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## Question of the Week

MARCH 01, 2023

### QUESTION

We need to terminate an employee due to poor performance. Should we give them a letter outlining why we are terminating them?

### ANSWER

There is no federal requirement for employers to provide written notice about why someone is being terminated, but we do recommend providing written notice as best practice. This reduces the likelihood of the terminated employee spinning up their own (possibly illegal) reason for the termination and then claiming there is no documentation to the contrary.

If you provide a letter, it should include the reason for the termination, any relevant details regarding their benefits, and when and how they'll receive their last paycheck (if you aren't giving it to them in person at the termination meeting). The employee may not be in the best frame of mind to remember the details of your meeting, and the letter will remind them what comes next. We recommend being truthful and direct about the reason for terminating an employee. Doing so can help provide closure and is generally a professional courtesy.

You can find a sample termination letter on the platform.

*This Q&A does not constitute legal advice and does not address state or local law.*