

ACTIONS TO TAKE AFTER RECEIVING THAT PINK SLIP

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by Cathy Harris

Sometimes in life we will be thrown a curve ball. Either we handle those curve balls or those curve balls will handle us. In order to survive unemployment you must chose to handle your curve ball.

No one is immune to being terminated. In this economy anyone can be laid off at practically any time. Hot-shot executives, top-notch technicians, super salespeople, and blue-and white-collar workers down in the trenches can all lose their jobs on a moment's notice.

Consequently, we should all have or be devising some type of ultimate escape plan—our step-by-step strategy outlining what we'll do if or when we get laid off.

When you get the news that you are being let go, laid-off, terminated, keep your head. Say as little as possible. Don't scream, don't show your anger, and don't threaten litigation.

Your main goal at this time should be to enhance any potential packet you might receive from the job. How you conduct yourself in this initial meeting could go a long way toward determining how much severance pay you'll receive.

Don't accept any first offer, the company might make. Insist that they put whatever they are offering you in writing then hire an attorney to study and evaluate the offer. Hire him or her not necessarily to negotiate for you but to coach you, inform you of your legal rights, and help you draft a severance package. This severance package should at least give you everything your other laid-off peers have squeezed out of the company or similar deals offered by other companies in your field.

Aim for higher severance. Shoot for four weeks of pay for each year of service, but be happy with three weeks and settle for two.

To help you negotiate, you can offer to sign a release absolving the company of blame, pledging, "I won't sue you and I won't compete against you." Threatening to sue will simply compel the company to dig in its heels.

Be sure you also get your share of any bonus or profit-sharing plan for which you are eligible. For example, if you are due to collect a ten percent (10%) annual bonus at year-end and you lose your job at mid-year; you should be paid a five percent (5%) bonus upon leaving.

Make certain that you get the main components of any severance package: health insurance and severance pay. Many companies stray from the contract and the company might be able to allow for a few more months of pay and medical coverage.

One of the very first things you need to do if you are laid off or fired is file your claim for unemployment. Do not procrastinate. File a claim for unemployment insurance at your local state unemployment office on the FIRST business day after you lose your job. If you are denied unemployment benefits, use your last paycheck to hire a labor attorney. Get referrals for attorneys because some of them may cheat you, particularly in light of your vulnerable position.

If you were fired for filing a discrimination complaint, prepare a brief one-page statement for the unemployment office which describes your experience in a work environment made hostile by discrimination.

Inform the unemployment office that you filed EEO and/or civil complaints against your agency or company and that you felt the firing was retaliatory. You might not know at the time whether or not you will appeal, but inform the unemployment office that you are looking for an attorney to file an appeal. Or, if you have filed the appeal, tell them you expect to succeed. You will have a brief time to complete the paperwork at the unemployment office, so have all your information readily available to fill in the blanks.

If you are handed a notice of proposed termination, especially if you are employed by the federal government, do not sign it. Tell them you will sign it after conferring with your attorney. Whether you sign the letter or not, you will probably still be terminated but the strategy is to delay the process so you can continue receiving income and health benefits while you seek other employment. Respond to the proposed termination in writing and also request an extension. There is a valid basis for delay. Management is required to review and take into account your responses to the notice.

If you think you might be fired, hire the best highly experienced employment attorney that you can find beforehand. Upon hearing that they are being fired, many employees let their pride take control and blurt out, "You can't fire me, I quit!" Don't make a rash decision you'll regret. Once you quit, you lose all your negotiating clout. If you demand anything in subsequent negotiation, the company representative can turn you down.

If you plan on quitting your job, ask for a reference that day and not before then and when you go for a job interview, do not mention anything about being mistreated at a prior job.

Cathy Harris is available for Lectures, Seminars and Workshops. This article is an excerpt from her recently released book "*How To Take Control of Your Own Life: A Self-Help Guide to Moving Forward*" (www.HowToTakeControl.com) You can order the book off her website at Angels Press, P.O. Box 870849, Stone Mountain, GA 30087, Phone: (800) 797-8663, Fax: (678) 254-5014, Website: <http://www.angelspress.com> Email: info@angelspress.com or on www.Amazon.com You can also order the book in Atlanta at Medu bookstore, Oasis bookstore, Nubian Bookstore, or Wisdom Hut bookstore.