

Before You Terminate

A practical decision checklist for business owners and managers

Termination decisions should be deliberate, not delayed or rushed.

Use this guide to confirm the facts, identify risk, plan the conversation, and make sure the organization is ready to carry out the decision consistently and respectfully.

1. Confirm what happened

- 1 Separate facts from frustration:** Write down the specific conduct, performance issue, policy violation, or business reason driving the decision.
- 2 Review the history:** Confirm what expectations were communicated, what coaching or warnings occurred, and whether the employee had a fair opportunity to improve.
- 3 Check the documentation:** Make sure records are accurate, dated, objective, and consistent with what was actually discussed.
- 4 Compare similar situations:** Ask whether employees in similar circumstances were treated the same way and document any legitimate differences.

2. Pause for risk checks

- Has the employee recently raised a complaint about pay, safety, harassment, discrimination, leave, benefits, or working conditions?
- Is the employee on leave, requesting leave, pregnant, injured, disabled, seeking an accommodation, or involved in a workers compensation matter?
- Could the timing appear retaliatory, even if retaliation is not the intent?
- Does a contract, offer letter, commission plan, handbook, or past practice affect the decision?
- Are there state-specific final pay, notice, paid leave, or termination requirements?

Stop and get guidance when the facts are complicated.

A short HR or legal review before the decision is carried out is usually less disruptive than trying to repair a preventable mistake afterward.

3. Prepare the termination plan

1	Choose the decision-makers: Identify who will lead the meeting, who will witness it, and who has final authority.
2	Prepare the message: Use a clear, brief explanation. Avoid debating every past event or adding new reasons in the meeting.
3	Coordinate logistics: Plan final pay, benefits information, company property, system access, keys, files, passwords, and return of equipment.
4	Plan for the team: Decide what coworkers and clients need to know, who will cover the work, and how privacy will be protected.
5	Document the outcome: Record the date, attendees, reason communicated, materials provided, property returned, and any follow-up needed.

Suggested meeting structure

Keep it direct, respectful, and final.

"We have made the decision to end your employment effective today. The reason is [brief, accurate reason]. This decision is final. We will now review final pay, benefits, and the return of company property."

Final readiness checklist

- ☐ The reason is legitimate, specific, and supported by facts.
- ☐ Documentation matches the reason being communicated.
- ☐ Consistency and retaliation concerns have been reviewed.
- ☐ Any leave, accommodation, complaint, wage, or protected-activity issues have been considered.
- ☐ Final pay, benefits, property, and access steps are ready.
- ☐ The meeting leader knows exactly what to say.
- ☐ A communication and transition plan is in place.