Being the Bearer of Bad News – How to Handle an Employee Termination Meeting

BY ROBERT G. YOUNG • SEPTEMBER 18, 2017

News that Anheuser Busch laid off approximately 400 workers in its so-called "The High End" division (that is, the group that is buying up craft brewers and brands) serves as the most recent reminder that the business realities of running a craft brewery always remain lurking in the background. While a brewer needs employees to grow its business, sometimes the employment relationship just does not work out or a particular job becomes obsolete. But what should a brewer do when deciding on and implementing an employment termination, whether of one employee or several? That's easy: call counsel! Seriously, though, the following tips and suggestions can make the process go much more smoothly:

- Have all of the necessary paperwork prepared in advance. In Massachusetts, in particular, terminated employees must receive their final paycheck (including any accrued vacation) on their last day of work, even if that is not a regular payday. Information on how to apply for unemployment benefits and information about continuing health insurance coverage (if applicable) also should be provided.
- Keep the termination meeting short (no more than 10-15 minutes at the most), and hold it in a private location, away from the eyes and ears of other employees.
- Have at least two people in the room for the employer, but only have one person speak on behalf of the employer.
- Be prepared to answer the fundamental question "why." Any employee will want to know why they were chosen for termination, and providing a business-based reason for the decision–with examples, if possible–can go a long way toward diffusing a potentially contentious discussion (plus, if you cannot articulate a logical reason for a termination, it may make sense to go back to the proverbial drawing board for the decision-making process).
- You can allow the employee to respond to the reason provided for the termination, but you should not debate or argue about it. Eventually, you may need to cut off the discussion with something along the lines of "While we appreciate that you may feel differently, we have made our decision and it is not going to change."
- Keep the discussion professional, regardless of the employee's reaction. Remember, while the employee may view

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this as an intensely personal experience, for the employer it is a business decision.

Following these tips cannot guarantee a smooth termination meeting, but they can help a brewer better position itself to communicate its message more clearly and, hopefully, allow the employment relationship to end with dignity.

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