Procedures for Correctly Handling Termination Pay

Description:
Take a step-by-step approach to make sure you are in compliance with termination pay laws.

Many considerations play into final pay decisions. We will discuss issues employers should consider before terminating the employment relationship. We will focus on final pay including timing issues and key language in agreements that must be reviewed before terminating an employee. We will discuss the art of drafting severance agreements, considerations concerning benefits continuation, and unemployment in formulating a termination package. The program will also outline best practices and different approaches to conducting the termination meeting.

Learning Objectives:
- You will be able to discuss the At-Will-Employment doctrine.
- You will be able to identify unlawful reasons for termination.
- You will be able to review termination after exhaustion of FMLA leave.
- You will be able to describe questions to consider before termination.

Contents:
The Myth of At-Will Employment
- The At-Will Employment Doctrine
- Exceptions to At-Will Employment
- Employment Agreements
- Collective Bargaining Agreements
- Promissory Estoppel

Unlawful Reasons for Termination
- Protected Classes
- Federal Law
- California Law
- Protected Activities
- Definition of "Protected Activity"
- Timing of the Termination
- Hidden Termination Issues
- Disability-Caused Misconduct
- No-Fault Attendance Policies
- Termination After Exhaustion of FMLA Leave
- Illegal Drug Tests

Lawful Reasons for Termination
- Examples of Legitimate Business Reasons for Ending Employment
- Questions to Consider Before Termination

Delivering the News
- Recommended Actions

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