



The Definitive Guide to Offboarding and Employee Transitions

***With Special Addendum:
Best Practices During the COVID Crisis***

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Introduction

Handling the employee offboarding process effectively, and with dignity and care, builds greater trust in your organization as an employer, enhances your employment brand, and helps position you as an employer of choice. This definitive guide will lead you through the process in a step-by-step manner.

“Organizations that provide employees with the same level of care during offboarding as onboarding can mitigate inconsistencies that might trigger fiscal, legal, reputational, and human capital risks.”

– Darren Kimball, CEO, GetFive



Offboarding Checklist

Employee separations are difficult for everyone involved. They are difficult for the manager delivering the message, for the HR professional supporting the action, and most of all for the employee being separated. Treating the employee with dignity and following the detailed steps set forth in this guide will help minimize risk to your organization and also help the separated employee(s) focus on moving forward.

Preparation

- ☐ Clearly articulate the rationale/business case for the decision
- ☐ Determining timing of notification and effective date of separation
- ☐ Determine the location of the notification meeting
- ☐ Determine any security needs for the notification meeting
- ☐ Determine any severance package
- ☐ Prepare separation paperwork (including any legal releases)
- ☐ Build a detailed communication plan
- ☐ Draft talking points for notification meeting
- ☐ Inform key leaders of the upcoming notification, as appropriate
- ☐ Coach/train the manager who will be delivering the message
- ☐ Prepare for notification meeting(s)
- ☐ Determine notification support (e.g. HR, Security, outplacement company)
- ☐ Determine transition support (e.g. outplacement company)

Notes

Additional Prep Steps for a Reduction in Force (RIF)
Work with your Legal department to:

- ☐ Review local, state and federal employment regulations to ensure compliance
- ☐ Conduct analysis to ensure that the planned RIF actions do not have disparate impact on a protected class of individuals
- ☐ Review and determine Older Workers Benefit Protection Act (OWBPA) compliance regulations
- ☐ Determine whether the Worker Adjustment and Retraining Notification Act (WARN Act) Act regulations will apply and, if so, build the necessary steps into your plan.
- ☐ Review state laws to determine any additional requirements*
** Some states have legislation that extend WARN-type notice requirements to small businesses*

Execution

- ☐ Conduct notification meeting(s)
- ☐ Deactivate systems, e-mail and security access
- ☐ Collect company property and materials
- ☐ Have e-mails to employee's company e-mail account forwarded to a manager
- ☐ Communicate with other employees, as appropriate
- ☐ Process HR/Payroll separation of employee

Post Separation

- ☐ Execute post-action communication plan
- ☐ Be available and watch for morale issues
- ☐ Monitor outplacement progress

Notes



What is Offboarding?

In short, employee offboarding is the process of transitioning employees out of your organization. Though every employment separation includes an offboarding element, this guide focuses on involuntary separations in the United States. Involuntary employment separations are difficult for everyone involved. If they ever become easy for you as a manager or as an HR professional, then you are probably doing them wrong. Though we can't make the offboarding process free of its emotional toll, this guide will provide the tools to reduce the stress involved, to minimize risk to your organization, and to help the separated employee(s) focus on moving forward.

Terminating with Dignity

The way an organization handles offboarding impacts how an employee reacts to the news of job loss, the transition success, and ultimately the organization's bottom-line. Separations not handled with dignity can result in lost productivity, lower profitability, and poor reviews on social media. As previously noted, separation conversations are difficult for everyone involved. They are difficult for the manager delivering the message, for the HR representative supporting the meeting, and are obviously difficult for the employee being separated. So, why would you proceed any other way than with dignity? Even if the employee being separated has been a poor performer, there is no reason to use any words that are hurtful. You can be honest and direct, but still allow the separated employee to leave the organization with dignity.

“Involuntary separations have a negative impact on your employment brand and your ability to attract and retain top talent. Handling terminations effectively and with dignity can lessen the negative impact.”

