

10 pitfalls when conducting exit meetings with employees based in Germany



Letting go of employees is never easy. Exit meetings are regularly the first step to start the separation process and informing employees about the company's decision to part ways. Although it is not legally required to conduct such meetings, they can be helpful for both parties to navigate through the termination process in a decent way. However, there are several pitfalls to avoid in case such meetings are held.

1 Never conduct meetings unprepared

No meeting will be the same. Proper preparation is key and prevents unwanted outcomes. Hence, have all the facts handy, be clear whether a mutual or unilateral termination is envisaged, have all required docs prepared and especially have all the elements of a possible package to wind down the employment relationship at hand. Be in a position to provide the employee the actual document of such winding-up agreement right after the call. Have a script talk handy to structure the meeting.

2 Stick to the truth and avoid promises that cannot be kept

Always stick to the truth when communicating with the employees. Be objective, direct and open. Do not discuss in detail why this decision has been made. Provide the employee enough information to get an understanding of what has been decided but do not get lost into the nitty-gritty details of the (entrepreneurial) decision by the company. Employees usually do not recollect every detail of the conversations but are often overwhelmed. Avoid putting facts to it that are untrue or that you think are difficult to prove. Promises that cannot be fulfilled must be omitted during the meeting. Friendly assurances should be given with great caution.

3 Documentation and witness

Conducting such meetings with a colleague is highly recommended. The colleague may help to protocol the meeting, provide information live and ease the situation when things get tough. Usually, a combination of manager and HR is well suited for this type of conversations.

4 Synchronize with delivery of termination letter

In case of a unilateral termination, the actual time of the meeting and delivery of a wet-signed termination letter should be synchronized. Depending upon the individual case and counseling either the meeting or the delivery comes first. Irrespective of that, there should not be much time between the two events to ensure a smooth process.

5 Aim for a good start into the meeting

After welcoming the employees, they should be promptly informed about the purpose of the meeting. When discussing the reasons for the termination, it is important to highlight what the reason was (e.g. due to business-related factors). It should also provide enough clarity to help the employee understand the rationale behind the decision.

6 Ask for employees' contact details and plan for future

If the employee is put on garden leave and cut from their access to company communication means the company must be in a position to contact the employee. Do ask the employee, whether they want to provide an alternative way of communication besides the company's means. Try to agree on a date/time where you will meet again to discuss possible questions and can think about communication (internal/external) for a proper transition.

7 Provide time and space for questions

The conversation will be stressful and hard for the employees. They may have immediate questions. Make sure to have time and space so employees can come up with questions in the meeting already. Do provide an email or other contact details for them to reach out to in case of further questions.

8 Legal discussions are not part of this meeting

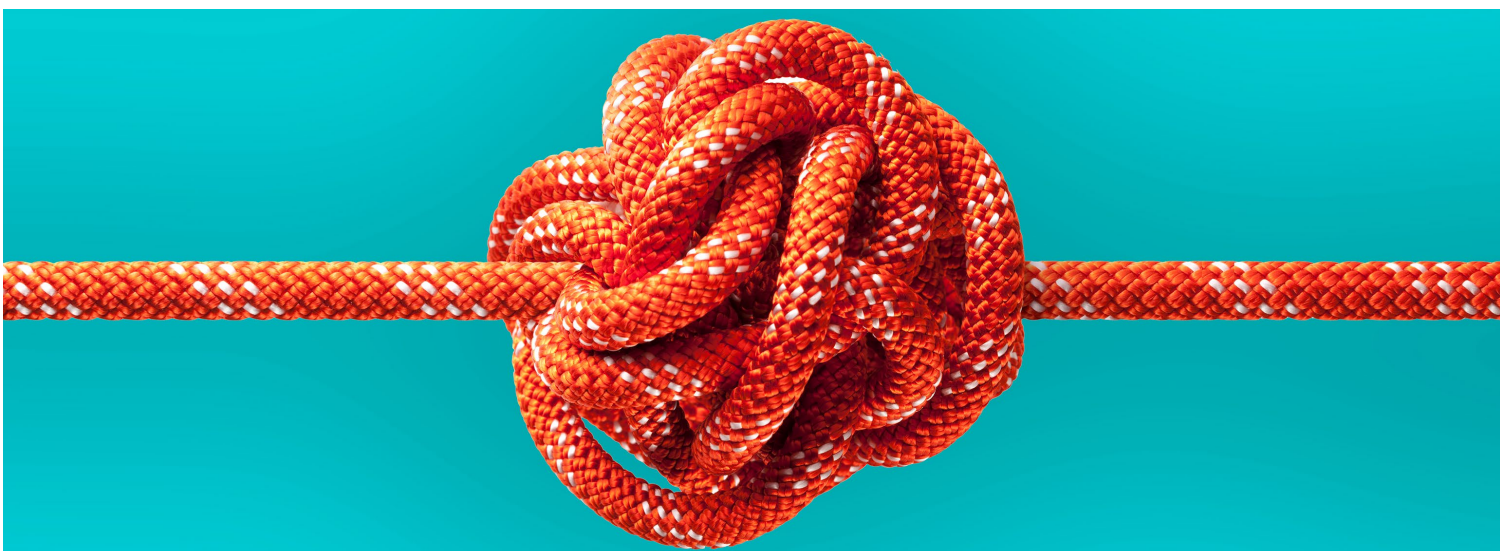
Sometimes employees start a legal discussion or share their legal view. Simply acknowledge their comment and explain that the company is under proper legal advice by German counsel and they will pick up any legal correspondence and discussion with their legal counsel anytime.

9 Give employees time to respond

It is crucial to give employees time to read the documents, conditions of a possible winding-up agreement and to take it home and to think about it. The employee will very likely consult a lawyer or at least family/friends. Proper drafts of winding-up agreements contain an acceptance period of 5-7 business days.

10 Seek internal help if necessary

There might be questions that cannot be answered during the meeting. This is fine and not uncommon. Take proper notes, explain to the employees that they will receive an answer once you had a chance to check internally. There is no need to answer everything right away because a correct answer a day later is better than an immediate false answer.



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Contacts



Dr. Christian Maron

Partner, Munich
+49 89 21038-257
c.maron@taylorwessing.com



Dr. Benedikt Groh

Salary Partner, Munich
+49 89 21038-414
b.groh@taylorwessing.com



Dr. Larissa Burger, M.A.

Associate, Munich
+49 89 21038-323
l.burger@taylorwessing.com



Carolin Wagner

Associate, Munich
+49 89 21038-313
c.wagner@taylorwessing.com

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