



Interviewing Employee Counseling & The Dreaded Termination



The Interview

Typically, interview questions should focus on...

- 1. Job History**
- 2. Past Performance**
- 3. Expectations “Description” of the position applying for**
- 4. Company Information including hours that employee will be expected to work**

Consistency for ALL Interviews...

Typically use the same questions for each job interview performed

Job Interview



*Avoid Questions
pertaining to*

Protected Class



Who is protected?



✓ **Race**

✓ **Color**

✓ **Religion**

✓ **Gender**

✓ **Age**

✓ **National Origin**

✓ **Disability & Pregnancy**

✓ **Military Status**

✓ **Retaliation**



Counseling Employees

Why do managers/employers dread counseling employees?

- *It's uncomfortable "confrontation"*
- *Not wanting to be the "bad guy"*
- *It's time consuming*



Why Have Counseling / Progress Meetings?

- *Increase in Communication*
- *Reduction in Turnover*
- *Absenteeism Trends*
- *Adds Value to Margin*
- *Good for Organization*
- *Elimination of Potential Liability*





Progressive Discipline

Step 1 Verbal Counseling

(Although “verbal” still should be documented and filed in employee’s personnel file)

Step 2 Written Warning

Step 3 Final Written Warning

(may also include suspension in some cases)

Step 4 Termination

(best to have witness present)

**Even if done over the phone*



Do's of "Written" Counseling

- Do... **Specify Date, time and location** of infraction and the **specific nature of the infraction.**
- Do... Check the employee's history. **Warnings should be sequential and include the steps of progressive discipline.**
- Do... **State the next step of discipline** should the employee repeat
the infraction (i.e. final written warning, or further disciplinary action up to and including termination).
- Do... Ask the employee to sign the warning form. Should the employee **refuse to sign**, you may write in "employee refused to sign" in the space and have a witness initial that the employee receive a copy of the notice.

Elimination of Potential Liability



“When an employee situation becomes a legal situation, there is not substitute for proof”.

- **Document, Document, Document** (Keep copies of performance discussions, reviews, counseling's, noted performance, absence, etc.)
- **Maintain accurate data** (Observations, dates, times, infractions, follow-up meetings, discussions, etc.)
- **Meet regularly** with employee for feedback. This will reduce any surprises.