– Bryan L. Olson, Chief Human Capital Officer, Columbia Care



Clearly Articulate the Rational/Business Case

Generally in the United States, employment is “at-will,” meaning that an employee can legally be terminated for any reason, or no reason at all, so long as the termination isn’t done for discriminatory reason or for a reason that is otherwise illegal. However, just because a termination would be legal doesn’t mean that it’s the right thing to do. Making a decision to separate an employee from your organization is something that should be done with thoughtful consideration.

In order to minimize any risk to your business and to help ensure effective communication with employees, the rationale for the employment separation should be clear. Generally, the decision to move forward with an involuntary separation is made by the business decision-maker, in consultation with Human Resources.

Once the decision has been finalized, HR provides the strategic support and tactical planning for the job action. The HR professional should also work with the business decision-maker to consider the following questions and develop any necessary plans to address them:

- *Will there be an impact of the separation on any work teams, clients, or projects in-process?*
- *If the potential separation is performance based,*
 - (a) do you have sufficient documentation to support a termination? and*
 - (b) did you give the employee the opportunity, tools and support to be successful?*
- *Do you need to backfill the role or is the position eliminated?*
- *Is organizational design required to ensure that no important work tasks get dropped?*

The above factors should be taken into account when making a decision to terminate an employee as well as when determining the potential timing of the separation.

- **TIP:** Be sure that separation is not being done for some unspoken discriminatory reason (i.e. implicit bias) and that the separation decision is truly the best decision for the organization.



Determine Timing of Notification and Effective Date of Separation

Careful consideration should be given to the timing of the notification (i.e. the date and time of the meeting where an employee is informed of their employment separation) and the effective date of the separation (i.e. the date and time that the person is no longer considered an employee). Using a midweek notification date with a midday notification meeting tends to be most effective.

This allows:

- *Time for the employee to clean out their office before departing the premises.*
- *Termination of any systems or building access during normal working hours of IT and Security personnel.*
- *Any follow-up questions to be handled promptly without the weekend getting in the way.*
- *The employee to take immediate action steps towards getting transition support from an outplacement provider or counselor.*

Separations will often be effective immediately upon notification. However, to minimize potential legal risk, you should avoid effective dates that occur shortly before the vesting of benefits or long-term compensation. Where possible, providing a delayed effective date (such as keeping an employee on the payroll through the end of the month) can create a smoother transition for the employee, but this benefit will need to be balanced against the exposure to the risks associated with leaving the person in employee status.



Determine the Location of the Notification Meeting

Whenever possible, notification meetings should be conducted in person, and the separation decision should be delivered to the impacted employee in a private location. Select a room that is a neutral environment, such as a meeting room, and one where you will not be interrupted. If multiple employees are being laid off, conducting meetings with each impacted individual tends to be the best approach. If possible, the HR representative should be physically present in the room. If that is not a viable option, then HR should be on the phone before the employee being separated enters the room.

A possible exception to the meeting being held in person is a situation where an employee works remotely one hundred percent of the time. In such scenarios, a notification meeting by phone or video conference can be appropriate. Notifications should not be made by e-mail or text.

→ **TIP:** Providing separated employees with the resources to make a successful career transition tends to be beneficial to both the former employees and for your organization.

Determine & Prepare Any Severance Package

In the United States, there is generally no requirement to make severance payments to separated employees, though many companies do pay severance in the event of a termination or separation without cause. Further, many organizations have formal severance policies and some individual employees may have employment agreements which entitle them to severance. Approaches do vary by industry and geography. Local or state employment law or wage & hours law may also come into play.

When determining your approach to paying severance, you should be sure to coordinate with your organization's Legal department. You may also want to consider engaging a compensation consultant for advice. Be sure to determine any final pay, as well as any transition services or severance package in advance. Also be sure to be as consistent as you can in your approach from one employment separation to the next. Build a package that is not only compliant with applicable law and financially responsible to your organization, but that also reflects your organization's care and understanding of the impact created by the separation on the employee. Such a package may include:

- Severance payment(s)
- Payment for unused vacation or paid time off (PTO)
- Benefits coverage through the end of the payment period
- COBRA premiums
- Outplacement services

Outplacement career coaching services can augment the last employee experience for those departing the company and help the employee begin to move forward rather than dwell on the past.

