

TERMINATIONS & REDUCTIONS IN FORCE

Employer decisions about under-performing, unsuitable, or disruptive employees are often very stressful and time-sensitive. Reductions in force compound the complexity and the risk. Our clients dependably rely on our employment team to anticipate, manage, and control the legal hazards associated with employee terminations and force reductions, large and small.

Good workforce management is about finding, training, and rewarding the right people in the right way to enhance efficiency and encourage productivity. Over time, however, workforce management may require difficult choices about cost cutting, staff restructuring, and individual performance reductions in force. In the case of larger workforce reductions or plant closings, we are often called upon to assist clients in navigating the Worker Adjustment and Retraining Notification Act (WARN) to avoid its traps for the unwary. WARN regulations are complex and some states have additional “mini-WARN” requirements that increase the complexity. In the face of large or more moderate reductions, our employment lawyers provide diligent and knowledgeable guidance through the operative state and federal regulations, and assist clients in crafting effective reduction-in-force plans and severance release packages, non-discriminatory selection, ADEA documentation, and well-written and effective releases of claims.

Our lawyers are also exceptionally experienced in assisting with smaller or individual disciplinary terminations or more narrowly targeted reductions or reorganization plans, including voluntary retirement programs and force adjustments made in the context of a merger or acquisition. We bring informed, pragmatic judgment and committed care to resolve issues in every engagement.