

Points to Ponder Before Working on this Form

- Have you clearly communicated performance expectations to the employee?
- Do you require the same standards for all employees in the same department doing the same job?
- Have you coached the employee on how to improve?
- Is the expected performance reasonable?
- Has the employee received adequate training?
- Have you documented your coaching sessions?
- Have you communicated well in advance the potential consequences of not correcting the deficiencies?
- Has the employee had adequate opportunity to explain extenuating circumstances?
- Have you partnered with HR to make sure your process is best practice and that your written correspondence is adequate for defense in the case of a legal action?

TERMINATION LETTER

Date

Individual's Name

RE: Termination of Employment

Dear _____:

This letter serves as notice of termination of employment with _____, effective _____.
The following is helpful information in making your termination a smooth transition:

Confidentiality/Non-Solicitation Agreement

Include your company's boilerplate confidentiality statements.

Include your company's non-solicitation agreement details, this will depend on what the individual signed contractually, or what is in the employee handbook that he/she has acknowledged. Attach a full copy of the confidentiality/non-solicitation agreement as appropriate.

Benefits

Outline when their health coverage will terminate and their COBRA options.

Employee Stock Purchase Plan

Outline the impact of termination on their ESP participation – typically, their contributions for the quarter will be refunded.

401 (k)

You will receive a letter at your home regarding your choice to withdraw, rollover, or maintain your 401(k) contributions. (standard language)

Stock Options

Outline the impact of termination on their stock options and vesting situation. You may simply refer them to a corporate benefits counselor – include that contact information in this section.

Company Property

As of _____ you are required to return all of the Company property, including company computers, company credit card, etc. (You have flexibility – you may allow them to have extended use of these assets to help them – it is up to you).

You may contact me if you have any questions.

Sincerely,

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