7 Prepare Separation Paperwork

At this point in the process you should also identify and prepare any information needed to implement a successful offboarding as well as any materials you may want to provide to the employee. A few specific topics to address include:

- Treatment of any vested or unvested equity awards
- 401(k) options
- Treatment of any 401(k) loans
- Treatment of medical benefits
- COBRA process and timing
- Unemployment benefits (and whether the organization will challenge an application for benefits)
- Eligibility for re-hire
- Whether you will require a signed release in exchange for severance (this is highly recommended in all cases where severance is being paid)
- Instructions on returning company equipment (i.e. computer, phone, security badge, and company credit card)

- Communication channel or media (e.g. in-person, by e-mail, by phone, etc.)
- Key messages
- Owner or owners of the step
- Timing (and current status)
- Notes

Most, or all, of the items contained in the offboarding checklist should be included as steps in your communication plan. In addition, you should think through everyone whose role will be impacted by the change and make sure you have planned an appropriate communication step for each of them. This could take the form of a phone call from their new manager, a group meeting with a new team, or some other form of personal communication.

9 Draft Talking Points for Notification Meeting

Talking points for the meeting should be prepared in advance. The message should be direct, but not unkind, and succinct. There are three key concepts that need to be communicated with compassion in a notification meeting:

- **Employment Separation** – That the decision to terminate employment has been made, the business reason(s), and the separation date
- **Compensation and Benefits** – The termination agreement and severance package (if applicable), benefits and final pay, and any relevant restrictions
- **Next steps** – Contact, post-termination questions, building departure

8 Build a Detailed Communication Plan

No one whose role is impacted should find out about organizational changes from an organizational announcement or through the grapevine. Employment separations, particularly when a senior executive is impacted, can impact the reporting structure and job scope of a number of employees across the organization. Creating a thorough, step-by-step communication plan will help to minimize the disruption of the employment action. For each step in the process (row in your communications plan), you should include the following details (columns):

Coach/Train the Manager Who Will Be Delivering the Message

The manager of the impacted employee is usually the person to conduct the notification meeting with the support of HR. It is critically important that the manager clearly and articulately make the business case for the employment termination. If the immediate manager or supervisor is not available, the department head should conduct the meeting.

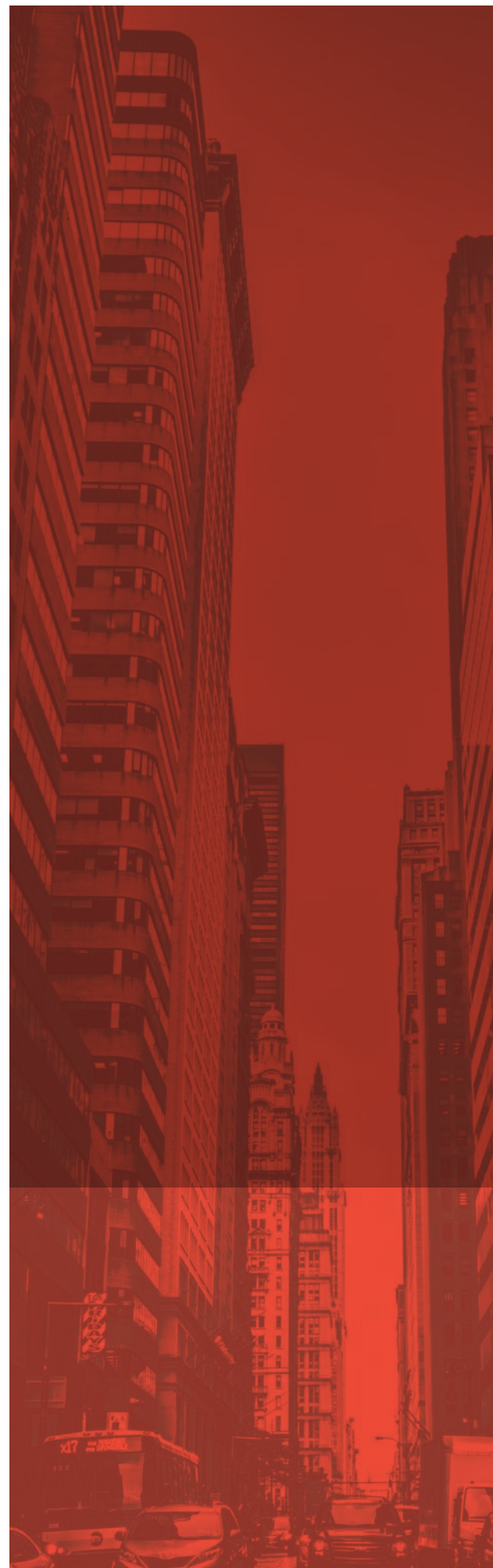
Managers should be ready with all pertinent information to handle the notification with clarity and dignity. Careful planning helps ensure that outbound employees retain dignity throughout this difficult change. Transparent and clear communication about separation decisions is critical.

