

# Take careful notes during all exit interviews

Employees often reveal their true feelings during an exit interview, and they frequently wind up burning bridges in the process.

Smart employers take notes during exit interviews, especially if they hear something that makes them wonder whether the employee should ever have been hired in the first place, let alone rehired for any future openings.

**Recent case:** Dr. Cleveland Rayford, who is black, worked as a physician for Wexford Health Sources, a medical services company providing care for inmates in the Illinois Department of Corrections system.

When Wexford lost its state contract, it had to terminate several employees, including Rayford. During a discussion with HR about severance terms, Rayford allegedly opined that the company taking over would do a better job than Wexford had, and he criticized Wexford's management team.

The next time the corrections contract was bid, Wexford won, and Rayford applied for one of the openings. The company declined to rehire him, citing his previous derogatory comments.

He sued, alleging race discrimination.

The court tossed out Rayford's case. It reasoned that his comments about the company were reason enough to reject his application, and not a pretext for discrimination. (*Rayford v. Wexford Health Sources*, No. 10-1454, 7th Cir., 2010)

**Final note:** In this case, there was no evidence that anyone at the company had discriminated based on race. After all, it had hired and retained Rayford until a business setback required it to downsize the workforce. His comments during what was essentially an exit interview merely served to reinforce that he might not have been a good fit for the company. He said nothing about racial bias during the discussion, making it hard for him to convince the court the decision not to rehire him was based on discrimination.