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# Post-Firing Checklist: Your Next Steps After Employment Termination

Being let go from your job can be overwhelming. This guide provides a clear roadmap of critical actions to take immediately after termination to protect your rights, secure benefits, and position yourself for your next opportunity.

Follow these steps methodically to navigate this challenging transition with confidence and professionalism.



# Stay Calm—but Act Quickly



## Maintain Professionalism

Even in the face of unexpected termination, your behavior during and after the firing conversation matters. Avoid raising your voice, making threats, or displaying hostility. These reactions can damage future references and potentially complicate legal options if needed later.



## Manage Emotional Responses

It's natural to feel shocked, angry, or hurt. However, try to remain composed during the termination meeting. If possible, excuse yourself briefly if emotions become overwhelming. Remember that your professional reputation extends to how you handle difficult situations.



## Take Immediate Action

While maintaining composure is important, don't delay in taking the necessary steps to protect yourself. The first 24-48 hours after termination are critical for gathering information and preserving your options.

Being strategic about your response can help transform this setback into an opportunity for growth and positive change. Take time to process your emotions in private, but remain solution-focused in professional settings.

# Request Documentation

## Essential Documents

Before leaving your workplace, request copies of all relevant paperwork. This documentation serves multiple purposes: helping you understand the official reason for termination, supporting unemployment claims, and providing evidence should legal issues arise.

- Termination letter stating reason for dismissal
- Complete personnel file including performance reviews
- Disciplinary records and warnings (if applicable)
- HR notes related to your employment
- Health insurance continuation (COBRA) information
- 401(k) or retirement plan documents



Submit your request for documentation in writing (email is acceptable) and keep a copy. If your employer hesitates to provide these materials, remind them politely that employees typically have legal rights to access their personnel files in many states.

Consider sending a follow-up email summarizing any verbal termination meeting to create a written record of what was discussed.

# Don't Sign Anything Without Legal Review

In the aftermath of termination, you may be presented with various documents requesting your immediate signature. This is a crucial moment where hasty decisions can have long-lasting consequences.

## Severance Agreements

These often contain clauses that limit your legal options in exchange for financial compensation. Without proper review, you might inadvertently sign away important rights, including the ability to:

- File discrimination or wrongful termination claims
- Seek employment with competitors
- Speak publicly about your experience

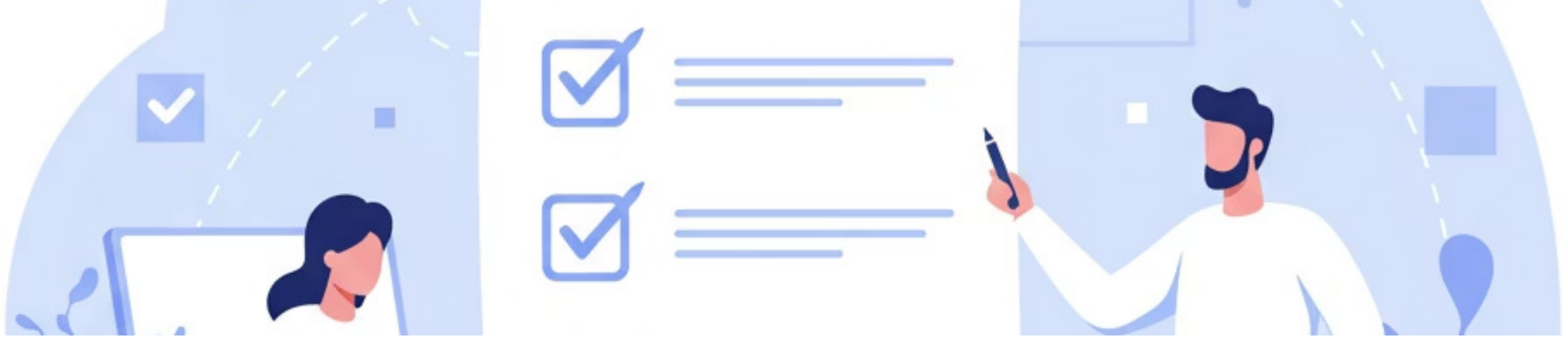
## Request Time for Review

You are legally entitled to reasonable time to review severance agreements. For employees over 40, the Age Discrimination in Employment Act (ADEA) requires employers to provide at least 21 days to consider the agreement.

