

## MANAGERS' GUIDE TO TERMINATION MEETING

Most managers find dismissal of an employee to be a difficult process regardless of the reasons for the dismissal. When a dismissal is necessary, it is important for the manager to:



### Comply with Legislation

Under the Ontario Employment Standards Act (ESA) employees terminated without cause are entitled to notice of the termination (or pay in lieu of notice). In some cases the employee may also be entitled to severance pay.

Refer to the Ministry of Labour, Ontario Employment Standards Act to determine minimum requirements. Also, refer to the employee's offer letter and/or employment contract to determine termination entitlements.

Some employees may have rights under the common law that give them greater rights relating to notice of termination (or termination pay) and severance pay than those listed in the ESA.

### Be Fair

Treat employees fairly and with respect.

### Maintain Confidentiality

Be cautious about how much information is communicated to others about the facts and reasons for the termination.

## Manage People Better with Fusion

## How to Handle Terminations Professionally

### Prepare

- Prepare for the termination meeting in advance. Prepare the termination letter and a script of what you will say during the meeting.
- Hold the Termination meeting in a private location, such as meeting room. This allows you to leave the room at the end of the meeting and gives the employee the opportunity to stay behind for a few moments to compose themselves.
- Hold the meeting early in the week, avoid Fridays, so that employee can seek legal advice if necessary. Pick a time of day, such as late afternoon, when there are fewer employees at the workplace.
- Do not terminate close to holidays or the employee's vacation or on their birthday.
- Ensure that the employee's supervisor or another manager is present during the meeting to act as a witness.
- Confirm the termination of employment in writing: letter should include effective date of termination and confirm the notice/payment provided.

### The Meeting

- Keep the meeting focused on the termination and brief: maximum of 15 minutes.
  - Briefly explain the situation.
  - Treat the employee in a respectful, impersonal and unemotional way during the termination process.
  - Explain how the termination will be communicated to other staff and clients.
  - Review the termination letter with the employee and clarify any payment and benefits that will be provided.
  - Ensure that the employee returns the organization's property.
  - Explain the next step - where the person should go after the meeting, how to gather his/her personal belongings, and so forth.
- This is primarily an information-giving meeting; however, provide an opportunity for questions.
- Ensure that the person can get home safely, for example, provide cab fare and see the person to the cab.

## How to Handle Terminations Professionally

### Separation Package

- Where a separation package is provided, explain all terms of the package (financial compensation, counseling, letter of reference) and provide the employee with 2 copies of the termination letter and release for their consideration.
- Do not accept the employee's agreement to the separation package and do not accept a signed release during the termination meeting. The employee needs time to consider the package and seek legal advice.

### After The Meeting

- Make notes after the meeting and date and sign your notes.
- Pay all outstanding wages, commissions, expenses, and vacation pay.
- Pay Employment Standards Act (ESA) termination and severance payments.
- Continue the employee's benefits for a period of time equivalent to the notice period.
- Prepare the employee's Record of Employment (ROE) within 5 days of the last day of work.
- Arrange to have a manager meet with the dismissed employee's co-workers as soon as possible to inform the group. Explain how the dismissed employee's responsibilities will be handled and how clients will be informed.

The information provided is an overview. Your situation is unique. Contact Fusion Career Services for advice.