

# Employee Resignation and Termination

Having clear processes for when employees leave your company can mitigate legal risks and negative feelings. Use our template as a guide to complete your Employee Handbook. Include policies and legal obligations that apply to your company.

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*Keep in mind that this template is not a legal document and may not take into account all relevant local or national laws. Please ask your attorney to review your finalized policy documents or Handbook.*

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## Leaving our company template

In this section, we describe our procedures regarding resignation and [termination of our employees](#). We also refer to our progressive discipline process that may sometimes result in termination.

*[Insert this if employees are in the U.S: We remind you that in the U.S. employment is “at-will.” This means that you or our company may terminate our employment relationship at any time and for any non-discriminatory reason.]*

## Progressive discipline

Here we outline steps we will take to address employee misconduct. We want to give employees a chance to correct their behavior when possible and assist them in doing so. We also want to ensure that we thoroughly investigate and handle serious offenses.

Our [progressive discipline process](#) has six steps of increasing severity. These steps are:

- Verbal warning
- Informal meeting with supervisor
- Formal reprimand
- Formal disciplinary meeting

- Penalties
- Termination

Different offenses correspond to different steps in our disciplinary process. For example, minor, one-time offenses (e.g. breach of our dress code policy) will trigger Step 1. More severe violations (e.g. sexual harassment) will trigger step 5.

If you manage employees, inform them when you launch a progressive discipline process. Pointing out a performance issue is not necessarily a verbal warning and may be part of your regular feedback. If you judge that progressive discipline is appropriate, let your team member know and ask HR to help you explain our full procedure.

Managers may skip or repeat steps at their discretion. Our company may treat circumstances differently from that described in this policy. But, we are always obliged to act fairly and lawfully and document every stage of our progressive discipline process.

Keep in mind that our company isn't obliged to follow the steps of our progressive discipline process. As you are employed "at-will" in the U.S, we may terminate you directly without launching a progressive discipline process. For serious offenses (e.g. sexual harassment), we may terminate you without warning.

## Resignation

You resign when you voluntarily inform HR or your manager that you will stop working for our company. We also consider you resigned if you don't come to work for [*three*] consecutive days without notice.

You are not obliged to give us advance notice before resigning. But, for efficiency's sake, and to make sure our workplace runs smoothly, we ask that you give at least [*two weeks*] notice, if possible. If you hold a highly specialized or executive position, we ask that you give us at least [*a month's*] notice, when possible.

We accept verbal resignations, but we prefer that you submit a written and signed notice of resignation for our HR records. We will reply with an acceptance of resignation letter within [*two days*]. HR will inform your manager that you are resigning if you haven't already done so. Whether you want to [announce your resignation](#) to your team is up to you, but we encourage you to be open.

## Tuition or relocation reimbursement

If you have relocated or studied at our company's expense, you are bound by your contract to remain with us for at least [*two years*]. If you resign before that period, you may have to reimburse us for part or all of these expenses.

## Forced resignation

You can resign anytime at your own free will and nobody should force you into resignation. Forcing someone into resigning (directly or indirectly) is constructive dismissal and we won't tolerate it. Specifically, we prohibit employees from:

- Creating a hostile or unpleasant environment.
- Demanding or coaxing an employee to resign.
- Victimizing, harassing or retaliating against an employee.
- Forcing an employee to resign by taking unofficial adverse actions (e.g. demotions, increased workload).

## Termination

[Terminating an employee](#) is always unpleasant but sometimes necessary. If that happens, we want to ensure we act lawfully and respectfully.

We may terminate an employee either for cause or without cause.

- **For cause termination** is justified when an employee breaches their contract, engages in illegal activities (e.g. embezzlement), disrupts our workplace (e.g. harasses colleagues), performs below acceptable standards or causes damage or financial loss to our company.
- **Without cause termination** refers to redundancies or layoffs that may be necessary if we cease some of our operations or re-assign job duties within teams. We will follow applicable laws regarding notice and payouts.

We will offer severance pay to eligible employees. We may also help employees who were terminated without cause to find work elsewhere, if possible.

We may also compensate accrued vacation and sick leave upon termination, depending on local law. Whenever local law doesn't have relevant stipulations, we will pay accrued leave only to those who weren't terminated for cause. We will also take into account union agreements and abide by agreed terms.

If you manage team members, avoid wrongful dismissal. When you terminate an employee for cause, we expect you to be certain you made the right choice and keep accurate performance and/or disciplinary records to support your decision.

## References

When we terminate employees, we may provide references for those who leave in good standing. This means that employees shouldn't have been terminated for cause. If you are laid off, you may receive references. Please ask your manager.

If you resign, you may ask for references and your manager has a right to oblige or refuse.