## Legal Consultation

An employment attorney can help you understand the implications of any agreement and potentially negotiate better terms. The cost of a consultation is typically small compared to the benefits of properly protecting your rights.

Remember that signing documents under duress or without full understanding can create complications later. Take the time to properly review everything with qualified legal assistance.



# Document Everything

Creating a thorough record of your termination circumstances can be invaluable for unemployment claims, legal proceedings, or even just providing clarity during future job interviews.



## Record Key Details

Write down the exact date, time, and location of your termination meeting. Note who was present and their roles within the company.



## Capture Conversations

Document the specific reasons given for your termination, using direct quotes when possible. Note any inconsistencies between verbal explanations and written documentation.



## Note Suspicious Circumstances

Record any potentially retaliatory behavior, such as termination shortly after reporting harassment, requesting FMLA leave, or filing a workers' compensation claim.



## Identify Witnesses

Make a list of colleagues who may have witnessed relevant interactions or who might have information about the circumstances leading to your termination.

Keep your documentation factual and date-stamped. Store these records securely, maintaining copies in multiple locations such as email, cloud storage, and physical copies.



# Apply for Unemployment Benefits

Filing for unemployment benefits should be one of your first practical steps after termination. These benefits can provide crucial financial support while you search for new employment.

## Eligibility Considerations

Many terminated employees are surprised to learn they qualify for unemployment benefits even when fired. Generally, only termination for serious misconduct (like theft or violence) disqualifies applicants. Being fired for performance issues, company restructuring, or "not being a good fit" typically doesn't prevent you from receiving benefits.

## Application Process

- File promptly - benefits aren't retroactive beyond your application date
- Prepare to provide detailed employment history information
- Be honest about the reason for termination
- Be ready to explain if your employer contests your claim
- Continue filing weekly/biweekly claims as required

Remember that unemployment insurance is a benefit you've already paid into through payroll taxes. You're entitled to apply regardless of the circumstances of your separation.

# Financial and Benefits Considerations

## Final Paycheck

Know your state's laws regarding final paycheck timing - some require immediate payment upon termination.

## Budget Reassessment

Create a transitional budget that accounts for reduced income and prioritizes essential expenses.



## Health Insurance

Understand COBRA continuation coverage and explore marketplace alternatives which may be more affordable.

## Retirement Accounts

Determine options for 401(k) rollovers or other retirement plan transfers.

Contact your former employer's HR department if you have questions about benefit continuation or final compensation. If you encounter resistance or unclear answers, document these interactions and consider seeking assistance from your state's labor department.

Remember that some benefits may have conversion options allowing you to maintain coverage by transitioning from a group to an individual plan. This can be particularly important for life insurance or disability coverage that might be difficult to replace due to health conditions.





## Next Steps and Legal Resources

### Reflect and Reassess

Take time to process the experience and consider what you want in your next role. Use this transition as an opportunity to evaluate your career path and professional goals. Consider whether additional training or education might help you advance.

### Update Your Resume

Refresh your resume to highlight accomplishments and valuable skills gained in your previous position. Prepare thoughtful explanations about your departure that focus on what you learned and your readiness for new opportunities.

### Seek Legal Advice If Needed

If you believe your termination involved discrimination, retaliation, or violation of employment contracts, consult with an employment attorney promptly. Many offer free initial consultations to evaluate your situation.

If you're unsure of your rights or need assistance navigating post-termination processes, contact Swartz Swidler for a free consultation. We specialize in helping employees understand their options and protect their interests.

Visit [swartz-legal.com](https://www.swartz-legal.com) or call (856) 685-7420 to speak with an experienced employment attorney who can provide guidance tailored to your specific situation.