

# Cut your legal risks by reworking exit interviews

**Issue:** Gaining more value from your exit interviews.

**Risk:** Intelligence gathered often falls into a "black hole," so mistakes are repeated and legal land mines are overlooked.

**Action:** Ask the right questions, and provide better feedback to supervisors. Send an all-company "lessons learned" memo once a year.

Outta sight, outta mind. That's the way too many employers view departing employees. And that's why they often shrug off complaints, even of harassment or discrimination, made during exit interviews.

**Advice:** Treat any mention of inappropriate or unacceptable behavior heard during exit interviews the same as you would a similar complaint from a current employee. Probe such matters during the interview, launch an investigation and act on your findings.

Even if you find no evidence of wrongdoing, the ex-employee can still sue after he or she is gone. But, by showing that you investigated the complaint quickly and thoroughly, you strengthen your legal defense.

If people seem reluctant to open up in their exit interviews, reassure them that you won't retaliate against them with a negative job reference.

Here are three more ways to help your organization benefit from departing employees' insights:

1. Keep good records of what you hear, so you can analyze any trends, such as recurring mentions of problems with a certain supervisor. Use quantifiable questions to collect such information.

Note the employee's actual comments, not your interpretations. Use quotation marks to signify the employee's exact words. Imagine a jury reading the notes (which could happen). Document details, such as the day and time of incidents. At the end, ask the employee to read and sign your notes or the exit-interview form.

2. Communicate the employee's feedback to those who can use the information to correct any problems. One reason managers dread conducting exit interviews is that they might hear something they don't want to know. That's why it's smarter to use a neutral party, usually you, to conduct exit interviews and dish out feedback to the proper channels.

Compile exit interview notes into a "lessons learned" memo to advise management of changes that should be made based on intelligence gathered in exit interviews.

3. Handle exit interviews in a consistent manner. For example, don't invite some employees to exit interviews while bypassing others.

## *11 exit interview questions*

For a list of effective exit interview questions that will provide answers, not lawsuits, download our Solution Center report, *Exit Interview: Sample Questions*, at [www .hrspecialist.net/firing](http://www.hrspecialist.net/firing).