HR should coach the manager in advance of the meeting. The manager should spend time preparing for the meeting and reviewing the talking points.

A representative from HR should generally be present in the meeting, preferably in person. The role of the HR representative is to listen, discuss separation next steps, provide the details of any severance package, and answer any questions. Having HR present in the meeting also helps to avoid any miscommunication that might arise from a “he said, she said” situation.

→ **TIP:** When delivering the notification message, the manager should:

- Avoid small talk to start the meeting (get right to the point)
- Know the script and follow it
- Be compassionate



Determine Any Transition Support/ Outplacement Assistance

Outplacement services provide assistance to employees in finding new work. Services can include things like resume reviews, job search advice, interview training, personalized coaching, and career assessments. Because severance only lasts so long, an effective job search plan is essential.

Outplacement services empower laid-off employees to move on faster to the next stage in their professional lives. While outplacement services are not required in the United States, a growing number of organizations recognize the compelling return on investment that outplacement delivers as it relates to employer brand preservation. If your reputation interferes with your ability to recruit the best talent in your field, you have a problem that is an order of magnitude bigger than incurring the modest cost of outplacement.

By ensuring that your exiting employees are immediately focusing on their next steps, you can reduce the likelihood that they will take to social media to express their frustrations.

For the employees, a layoff is not just lost income, it's losing a piece of one's identity and a community of colleagues. Worrying about the logical next step can feel overwhelming. By providing outplacement services, you are giving them something tangible to focus on that will give real value, right away.

The decision on which outplacement plan levels to offer depends on the goals of your organization. You can choose from low-cost and virtual coaching options to high-touch options to white glove executive-level services.



→ **TIP:** Two weeks of salary (3.0%-4.0% of annual salary) serves as a rule of thumb for investment in outplacement services. Variability is greater at the low end of the salary scale.

Typically, longer duration plans with more private coaching are more expensive. For one-off terminations, the things you may want to consider when selecting a plan level are the tenure of the individual and the anticipated level of difficulty of the search.

For a layoff, greater plan standardization may be necessary. Selecting three plan options – for junior, mid-level and senior roles – is fairly common. Some companies utilize as many as six different plans.

When you communicate the outplacement benefit to the employee, be sure to provide documentation. Then, communicate the exiting employees' contact info, as well as terms of eligibility, to the outplacement provider. As stated above, a critical component of the outplacement provider's role is to engage each individual early on and help them to start moving forward quickly.

Determine Any Notification Support

Be sure to determine any possible concerns that might occur during the notification meeting. For example, you may want to have security personnel nearby if you anticipate a potentially violent reaction. In the case of a Reduction in Force (RIF), you may also want to consider having outplacement or employee assistance professionals on site to provide your outbound employees with emotional support and to help start their career transitions right away.

Having your outplacement assistance providers available onsite in these situations allows for real-time engagement and can make for smoother career transitions.

→ **TIP:** Have a box of tissues and a bottle of water on hand, just in case

Conduct Notification Meeting

Notification meetings are stressful for everyone involved. Every situation will be different, and every employee being notified will react differently. Some will want to vent, some will shout, some will be in shock, some will not say anything, some will cry, and others will want to bolt out of the room as fast as possible.

