

Dismissal and Termination

Handling Dismissal in a Professional Way

Dismissal is the “capital punishment” of labour relations. It is the highest level of corrective action or punishment a company can impose on an employee and it must be approached carefully.

In recent years, managers who must consider dismissing an employee have been faced with the possibility of legal action if they do not handle the dismissal in a professional and fair manner.

Clear, written records provide your first defense against legal action. Document all the incidents leading to a dismissal and ensure it relates to your progressive discipline system.

Dismissal may be necessary as a result of discipline or the failure of the employee to live up to expectations and job requirements. Either way, use written documentation.

Before you dismiss an employee, evaluate the situation against the following checklist.

Dismissal Checklist		
	Yes	No
Is the reason for dismissal work related?	—	—
Is there a policy or management order which sets standards of performance and behaviour?	—	—
Did the employee have knowledge of the policy and consequences? (The employer must be able to prove policies were communicated to employees, preferably in writing and personally acknowledged by the employee.)	—	—
Was the investigation of the infraction done fairly and impartially?	—	—
Is there evidence or proof of the employee's wrong doing? (Performance appraisals, record of discipline, witnesses to wrong doing, etc. are important).	—	—
Has the farm applied its policies uniformly to all employees?	—	—
Did the employee have written notice that such an offense would result in dismissal?	—	—
Was the corrective action related to the seriousness of the offense? (The employee spinning tires in the driveway is not cause for dismissal).	—	—
A “no” answer to any of these questions may mean you have not followed proper personnel procedures. Remember, the burden of proof is on the employer.		

The Exit Interview

Dismissal is not the only reason an employee may leave your farm. Sooner or later every employee leaves.

The most pleasant type of termination is when a long-time trusted employee retires. Such a termination is usually based on the mutual agreement of the employer and employee.

Another type of termination is one that is employee initiated. When this is due to a better opportunity for the employee, it usually results in excitement for the employee and disappointment for the employer. On the other hand, if the employee is terminating because of dissatisfaction with the job, both the employee and employer may feel angry.

A third type of termination is where the employer initiates dismissal. Usually when an employee is fired, both parties harbour strong feelings of anger.

Regardless of the type of termination, antagonism can be reduced by conducting an exit interview.

An exit interview, properly conducted, can give an employer information about the climate within the company; company morale; and the attitude of employees toward their supervisors, management, and their fellow employees.

A properly conducted exit interview accomplishes a number of important things:

1. It provides information about how the job can be carried out more effectively. An employee usually has good ideas about how to improve things.
2. It provides suggestions for improved employee relations. An employee who is leaving is apt to be willing to talk about problems and concerns he or she saw in the workplace and may make suggestions for improvement.
3. It clears up misconceptions. Regardless of whether the termination is voluntary or forced, it is important that both parties clearly understand why the termination is taking place.
4. It reduces antagonism. An employee who is highly antagonistic toward a previous employer can be very costly to the business. First, there is the chance of the employee bad-mouthing the firm. Second, there is the chance of legal action based on wrongful dismissal or

labour law violation. Third, there is the chance of vandalism to your farm. Try to learn the source of the antagonism and reduce it if possible.

Exit Interview Guide

Build rapport with the resigning employee by asking non-threatening questions as follows:

1. Which responsibilities did you like most about the job? Which responsibilities did you like the least?
2. What did you like most about the department you were assigned?
3. What did you think about the way the manager handled complaints?
4. What type of working conditions are most conducive to your best productivity?
5. What do you see as the future of this company?
6. What impressed you about this company when you first accepted your position? Has this impression changed? If so, how? Why?
7. When you first joined the company, was your training helpful for what you were actually doing six months later.
8. What type of job are you going to? What are you looking for in that position that you feel is not present in this company?
9. What kind of work do you like to do best? Were you doing that kind of work in your job here?
10. What points would you want to make if you could tell top management how you felt about this organization?
11. How do you feel about the contribution you have made to this company?
12. Tell me what your feelings are about the benefit program offered by this company.

When you analyze the responses to the above questions, watch for patterns that may provide helpful information for the employee selection process. The responses may also provide suggestions for improvement in general organizational or personnel areas. A word of warning: don't be surprised if you get some very negative comments.

Exit Interview Guide

Exit Interview Questionnaire	
Confidential (when completed)	To be destroyed when summarized and analyzed
Name*	Job Title
Department	Date of Hire
Date of Termination	

• If you do not wish to give your name, please indicate if you are male or female.

1. Reason for termination? (check one)

(a) Leaving for another position

(b) Retirement

(c) Maternity Leave

Are you planning to return when your leave expires? Yes No

(d) Return to school

(e) Other (briefly explain) _____

2. In general, were working conditions satisfactory? (Circle best answer)

	Almost Never	Some of the time	Most of the time	All of the time
	1	2	3	4

If your answer was (1), (2), or (3), please explain briefly: _____

3. Did you find that your supervisor was reasonable in his/her requirements of you? (Circle best answer)

	Almost Never	Some of the time	Most of the time	All of the time
	1	2	3	4

If your answer was (1), (2), or (3), please explain briefly: _____

4. Did you find your overall treatment by the ABC Company was fair? (Circle best answer)

	Almost Never	Some of the time	Most of the time	All of the time
	1	2	3	4

If your answer was (1), (2), or (3), please explain briefly: _____

