

Kimberly L. Russell is a principal of the firm and a member of the Commercial Litigation and Employment Departments. She devotes a significant part of her practice to defending employers in all types of employment litigation including sex, age, race and disability discrimination claims, wrongful discharge, Family and Medical Leave, and wage claims. Ms. Russell also counsels employers on issues related to the daily operations of a business including hiring, discipline and termination of employees, employee employer relations, and personnel manuals, and conducts workplace anti-harassment and anti-discrimination training. Ms. Russell also has extensive experience in business disputes and real estate litigation and has been a featured speaker and author for the Pennsylvania Bar Institute.

Ms. Russell received her Bachelor of Arts degree in 1990 from Bloomsburg University of Pennsylvania, graduating summa cum laude, and her Juris Doctorate degree in 1994 from the Villanova University School of Law. She won the 1993 National Environmental Advocacy Moot Court Competition, and won Second Place Oralist in that competition.

Ms. Russell is admitted to practice in the Pennsylvania Supreme Court, the New Jersey Supreme Court, the U.S. District Court for the Eastern District of Pennsylvania and the U.S. District Court for the District of New Jersey.

Ms. Russell is a member of the American Bar Association Litigation Section, the Pennsylvania State Bar Association and the Montgomery County Bar Association.



Ms. Russell has lectured to business management teams on numerous employment issues. She also has been a featured speaker for the Pennsylvania Bar Institute at a seminar on Residential Construction Litigation. She is active in community organizations, and developed a "Child Safety Policy" aimed at protecting children from abuse for a local organization.

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Employment Law Meets Risk Management:

*Guide for Successful
Employee Terminations.*



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How To Use This Guide

Employers face an infinite number of hazards in the area of employer/employee relations, all of which pose a significant risk to their business in terms of cost and lost productivity.

One of the most perilous of those hazards is the handling of employee terminations. This guide provides tried and true tips for employers faced with the unpleasant task of terminating an employee and a termination checklist to aid employers in completing post-termination follow up. Although there is no such thing as a “bullet-proof” employee termination, the following tips will help employers anticipate and minimize potential problems. However, every termination is different and requires a fact specific analysis.

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Ten Steps to a Successful Termination

1. Follow Company Policies
 - Consistent enforcement of policies is critical
2. Create a Paper Trail
 - Document performance problems prior to taking action if at all possible
3. Unite the Management Team
 - Supervisors should be aware of action being taken
4. Determine whether to give severance and request a release from liability
5. Have a witness in the room during the termination
6. Keep the termination short and simple
 - Do not argue over the decision
7. Provide severance and insurance information
8. Communicate with remaining employees
 - Do not elaborate on the circumstances underlying the termination
9. Better safe than sorry
 - Hire security, block passwords, change locks, disable email addresses if necessary
10. Respect everyone
 - Do not make the termination worse than it needs to be
 - Understand that the employee will want to leave quietly to reduce embarrassment



Employee Departure Checklist

1. Secure the return of company property:
 - ✓ Keys, key fobs, employee I.D. cards
 - ✓ Cell phone/Blackberrys
 - ✓ Company car keys
 - ✓ Company credit cards
 - ✓ Company manuals, including Handbook
 - ✓ Company laptops/software
 - ✓ Uniforms
2. Confirm employee's current mailing address and phone number
 - ✓ Company must have that information to mail last paycheck and W-2's
3. COBRA letter (by regular & certified mail)
4. Notify Medical Carrier
5. Notify Life Insurance/LTD Carrier
6. Notify Payroll
7. Have network/email/telephones updated
8. Notify Webmaster to update website
9. Notify Pension Administrator & supply employee with appropriate notice
10. Unemployment information
 - ✓ File Request for Relief from Charges? Yes/No
11. Notify clients of departure as necessary/provide information about new client contact

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