisor writes down exactly what the person said or did that made the supervisor believe s/he was irresponsible, insubordinate, etc.

a **behavior** is something you can **see, hear or count**

I can't count "bad attitude" – what were the behaviors? *When a co-worker asked for help after Clarence had finished his task, Clarence did not look up or respond except to say 'Ain't gonna happen.'*



Plan the Who and When

Start your preparation by asking yourself, ***If this were me, how would I want to be treated?*** Keep that in mind as you think how you will handle the termination meeting. Consider possible reactions or questions and practice your responses.

- Plan how you will preserve the **dignity** of the individual don't humiliate the employee – treat the person with respect – focus on performance deficiencies, not the character of the individual – take only the security steps actually necessary – permitting the employee to leave with dignity may be the most critical step in any termination
- Plan **who** needs to be involved in the meeting the immediate supervisor is usually the best person to tell the employee – a 3rd party can act as a witness – choose someone with the interpersonal skills to help the situation – seek a balance – don't overwhelm the person with a big crowd but also don't meet with a potentially volatile person alone
- Plan **when** to hold the meeting once the decision to terminate has been made, take action quickly – problems increase the longer you delay – whenever possible, employees should be discharged early in the week and early in the day – schedule the meeting so s/he will not be conspicuously terminated in front of co-workers – the worst time is the day before a weekend or holiday – the terminated person can't talk with anyone or do anything but sit and stew



Plan the What and How

Everyone involved in the meeting should decide in advance their roles and approach. Think through possible reactions or questions and practice your response.

- Plan **what** to say
When you meet with the employee, get right to the point. Beating around the bush just increases everyone's anxiety. Be courteous, direct and concise. Announce up front that you have some unpleasant, unfortunate or disturbing news. Give the employee the real reason for the termination. Focus on behavior and facts, not attitude or personality. Tell the employee that the decision is final and when it will take effect.
Gladys, I need to deliver some bad news. You've not been able to bring your performance up to the level we discussed. We talked about this in our last meeting. The only option now is termination. I'm sorry but today will be your last day here.
 - Plan **how** to respond
After giving the news, stop. Give the employee time to absorb the news. Respond briefly and honestly to questions. Make it clear that the decision is not open to debate. Be prepared for a range of emotions. Respond with sensitivity and compassion. Do NOT tell the person to *calm down, be reasonable, accept reality* – such comments only escalate the situation.
I understand that you don't think you're being treated fairly. Unfortunately the decision is final. Again, I'm sorry that we no longer have a place for you and I wish you the best.
- Take precautions in advance to ensure safety if you're concerned about hostile or violent reactions

The worse the news, the more effort should go into communicating it.
– Intel's Andy Grove