When conducting the meeting, the manager should be sure to:

- Get right to the point
- Avoid trying to fill the awkwardness with small talk
- Convey a clear, consistent message
- Be firm and direct about the decision without being unkind
- Avoid offering any opinions about the situation
- Be respectful and compassionate
- Take the time to respond appropriately to any questions

The HR representative should let the manager deliver the message, but help to keep the meeting on track, if necessary. They should listen carefully to what both the manager and employee say and clarify any miscommunication that may occur. HR should then discuss separation next steps, provide the details of the severance package, and answer any questions the employee may have.



14 Communication with Other Employees

Communicating with the employees remaining with the organization is a delicate balance of being transparent with employees while not causing potential legal risk or unnecessary angst by over-communicating the specifics surrounding a departure. Most organizations do not send organizational announcements in the case of most departures. Exceptions do occur in instances of the departure of very senior executives or in cases where a departure is one aspect of a larger organizational announcement.

It is critical that no one whose role is impacted learn about the organizational changes from an organizational announcement or through the grapevine. Employees whose reporting structures change as a result of a departure should be spoken with in person. It may also make sense to have a brief department meeting to let the team of the former employee know about the departure, to let them know that no further departures are imminent, and to address any questions or concerns. These communications should be carefully planned in advance as part of building your detailed communication plan.

15 Getting Back to Work

During and after a RIF, or even in some cases the separation of an individual employee, helping employees work through their concerns will be critical to ensuring that employees stay engaged and productive. Be sure to do the following:

- Deliver all of the communications built into your detailed communication plan
- Keep your door open and be available
- Watch for morale issues, burnout, and support needs
- Be available and give employees the support they need

Closing Thoughts

Employee separations are difficult for everyone involved. They are difficult for the manager delivering the message, for the HR professional supporting the action, and most of all for the employee being separated. Treating the employee with dignity and following the detailed steps set forth in this guide will help minimize risk to your organization and also help the separated employee(s) focus on moving forward.

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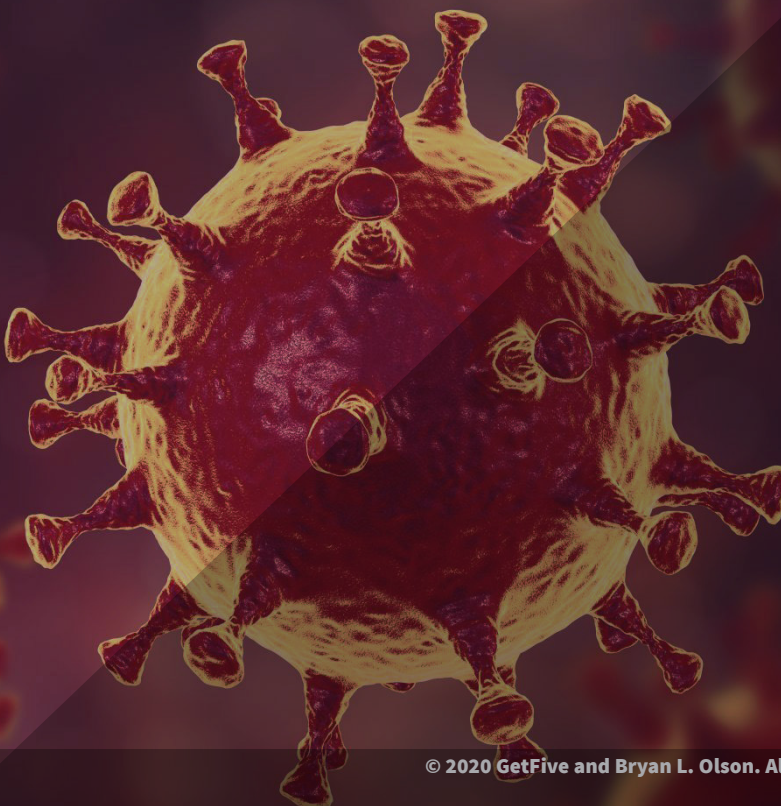
- A1. *Articulate the Rational/
Business Case*
- A2. *Determining the Timing and
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Meeting*
- A3. *Coach and Train Managers to
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- A4. *Determine Transition Support/
Outplacement*
- A5. *Conducting the Offboarding
Meeting*

