



TERMINATION RISK ASSESSMENT CHECKLIST

PRIOR TO TERMINATION, CONSIDER WHETHER THE EMPLOYEE:	YES	NO
1. Has a written employment contract?		
2. Is covered by a collective bargaining agreement?		
3. Has received verbal/written assurances that alter an at-will status?		
4. Is a member of a protected group (under Title VII of the Civil Rights Act or other federal, state, or local nondiscrimination law)?		
5. Has disclosed a disability or medical condition?		
6. Has requested leave or recently returned from leave under the FMLA, state disability leave law, or on-the-job injury?		
7. Has requested an accommodation under the ADA?		
8. Is/was a member of the military?		
9. Is pregnant?		
10. Has complained of discrimination, harassment, unfair treatment, or unsafe working conditions?		
11. Has participated in an investigation or lawsuit involving him/herself or another employee?		
12. Has been given favorable/positive employee evaluations?		
13. Was treated differently than other employees?		
14. Will be surprised by the termination?		

Any “YES” responses should be reviewed and assessed *before* proceeding with a decision to terminate the employee.



STEPS FOR COMPLETING A TERMINATION

AFTER EVALUATING RISKS, IF YOU DECIDE TO TERMINATE AN EMPLOYEE, BE SURE TO:	COMPLETED	
	YES	NO
<ul style="list-style-type: none"> ▪ Document all facts and decisions 		
<ul style="list-style-type: none"> ▪ Schedule exit interview with employee 		
<ul style="list-style-type: none"> ▪ Review ongoing employee obligations with employee <ul style="list-style-type: none"> ➢ Non-compete and non-solicitation agreements ➢ Intellectual property agreement ➢ Confidentiality agreement 		
<ul style="list-style-type: none"> ▪ Obtain all company property from employee <ul style="list-style-type: none"> ➢ I.D. badge, keys, and access cards ➢ Computer/laptop/tablet, including passwords ➢ Company vehicle and keys ➢ Cell phone and other supplied devices ➢ Credit cards, calling cards, and internet access cards ➢ Tools, equipment, and uniforms ➢ Company files, designs, customer lists, etc. ➢ Arrange for security to escort employee out (or be on call) ➢ Lock employee's access to company systems/facility 		
<ul style="list-style-type: none"> ▪ Arrange for final paycheck to be issued, including wages, vacation pay, and any other legally required compensation 		
<ul style="list-style-type: none"> ▪ Notify benefits administrators of status change <ul style="list-style-type: none"> ➢ Health insurance providers to arrange for COBRA notices ➢ 401(k), profit sharing, and other retirement plans ➢ Life/disability insurance 		
<ul style="list-style-type: none"> ▪ Set automatic e-mail notification to alert senders that employee is no longer with the company 		
<ul style="list-style-type: none"> ▪ Remove employee from company website and as contact for third parties 		



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