



Capture Valuable Information

Exit interviewing offers fresh viewpoints

By Brynn E. Hollows, Esquire

Exit interviews are a useful tool for any company, big or small. Employers can strategically utilize these interviews not only to improve their recruitment and retention policies, but also to protect the company against potential litigation. If implemented properly, strategic exit interviewing can reduce the trauma and difficulty for the separated individual, create a continuing positive relationship with the individual, ensure proper documentation of the reason for the separation decision, and protect a company from preventable legal challenges.

The exit interview should take place in a private room, away from the individual's normal work area. Exit interviews should typically be conducted by HR staff members, who are often detached from the inner-workings of the exiting employee's department. Because of this detachment, HR staff is often more effective in obtaining information regarding problems with supervisors and co-workers, and any alleged harassment or discrimination. The interviewer must create a sense of openness and candor, as many employees believe that providing critical observations will result in a poor employment reference or negatively impact any potential opportunity for reemployment.

For employees voluntarily leaving the company, exit interviews should take place about a week before the employee leaves the company. Under these circumstances, it is often helpful to provide the employee with a written questionnaire that can be discussed at a follow-up in-person exit interview. Helpful exit interview questions include:

- *What are the circumstances that led you to look for a new job?*
- *Did you experience problems with supervisors or co-workers?*
- *Do you feel you were treated fairly?*
- *Did you discuss any concerns you may have had with your supervisor before deciding to leave?*
- *Could the company have done anything to change your mind?*
- *What are the strengths and weaknesses of the company?*
- *What are the strengths and weaknesses of the management of the company?*
- *Were you satisfied with compensation, hours, and work conditions?*
- *Do you feel you were adequately trained?*
- *Were you satisfied with the opportunities for advancement?*

- *How would you describe the relationships and teamwork between the different areas of the company?*
- *Do you feel there was an open door for suggestions, ideas, issues, and challenges within the company?*
- *How effective was your manager in setting goals, giving constructive feedback, and developing your capabilities?*
- *What does your new job offer that our company did not?*
- *What does your replacement need to know about your job?*

If, during the discussion, the interviewer learns that any illegal harassment or discrimination took place – real or perceived – the interviewer should contact top management. Similarly, interviewers should contact top management if the employee’s reason for leaving could form the basis for a constructive discharge claim against the employer. A constructive discharge suit typically involves a claim that management exerted intolerable pressure, harassment, or discrimination against an employee, leaving the employee with no choice but to leave the company.

If possible, the interviewer should take notes during the exit interview. However, if the interviewer finds that note-taking is discouraging open communication, the interviewer should discontinue note-taking, but be sure to record their impressions and assessment of the employee’s responses immediately after the meeting. All exit interview notes and questionnaires should be retained, reviewed and placed in a periodic report.

Many employers only conduct exit interviews with employees who voluntarily leave the company. However, discharged employees can provide equally valuable information, especially if they are discharged as part of a reduction in force and candidates for rehire. A skilled manager can elicit valuable information from an employee regardless of the circumstances surrounding the discharge, and may even be able to diffuse anger or resentment to protect the employer from a related legal challenge.

For terminated employees, the strategy begins well-before the exit interview. Indeed, before making a termination decision, employers should investigate any and all facts, and review the employee’s personnel file, to ensure they support the termination decision. Employers should also review their own written policies and procedures to ensure compliance with same. Once the employer is certain that the termination decision is sound, management should begin preparing for the exit interview. To prepare for the exit interview, the employer should ensure that the interviewer has a clear understanding of the reason for the termination – this reason should be indisputably documented and relayed to the separated individual.

With terminated individuals, the exit interview should typically be brief, but thorough. The interviewer should begin the meeting by engaging in minimal small talk and providing some details regarding the state of the company as a backdrop to the termination decision. Most importantly, the interviewer should then define the separation clearly and succinctly; the decision should be presented as definite and final.

At the end of any exit interview, the interviewer should discuss any severance, health benefits, or re-employment assistance. Simultaneously with this discussion, the interviewer should provide a letter outlining any specific separation or benefits package so that the individual has an opportunity to review the package and ask questions. The interviewer should also use this time to remind outgoing employees of any non-disclosure or noncompetition rules and their ongoing obligation to protect company information.

Remember, no one script fits all exit interview situations and managers and Human Resources

professionals must be prepared to address various issues as they arise. If managers or Human Resources professionals have any questions about the information provided, they should contact their legal counsel.

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