

You Don't Have To Pay

By Scott Wahlin
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Paying Unemployment Compensation to an unworthy individual is bad business. It can be avoided.

Warnings and recordkeeping are very important. These can take a minimal length of time and can serve as an aid to problem resolution eliminating the need for termination. Straightforward honest communication may be facilitated. Document verbal warnings, as well as, written warnings. Conduct warnings and terminations in the presence of another supervisor. Tell the employee specifically why they are receiving the warning or termination. Have the employee and supervisor sign written warnings and termination forms. It should be noted on the form if the employee refuses to sign. Keep these records for two years following termination. You are liable for a claim for two years.

Never terminate an employee for "performance" or "attitude." You will pay.

You may terminate an employee for misconduct and not pay compensation. There are five areas of misconduct. These include: 1. failure to follow supervisory instructions; 2. insubordination; 3. violation of company policy; 4. excessive and unexcused absence; 5. excessive and unexcused tardiness. Those released due to absences caused by non-work related illness should receive unemployment compensation.

You may use a 90 day probationary period to weed out unproductive employees. Tell them about the probationary period when you hire them. Terminations made within this period do not need to be substantiated.

There are a number of good reasons for collecting Unemployment Compensation. Worthy candidates should be protected by this. Paying an unworthy individual is unnecessary. ■

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