Special Addendum: Best Practices During the COVID Crisis

The unprecedented impact of COVID-19 on business, employees, family, and friends is hard to process and challenging at best. With the stakes high and a future in flux, no organization wants to lay people off, but ultimately nothing is more important than ensuring the viability of the business and doing everything you can to manage the well-being of employees and colleagues. While difficult, managing staff reductions with a remote workforce in a compassionate way is possible. This addendum to our Definitive Guide to Offboarding and Employee Transitions provides you with specific guidance on how to navigate the process effectively.

“A question companies will be answering for a long time to come: How did you treat your employees during the COVID-19 crisis?”

–Tom Ventimiglia,
LinkedIn Talent Marketing Consultant





1 Clearly Articulating the Rationale/Business Case

While clearly articulating the business case for the reduction in force (RIF) is an integral part of an offboarding process that values the relationship with the employee, it is vital during a black swan event like the COVID-19 Pandemic.

The business case should be communicated from the executive level to Senior and Line Managers. Everyone involved in the process needs to be CLEAR on the rationale. Consider integrating a brief meeting with the different areas of the communication chain to give leaders a chance to ask questions and understand the messaging and the reasons behind it. Note that the language used to provide rationale for the RIF may

impact the applicability of COVID-specific employment regulations. Key points that should be included:

- *If applicable, emphasize that all options were explored and other cost cutting measures that are being deployed.*
- *Make sure everyone is using a consistent term for the offboarding (i.e. if you agree on the term layoff or reduction on force (RIF) use the same term).*
- *Take the time to articulate that a layoff or RIF is the elimination of a JOB or FUNCTION not a person. And if appropriate, communicate that they are part of a group that is being let go, this also helps the employee to understand the context and depersonalize it as much as possible.*

2 Determining the Timing and Location of the Notification Meeting

In addition to following the best practices for determining the timing and location of the notification meeting in parts 4, 5, and 6 of The Definitive Guide to Offboarding and Employee Transitions, consideration needs to be made for the logistics of conducting the meeting and all of the supporting activities via Zoom or another remote meeting tool. Getting these details right can make a huge difference in the employee's offboarding experience.



Problems with the technology and/or a lack of a cohesive workflow to step the employee through the process can negatively impact the message you are trying to deliver. Regardless of the communication workflow determined by senior management, an individual meeting with the impacted employee is the best approach. This can happen before or after a group or organizational announcement depending on the scale and context of the layoffs. Most often individual meetings are held first then, a broader announcement happens after the last employee has been notified.

When planning the meeting:

- *Send the meeting invitation to the **employee only**, then send a separate invite to anyone else participating in the meeting.*
- *Have a technology backup plan. If there is a problem with the tech what is your backup? Do you have the cell/contact info for all participants? If your backup is to switch tools or go to a conference call – have the information ready to send out.*
- *Setup guidelines for how you will be handling company equipment remotely – including:*
 - *Understanding what equipment they have at home*
 - *How they will return it*
 - *When they need to stop using it*
 - *How they can access personal data*
 - *Any exceptions (what if that is the only computer they have?)*
 - *Could letting them keep their equipment be part of their severance? And if so, what are the financial, security and IP issues that need to be addressed?*

Coach and Train Managers to Deliver the Message

Under normal conditions conducting a compassionate layoff is challenging and adding the additional uncertainties of the impact of COVID-19 can make it more difficult, especially for managers who are doing it for the first time.

