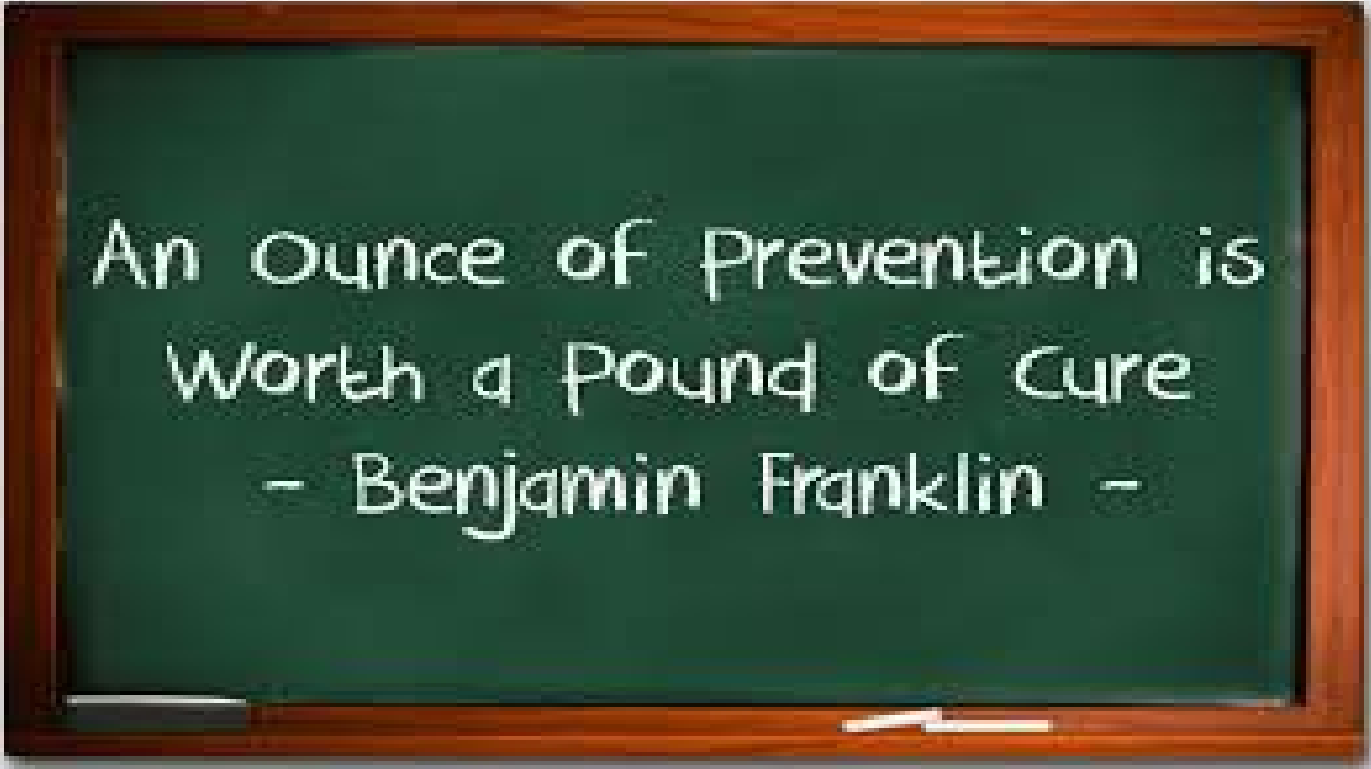


**EVOLVING**  
WITH CHANGING TIMES:

**SOLUTIONS**  
FOR THE FUTURE

**An Ounce of Prevention: Strategies to  
Minimize the Risks of Costly Employment Claims**





An Ounce of prevention is  
Worth a Pound of Cure  
- Benjamin Franklin -

**EXIT INTERVIEWS –  
Don't be afraid to ask;  
there is much to be learned!**

# EXIT INTERVIEWS

- Should be done, if possible, for all voluntary separations
- Next Steps

# HIRING PRACTICES – Your first “line of defense”

# HIRING PRACTICES

- General Guidelines
- Common Mistakes

# Pro Tips

- **Interview questions must include a question like:**
  - Tell us about a time when you had to deal with a particularly difficult person in a work environment. How did you handle this, and would you do anything different next time?
- **Reference Checks**
  - If you cannot get a response from the current supervisor or current district, you probably have an issue worth examining further!



# EVALUATING & DISCIPLINING EMPLOYEES



# EVALUATING & DISCIPLINING EMPLOYEES

**What is the purpose?**

# EVALUATING & DISCIPLINING EMPLOYEES

## GENERAL GUIDELINES

- Decisions should be impartial, objective, and fair
- Practices should be consistent
- Evaluation Procedures (CBAs/Policies & Regulations)
- DOCUMENTATION
- Common Mistakes

# EVALUATING & DISCIPLINING EMPLOYEES

- Temporary Employees
- Probationary Employees
- Permanent Employees

# TERMINATING EMPLOYEES

# TERMINATING EMPLOYEES

## PRE-TERMINATION CONSIDERATIONS

- Examine the Source
- Examine the Reasons
- Know the Employee's History
- Examine the Documentation
- No surprises should arise after the decision is made

# TERMINATING EMPLOYEES

## TERMINATION MEETINGS

- Best Practices
- Do's and Don'ts

# TERMINATING EMPLOYEES

## SEPARATION/SEVERANCE AGREEMENTS

- When to Consider
- What to Include



# TERMINATING EMPLOYEES

## POST-TERMINATION COMMUNICATIONS

- Internal Handling
- Reference Checks

# COMPLAINTS & INVESTIGATIONS

# COMPLAINTS & INVESTIGATIONS

## COMPLAINTS

- Training/Communication
- Procedures for Handling
- Documentation

# COMPLAINTS & INVESTIGATIONS

## INVESTIGATIONS

- Choosing the Investigator
- Consider multiple qualified attorney/investigators
- Privileged v. Non-Privileged Investigation
- Conduct of Investigation
- Actions following Investigation

# MITIGATION

# CHALLENGING ISSUES

# CHALLENGING ISSUES

- **Retaliation Claims**
- **Accommodations**
- **Worker's Compensation Claimants**
- **Internal Communications**
- **Electronic Discovery**



# WORKPLACE VIOLENCE PREVENTION PLANS

# QUESTIONS ?

Thank You!