

PROPOSED TERMINATION CHECKLIST

<u>TASK</u>	<u>DATE COMPLETED</u>
Determine whether there is a valid, job-related reason for terminating the employee, such as a violation of company policy, poor attendance, excessive tardiness, or a problem with the employee's conduct, attitude, or demeanor.	_____
If the termination recommendation is due to a specific incident, determine whether the incident has been properly investigated and documented in writing. Determine whether there are any questions that remain unanswered about the incident.	_____
Ensure that the employee was made aware that his/her behavior or job performance was unacceptable.	_____
Ensure that the employee's overall work record has been reviewed.	_____
Look into whether there are extenuating circumstances (such as abusive or unfair treatment by a supervisor) that may have contributed to the employee's unsatisfactory performance.	_____
Look for any evidence of sexual harassment, racial harassment, or illegal retaliation for an employee's exercise of legal rights, such as reporting wrongdoing or health or safety violations.	_____
Be sure that the discharge recommendation is not merely the result of a personality conflict with the supervisor or a result of exercising of a protected right.	_____
Determine whether the termination recommendation is consistent with prior actions where the factual circumstances are similar. If the determination reveals that there are some inconsistencies, check to see whether the supervisor making the recommendation to terminate the employee has job-related reasons why the decision to terminate should be different under these circumstances.	_____
Have the recommendation to terminate reviewed by an individual familiar with employment discrimination laws and unjust dismissal theories (such as outside employment counsel) to ensure that there is no legal problem.	_____
Ensure that the employee has received all rights conferred by company policy, such as progressive disciplinary procedures.	_____
Explore alternatives to termination such as transfer, counseling, or demotion before making the final decision.	_____
Can you prove what you know?	_____

SUGGESTIONS FOR USING THIS TEMPLATE

1. The settings on this document will allow you to cut and paste the content from this form and place it on your company letterhead or in another document.
2. Because every company is different, please add or delete items to fit your organization. This form works equally well for temp, contract, and perm staffing and recruiting, as long as you take a few minutes to fine-tune it for your specific needs.
3. Because of the potential for legal challenge by the discharged employee, it is generally a good idea for employers to establish review policies for all termination decisions. The goal of a review policy is not so much to restrict the authority of supervisors to make decisions as to ensure that those decisions are legally defensible. Generally, it should be the responsibility of the human resources manager to review termination decisions. If, however, no such position exists in an organization, termination decisions should be reviewed by a higher-level manager or by the employer's counsel.

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