



AFOA CANADA

Building a Community of Professionals

Navigating an
**EMPLOYEE
TERMINATION**

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BEFORE

The Meeting

- 1** Ensure to review the employee's documentation including the employee's human resources file, performance history, any disciplinary actions, and reasons for the termination.
- 2** Prepare the termination package by gathering and preparing all the necessary documentation including the termination letter, information about final pay and benefit continuation, and any relevant Employer policies and procedures that may need to be referenced in the meeting.
- 3** Create a list of Employer property that may need to be returned (including removal of access to Employer drives, networks, purchasing resources, email, intranet or external platform logins, etc).
- 4** Select a meeting location by choosing a private and neutral location for the meeting to ensure to maintain the employee's dignity, confidentiality, and minimize any disruption. Try to avoid the walkout through coworkers that may lead to embarrassment for all parties. Ensure your location provides easy access for you to remove yourself and your witness party safely if necessary.
- 5** Choose a time of day where it will be an easy transition for the employee out of the office without unwanted distress such as encountering other employees. Termination meetings should ideally be held in the morning half of the day to allow the employee time to contact support services, legal counsel, and to process the event before having to face rush hour traffic and family obligations.
- 6** Arrange a witness during the meeting to document the proceedings and to provide support.
- 7** Prepare and try to anticipate the employee's reaction and plan for responses with empathy and professionalism. Prepare for all scenarios.



DURING *The Meeting*

INTRODUCTION

Set the tone for the meeting. It is best to use empathy, professionalism, and try to maintain positive relationships as much as possible.

- 1. Greet the Employee:** “Good Morning/afternoon [employee’s name], thank you for meeting with us today.”
- 2. Provide a purpose for the meeting:** “I’ve asked you here today to discuss a significant matter regarding your employment with [Employer name].”
- 3. Reiteration of confidentiality:** “Before we begin, I want to emphasize that our conversation will remain confidential between us.”

REASONS FOR TERMINATION

The employees’ main question will be why they are being terminated. Be prepared for this question and answer with honesty and professionalism.

- 4. Be clear and direct:** “Unfortunately, after careful consideration and review, we have made the difficult decision to terminate your employment with [Employer name] due to [performance, misconduct, restructuring etc.]”


DISCUSS THE EVIDENCE (IF APPLICABLE)

If the employee is being terminated due to performance or misconduct, be prepared to provide evidence to show why the employee is being terminated.

- 5. Review performance history:** example, “We have documented several instances [provide a list of the specific examples, if appropriate] where your performance did not meet the expectation outlined in your job description” or “we have this information that shows that you have willfully shown behaviour that contravenes the [Employer’s name] Code of Conduct.”
- 6. Ensure to clarify expectations:** “Despite our efforts through coaching and feedback, we have continuously not seen the necessary improvement to continue your employment.”

TERMS OF TERMINATION

The terms of the termination must reflect local jurisdiction or federal employment laws to reduce any risk or liability, at a minimum. However, review your policies, the employment agreement with the employee, and any relevant collective agreement language to include any additional entitlements as required.



7. Notice Period or Severance: “As per the [include jurisdiction labour law i.e., Employment Standards Act] you are entitled to [state notice period/pay in lieu, continuation of benefits] which will be honoured.” Be clear about a specific date as it relates to the employee.

8. Final Pay and Benefits: “Your final pay will include any outstanding wages, and vacation pay or benefits.” and any other pertinent entitlements to which the employee is entitled.

9. Return of Employer Property: “Please ensure that all Employer property, including [refer to list of items], is returned. We will provide a time that is most appropriate to gather your personal belongings from your office.”

10. Information About Termination Resources, if appropriate: “We understand this is difficult, for that reason we have prepared for you to have access to [counselling services, continuation of Employee Assistance Program, employee counselling etc.]. Provide the details in a prepared package or reference material.

11. Provide Termination Letter: “We have prepared a termination letter that outlines the conditions of the end of your employment with [Employer’s name].” If possible, have the employee sign the termination letter. However, they may wish to have a lawyer review it before they sign.

EMPLOYEE REACTION

It is difficult to anticipate the employee’s reaction but remember to remain professional and safe in all situations.

12. Acknowledgement of Feelings: “I understand that this information is upsetting and difficult to hear. Please ensure you access the services that have been arranged for you.”

CLOSING

Balance keeping the meeting quick and considering the employee’s feelings. At times, you may need to cut the meeting short to avoid prolonged or repetitive questions.

13. Express Appreciation: “Before we conclude this meeting, I want to express our appreciation for your contributions during your time with [Employer’s name].”

14. Wish the Best for the Future: “We wish you the best in all your future endeavours.”

15. Next Steps: “We will be in contact to arrange a time to gather your personal belongings. For future questions you may have, please contact [employee’s name, i.e., HR Manager] to assist you.”



AFTER

The Meeting

1. Document the meeting and anything that may be outstanding.
2. Provide the documents to the terminated employee.
3. Communicate with the team affected by this termination and remember, confidentiality is the top priority.
4. Update the employee documents, payroll, pension, benefits and appropriate software systems of the termination(including email, voicemail access, purchasing resources, security card accesses, etc).

REFERENCE

Employment Law for Business and Human Resources Professionals, 4th edition.



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