

THE EXTRA POINT

BY JERRY ROBERTS



1650 The Checklist for Terminating a Worker – Part 1

If you're a manager or business owner with the authority to put people on the payroll, as well as remove them from it, you may want to perk up your ears. I'm Jerry Roberts, and today, we'll offer thoughts on the topic of terminating an employee. That's next on the Extra Point.

I caught a story about a woman employed by Meta (formerly Facebook) who was fired for using a \$25 meal voucher to buy toothpaste. Meta will pay for food, but whiter teeth and fresher breath are on your own dime. Got it.

Would it ever happen in Guam? First, I'd be interested to know of any company here that gives workers vouchers to buy meals.

While Guam employers can generally terminate a worker for any reason, we need to be aware of legal protections against discrimination, retaliation, and contractual obligations. Aside from the legal aspects, how do you want to carry out the deed?

Stuart Silverman, a lawyer who specializes in labor and employment cases, wrote up 10 commandments for terminations and posted it to LinkedIn. Here are his rules, with some added comments that will hopefully help you think through your own situations.

1. Do not bring additional people into it. Just the supervisor and HR if needed. The supervisor should conduct the meeting and deliver the news.

2. Do not fire by e-mail, text, or any other impersonal method. I wouldn't even do it by phone. Unless this employee has given you some reason to believe there is a security risk involved with their termination, a face-to-face meeting is the best way.

3. Do not terminate on a Friday or early Monday. I'm not sure here. If you fire a worker on a Friday they are likely going to have a lousy weekend, and can't run out and apply for another job because HR departments are

off until Monday. From the standpoint of them being able to seek other employment, Monday is actually better.

However, all of this is contingent on some other factors we'll get to as we progress.

4. Do not escort the person from the building in the view of others. If the person becomes unruly or makes threats in the termination meeting, you can ignore this advice and do what you need to do for security purposes. If this is not the case, let them leave with dignity and don't turn it into a spectacle.

If there is a desk or locker to be cleaned out, let the employee decide whether to do it now, or at a later time, or to let the supervisor do it for them.

5. Do not embarrass the person or tell them they were a subpar employee. Even if the person was a subpar worker, what's the point now? You can tell them the reason for the termination, but choose your words well.

Keep the explanation "vanilla," very basic and without emotion.

"Your performance levels don't meet our requirements at this time" is far different from "You're not very good at your job."

If the employee challenges the decision, that's when HR would step in. Five of Silverman's 10 commandments of termination down, and five more to go. Those come tomorrow.

That's the Extra Point. Be responsible and make something good happen today. For 93.3FM, the Ray Gibson Show, and First Hawaiian Bank, I'm Jerry Roberts.

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