

# Termination of Employment: Respecting Employees and Protecting Employers

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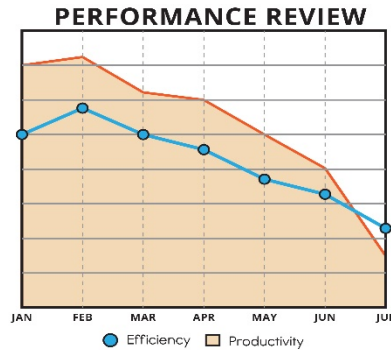
## Overview of Objectives

- When and how to end the employment relationship
- Statutory obligations and risks for potential legal exposure upon termination
- How severance packages protect employers and ease the transition for employees

# When and How to End Employment Relationship



### Evaluate Factual Circumstances



- Complaint filed
- Potential Complaint
- Performance Issue
- Reduction in force
- Staffing needs and transition

# Consider Offering Severance in Exchange for Release of Claims





# Prepare for Conversation at Time of Termination



- Time, place, persons present, tone
- Reason for termination (or not?)
- Facts leading up to decision
- Explain transition

# Consider what Access to Company Equipment and Resources Must be Terminated Upon Separation



# Statutory Obligations and Risks for Potential Legal Exposure Upon Termination





# Evaluate the Potential Damages Under Any Potential Legal Claim



# Consider Statutory Requirements to Obtain Release of Age Discrimination Claim





# Consider Statutory Requirements if Company is Closing a Plant or Instituting Mass Layoff



# How Severance Packages Protect Employers and Ease the Transition for Employees



# Compensation to Employee



- Amounts owed to employee
- Additional consideration in exchange for release
- Deferred compensation



## Release of Employer

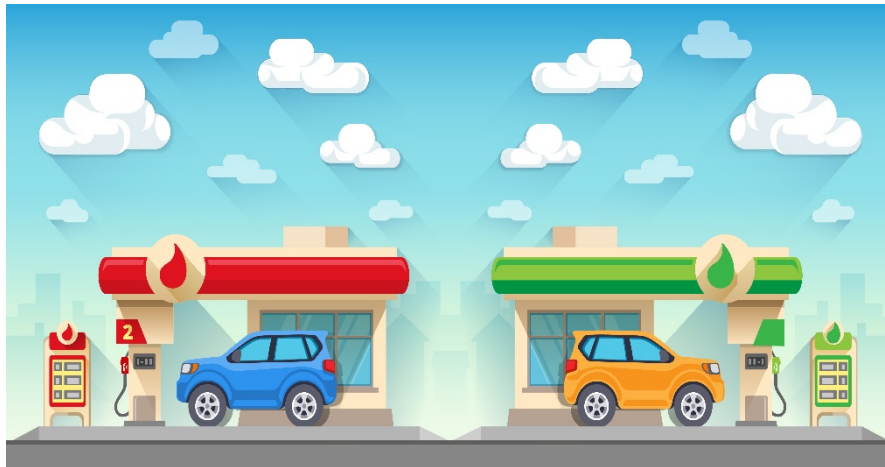


- Effective date
- Agreement not to sue
- Specific individuals
- Claims waived
- Carveouts

## Other Employer Protections



- Confidentiality
- Company property
- Non-competition
- Non-solicitation
- Non-disparagement
- Remedies upon breach



**Thank you!**

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