



How To Fire An Employee Without Getting Into Trouble

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AGENDA FOR TODAY

1. IMPORTANCE
2. PREPARATION
3. TERMINATION
4. KNOW WHEN YOU NEED HELP



Why Is It Important To Know How To Properly Terminate An Employee?

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Reasons It's Important

1. Lawsuits

- Expensive
- Emotionally Draining
- Bad Publicity
- Can impact ability to renew charter

2. Employee morale

- Turnover is expensive
- Bad morale can snowball
- Turnover can impact student return rates and school's bottom line



Reasons It's Important

3. School's reputation in the community

- Can affect parents and enrollment
- Can impair ability to renew charter
- Can impair ability to hire new talent

4. Administrator's reputation in the community

- Ability to lead
- Ability to hire new talent
- Can affect parents and enrollment
- Can affect future career



WHEN TO BEGIN PREPARATION

When Should You Begin Preparing To Terminate An Employee?

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WHEN TO BEGIN PREPARATION

BEGIN PREPARING TO
TERMINATE BEFORE YOU
HIRE YOUR FIRST
EMPLOYEE

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HOW TO PREPARE

- Create an Organization Chart
- Create an organizational process
- Create the documents for both



ORGANIZATION CHART

- Lays Out The Hierarchy Of The School
- Gives Chain of Command
- Specifies Who Is Responsible For Supervising
- Specifies Who Is Responsible For Evaluation



ORGANIZATIONAL PROCESSES

- How Employees Are Hired
- How Employees Are Evaluated
- How Employees Are Supervised
- How Employees Are Disciplined
- How Employees Are Terminated



CREATE NECESSARY DOCUMENTS

- Employment Agreement
 - At Will v. For Cause
 - Will affect termination process
 - Length of Employment
 - Evaluation Requirement
 - Renewal/Non-Renewal
 - Salary
 - Severance



Once You Have Organized, DOCUMENT!

- Employee Handbook
 - At Will Statement
 - Include All Important Policies
 - General Description of Grounds for Termination
 - Disciplinary Policy
 - Grievance Policy



Once You Have Organized, DOCUMENT!

- Evaluation Process
 - Opportunity to give feedback
 - Be honest - no matter how difficult!
 - Opportunity to Document
 - Get Employee Signature
 - Opportunity to Provide Support
 - Preserve in Personnel File



Once You Have Organized and Documented, Follow Through!

- Know Your Policies
- Follow Your Policies

BE CONSISTENT !



Disciplining Employees – It's Important

- Know Your Policy
- Follow Your Policy
- Apply Policy Consistently
 - May Want to Involve Same Person/Dept each time
- Do Not Publish Policy To Employees
- Better Not To Have It In Writing



Disciplining Employees

- Meet With Employee
 - Have a witness present
- Discuss offense with Employee
 - Get Employee's side
- Investigate further if necessary



Disciplining Employees

- Document Results of Investigation or Meeting
 - Should be detailed summary of events
 - Should be signed by author and employee
- Save Document In Personnel File



Now It's Time To Terminate

- Gather all documentation
 - No matter how informal
- Gather all facts
 - Talk to supervisors
 - Conduct investigation, if necessary
 - Talk to all witnesses
 - Talk to employee
 - Administrative leave, if appropriate



Now It's Time To Terminate - Options

- Performance Improvement Plan
 - Put it in writing
 - Be Specific
 - Appoint Someone to Oversee and Document
- Termination
- Separation Agreement
 - Risk of creating future expectations
 - Gift of public funds
 - 18 month cap



Know When You Need Help!

- Employee Complains of Disability or Health Issues
 - Includes recent use or request to use FMLA leave or request for an accommodation
- Employee Complains of Harassment
- Employee Complains of Incorrect Pay
- Employee Complains of Missed Meal or Rest Periods
- Employee Complains of being treated unfairly or differently
- Suspicion of Drug and/or Alcohol Use or Abuse



Know When You Need Help!

- Trust Your Instincts
 - Overly aggressive
 - Overly emotional
 - Troublemakers
 - Appear to be “setting you up”



Final Recommendations

- Be Proactive
- Listen to what Employees say, even if they're not saying it to you



Final Recommendations

- Have a witness attend meetings with you
- Be firm, but kind
- Allow the employee to preserve his or her dignity
- Allow resignations in lieu of terminations
- Do **NOT** talk about reasons for employee departures!



Final Recommendations

DOCUMENT!

DOCUMENT!

DOCUMENT!



QUESTIONS?

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