An effective remote notification meeting requires practice, a communication plan, comfort with the technology and patience. The best way to achieve that balance it to work with your managers ahead of time to walk-through and practice the meeting. In addition to following our recommendations in sections 7-10 of The Definitive Guide to Offboarding and Employee Transitions, consider the following:

- *Consider creating a checklist for managers to step them through the process*
- *Setup a practice session using Zoom or the communication tool of choice (if you need to you can coach a few managers at once)*
- *Work through the technical logistics first, including the meeting settings, how you will join the call, etc. The tech backup plan, etc.*
- *Have the manager call in from the location they will do the remote notification and give feedback on the space, lighting, and camera angles. Emphasize the importance of being free from distractions for the duration of the meetings to give focus on the employee.*
- *Review talking points and make everyone is clear on their roles and the timing*
- *Encourage managers to look directly at their camera when speaking with employee and go slower than normal to accommodate normal lag rates in video*
- *Have them deliver the news to you and give them feedback*
- *Ask Managers what their concerns are and practice some “what if” scenarios*

Determine Transition Support

The level of transition support you provide an employee can significantly minimize the impact of the layoff and help the employee to move forward more quickly and more positively, especially now. These are extraordinary times, and the levels of support you provided employees before COVID-19 may not be adequate. In addition to reviewing or best practices sections 11 and 12 in The Definitive Guide to Offboarding and Employee Transitions:

- *Give special attention and focus on providing clear direction and next steps. Stress and anxiety are impacting people's ability to focus so plan to repeat next steps often.*
- *Incorporate a checklist for employees to help step them through what they need to do and build in more check-ins than usual to account for feelings of isolation.*
- *Stress availability of Employee Assistance (if applicable) and other sources of support to cope with additional stressors and uncertainty.*

Outplacement

If there was ever a time to review your outplacement services, it is now. The right outplacement partner acts as an extension of your employer brand and delivers a level of care and focus that helps employees offboard more productively. With a world in flux and a job market reflecting the uncertainty of the times, it is more important than ever to make sure employees have the support and guidance they need to navigate this new world.

Seasoned career coaches not only provide logistical support with creating resumes, targeted outreach plans and effective search strategies they also provide moral support and help the employee process the transition as positively as possible.

Conducting the Notification Meeting

Once you have incorporated allowances for offboarding remotely into your communication and notification workflow, you are ready to tackle the meeting. Again, this is where practicing and making sure everyone is clear on the process and approach is key. In addition to reviewing the best practices in section 13 of The Definitive Guide to Offboarding and Employee Transitions, make sure you:

- *Do a technology check an hour before your meetings (and do not forget to have a backup plan.)*
- *Turn on waiting room feature to make sure all parties are on and visible on camera before employee comes on*
- *Before you start, confirm the employee can hear and see you and other participants*
- *Explain why you are there and introduce the other participants and then follow the practiced script*
- *Demonstrate empathy by reflecting back what they might say "I understand how this is not what you expected to hear."*
- *Keep the meeting short and make sure you emphasize next steps*

Closing Thoughts

If there was ever a time to take a step back and evaluate your approach to the offboarding process it is now. While layoffs are always difficult, letting valued employees go during a time of unprecedented uncertainty requires more compassion and care. Start with carefully planning the notification process and use the technology as effectively as possible, then approach the offboarding process as a continuation of the relationship you have forged by being truthful and transparent as and finally, offer support and guidance to help the employee transition as positively as possible.

Offboarding Checklist - Updated for COVID Crisis

Employee separations are difficult for everyone involved. They are difficult for the manager delivering the message, for the HR professional supporting the action, and most of all for the employee being separated. Treating the employee with dignity and following the detailed steps set forth in this guide will help minimize risk to your organization and also help the separated employee(s) focus on moving forward.

Preparation

- ❑ Clearly articulate the rationale/business case for the decision
 - ❑ If you can honestly say so, emphasize that all options were explored and other additional cost cutting measures are being deployed.
 - ❑ Make sure everyone is using a consistent term for the offboarding (i.e. if you agree on the term layoff or reduction on force (RIF) use the same term).
- ❑ Determining timing of notification and effective date of separation
- ❑ Determine the location of the notification meeting
- ❑ Determine any security needs for the notification meeting
- ❑ Send the meeting invitation to the employee only, then send a separate invite to anyone else participating in the meeting.
- ❑ Make sure the meeting is as secure as possible:
 - ❑ Setup a password for the meeting
 - ❑ Use Waiting Room so you can allow users into the room
 - ❑ Disable ability for others to share their screen
 - ❑ Consider Recording Options – check with your Legal department before recording the meeting)
- ❑ Determine any severance package
- ❑ Prepare separation paperwork (including any legal releases)
- ❑ Setup guidelines for how to handle company equipment remotely – including: How they will return it, when they need to stop using it, etc.
- ❑ Decide how employee will get their personal items they left at the office – having someone (such as their manager) pack and ship the items is recommended

