

THE
PAUL FALCONE
WORKPLACE
LEADERSHIP
SERIES

LEADERSHIP DEFENSE

MASTERING PROGRESSIVE DISCIPLINE
AND STRUCTURING TERMINATIONS

PAUL FALCONE

A PDF COMPANION TO THE AUDIOBOOK

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TERMINATION CHECKLIST (FOR REVIEW ONLY)

DO NOT FILL OUT OR PLACE IN AN EMPLOYEE'S FILE

Please review the following elements when preparing to recommend an employee termination. Share any relevant issues with senior management and/or legal counsel during pre-termination discussions.

Date of hire: _____

Length of tenure: _____

Age (there are key protections for employees ages forty and above):

Ethnicity: _____

Gender: _____

Corrective action history: _____

Most recent performance review score and overall performance review history: _____

Length of time in current position: _____

Prior positions held within our company: _____

Open workers' compensation claim(s):

Yes ☐ No ☐

Open intermittent Family and Medical Leave Act (FMLA) claim(s):

Yes ☐ No ☐

Disability status: For example, is the company currently engaging in the Americans with Disabilities Act (ADA) "interactive process" with this individual or otherwise granting some form of protected leave, modified duty, or other reasonable accommodation?

Yes ☐ No ☐

Pregnancy status:

Yes ☐ No ☐

Possibility of a retaliation charge for having lodged a good faith complaint against the organization ("whistleblower" protection):

Yes ☐ No ☐

Supervisor's age, ethnicity, and gender (to counter any potential claims of discrimination): _____

How long the supervisor has managed this employee: _____

Whether the supervisor originally hired the employee. (If so, a discrimination claim may be more difficult to prove):

Yes ☐ No ☐

Specifics regarding the final/most recent incident that could justify termination: _____

Did we learn the employee's side of the story at this point?

Yes ☐ No ☐

Any mitigating circumstances regarding the final incident:

Yes ☐ No ☐

If so, explain: _____

Other factors: _____
