Layoff Preparation and Administration
Quick Guide

Identify and Document Reasons for Layoff
- Helps to evaluate likely success of alternatives
- Justifies the decision
- Can help determine notice requirements

Consider Alternatives; Document Alternatives Considered
- Are there other options that may achieve the same goals?

Establish Timeline
- Start with date of termination and work backwards
- Consider if the WARN Act applies

Establish Job Functions and/or Positions Being Eliminated
- Do not focus on individual employees at this stage

Establish and Document Selection Criteria
- What does your company layoff policy state?
- Do you have a collective bargaining agreement?
- Put the selection criteria in writing and provide to managers doing selections
- Require managers to document reasons for employee selections and provide to HR

Evaluate for Discriminatory Impact
- Once employees have been selected based on established criteria, analyze for adverse impact based on protected classes such as age, race, gender, ethnicity, etc.
- Analyze again at each cut

Determine Payment of Benefits, Severance Options, Other Resources
- Who is eligible for which benefits and when?
- Include separation agreement
- What other resources are available to help employees transition?

Develop a Plan to Communicate and Implement
- Be open with information
- Determine logistics
- Determine what resources the company will make available to laid off employees and those who remain
- Prepare an information sheet explaining the layoff process

Prepare Notices and Other Termination Paperwork
- Send WARN Act notices if applicable
- Prepare pre-layoff and/or layoff letter
- Determine contents for and prepare termination package
- Make arrangements with outside resources such as EAP, unemployment services, outplacement, resume writing, interviewing skills