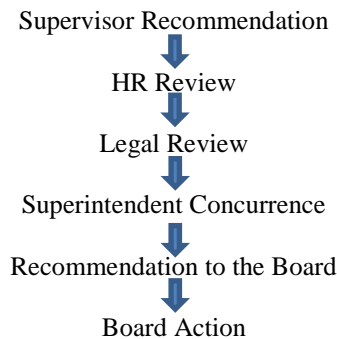


NORTHSHORE SCHOOL DISTRICT

Employment Termination Checklist

Involuntary termination of an employee is a serious matter, and ultimate decision-making authority for such a decision resides with the Superintendent and Board of Directors. Individual supervisors, however, evaluate employee performance and may investigate serious misconduct, and the steps they take will often determine whether or not there is sufficient evidence to support a decision to terminate an employee. Supervisors must ensure that such decisions are based on lawful, legitimate, non-discriminatory and non-retaliatory criteria in order to mitigate the risk of claims of wrongful termination, discrimination or retaliation.

This is the decision-making pathway regarding terminating an employee:



For a recommendation of termination based on performance, the following conditions must be met:

- Do the employee's evaluations clearly document and provide notice of a performance problem?
- Are evaluations objective and directly related to the job skills required for the position?
- Was the employee placed on probation and a plan for improvement?
- Were all contractual timelines met for placing the employee on probation?
- Was the employee advised that failure to correct performance deficits would result in termination?
- Was adequate training and support provided to the employee during the plan for improvement?
- Were observations performed, feedback provided and documentation written consistent with the plan?
- Is there sufficient evidence that the employee is unable to improve?
- Was the employee afforded Association or Union representation during all steps of the process?
- Was a final pre-termination (Loudermill) meeting held with the employee before a decision was made?

The appropriate HR administrator will assist you with these steps, and do the final analysis with legal counsel prior to the recommendation being made. This analysis will consider the following:

- Has the district terminated other employees who have substantially similar performance issues?
- If not, is there a distinction that warrants termination in this case?
- Has the District established sufficiently that the employee is unable to improve?
- Is there sufficient documentation to substantiate the termination recommendation?
- Are there any procedural deficiencies?
- Are there alternatives to terminating the employee?
- Has the employee alleged any form of discrimination, unsafe workplace, or any other unlawful conduct that could be characterized as whistle blowing? (Board Policy 5271)
- Was Washington Schools Risk Management Pool notified?

NORTHSHORE SCHOOL DISTRICT

Employment Termination Checklist

For a recommendation of termination based on misconduct, the following conditions must be met:

- Was a fair and thorough investigation completed of the act or acts of misconduct?
- Was the employee aware that the misconduct could lead to termination, either through prior disciplinary action or knowledge of conduct standards in Board policy or procedure?
- If there was prior discipline, was the employee adequately warned and properly trained to avoid a recurrence?
- Were all contractual timelines met for investigating the misconduct and imposing the consequences?
- Is there adequate documentation of the investigation and prior discipline or correction?
- Is there sufficient evidence that the employee's behavior is not remediable?
- Was the employee afforded Association or Union representation during all steps of the process?
- Was a final pre-termination (Loudermill) meeting held with the employee before a decision was made?

The appropriate HR administrator will assist you with these steps and do the final analysis with legal counsel prior to the recommendation being made. This analysis will consider the following:

- Has the district terminated other employees who have substantially similar performance issues?
- If not, is there a distinction that warrants termination in this case?
- Has the District established that there is cause to terminate employment?
- Is there sufficient documentation to substantiate the termination recommendation?
- Are there any procedural deficiencies?
- Are there alternatives to terminating the employee?
- Has the employee alleged any form of discrimination, unsafe workplace, or any other unlawful conduct that could be characterized as whistle blowing? (Board Policy 5271)
- Was Washington Schools Risk Management Pool notified?