Notes

- ❑ Build a detailed communication plan
- ❑ Draft talking points for notification meeting
- ❑ Inform key leaders of the upcoming notification, as appropriate
- ❑ Coach/train the manager who will be delivering the message
 - ❑ Setup a practice session
 - ❑ Work through the technical logistics (meeting settings, how you will join the call, tech backup plan, etc.)
 - ❑ Give feedback on manager remote location
 - ❑ Have managers practice and give them feedback
 - ❑ Address concerns and practice “what if” scenarios
- ❑ Prepare for notification meeting(s)
 - ❑ Coordinate delivery of important documents
 - ❑ Have a technology backup plan
- ❑ Determine notification support (e.g. HR, Security, outplacement company)
 - ❑ Give special attention and focus on providing clear direction and next steps
 - ❑ Incorporate a checklist for employees to help step them through what they need to do
 - ❑ Stress availability of Employee Assistance (if applicable) to cope with additional stressors and uncertainty
- ❑ Determine transition support (e.g. outplacement company)

*Additional Prep Steps for a Reduction in Force (RIF)
Work with your Legal department to:*

- ❑ Review local, state and federal employment regulations to ensure compliance
- ❑ Conduct analysis to ensure that the planned RIF actions do not have disparate impact on a protected class of individuals
- ❑ Review and determine Older Workers Benefit Protection Act (OWBPA) compliance regulations

Notes

- ❑ Determine whether the Worker Adjustment and Retraining Notification Act (WARN Act) regulations will apply and, if so, build the necessary steps into your plan.

- ❑ Review state laws to determine any additional requirements

**Some states have legislation that extend WARN-type notice requirements to small businesses*

***Be aware that a number of COVID-specific regulations have been put in place that may apply*

Execution

- ❑ Conduct notification meeting(s)
 - ❑ Do a technology check an hour before your meetings
 - ❑ Turn on waiting room feature
 - ❑ Make sure all parties are on camera before employee joins.
 - ❑ Confirm employee can hear and see participants.
 - ❑ Follow the practiced script
 - ❑ Demonstrate empathy and active listening
 - ❑ Keep the meeting short and emphasize next steps
- ❑ Deactivate systems, e-mail and security access
- ❑ Collect company property and materials
- ❑ Have e-mails to employee's company e-mail account forwarded to a manager
- ❑ Communicate with other employees, as appropriate
- ❑ Process HR/Payroll separation of employee

Post Separation

- ❑ Execute post-action communication plan
- ❑ Be available and watch for morale issues
- ❑ Monitor outplacement progress

Notes

About GetFive

GetFive is a leading provider of scalable solutions in Modern Outplacement (Moving On) and Career Career Development (Moving Up). We help employer brands reach their full potential through Active Engagement™.



Our outplacement solutions ensure that your outbound employees are immediately focusing on their careers - rather than their frustrations – resulting in a substantially less adverse impact on your social reputation.

Our career development solutions help you tap into the real potential of your workforce with a flexible, method-based approach that creates a greater level of commitment and motivation. Invest in the success of your employees and watch your employer brand thrive!



BRYAN OLSON

Chief Human Capital Officer
Columbia Care

Bryan Olson is the Chief Human Capital Officer for Columbia Care, one of the nation's largest and most experienced manufacturers and providers of medical cannabis products and services. Prior to Columbia Care, Bryan was CHRO for global law firm K&L Gates and previously held senior HR executive positions at Aetna and United Technologies Corporation. He is a former practicing employee benefits and executive compensation attorney at global law firms, Skadden Arps and he started his career at Fidelity Investments.

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