

Performance Evaluations, Disciplinary Action and Termination: Best Practices



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Performance Evaluations: Goals

- Help employees improve
- Fulfill employee expectations that his/her job will be reviewed
- Receive employee feedback
- Create evidence of performance issues

Performance Evaluations: Value

- To employer
- To employee
- Valuable opportunity – don't waste it!

Evaluation “Don’ts”

- Don’t surprise employees
- Don’t save up issues from long ago for the review
- Don’t make significant, unplanned decisions during a review
- Don’t ignore employee issues – favorable/neutral reviews create problems for later termination

Evaluation “Dos”

- Do train the evaluators – great way to prevent bias
- Do allow employee participation or feedback
- Do base the evaluation on the employee’s job duties and expectations of performance
- Do focus on objective, not subjective, standards
- Do consider all past performance since last review, not just most recent

Disciplinary Action: What is discipline?

- Anything from a verbal warning/discussion to termination
- Used for performance and behavior issues
Examples: absenteeism, harassing co-worker, not meeting deadlines, etc.

Progressive Discipline

- What is it?
- Helpful or hurtful?

Key Considerations in Disciplining Employees

- Investigate where appropriate
- Discipline should be proportionate to the issue
- Discipline should be applied evenly in similar circumstances

Documentation

- Document any discipline (even if verbal)
 - problems arise when an employer attempts to terminate an employee with a seemingly spotless record
- Professionalism at all times
- Often used as evidence in later investigations/litigation

Termination: Pre-Termination

- Process for termination should start well in advance of termination
- Think through all aspects of a termination before doing it
- Document and support the decision
- If not enough support – consider establishing it prior to the termination

Check Handbook and Employment Agreement

- If your handbook or agreement or CBA has a policy on termination, follow it
- Check for:
 - Any severance due
 - Any notice required
 - Pay unused vacation days
- Generally treat people in similar circumstances the same way (ex. severance pay)

Handling the Termination

- Handle termination professionally
- Consider presence of a witness in the termination meeting
- Document termination/meeting
- Make sure employee returns all company property

Do I need to give the employee all the reasons for the termination?

- Be truthful in any termination
- You don't need to give extensive examples/detail
- If an employee requests the reason for the termination, then you must provide it in writing within a reasonable time (10 days)