

Do we have to comply? Former employee demands to know why he was terminated

Q. We fired a worker for poor performance, but we didn't tell him exactly why. Now he is demanding the discharge reason in writing. What do we do?

A. Under Minnesota state law, a former employee may request the reason for his discharge in writing and the employer must provide that reason within ten days. The statute reads as follows:

181.933 NOTICE OF TERMINATION

An employee who has been involuntarily terminated may, within 15 working days following such termination, request in writing that the employer inform the employee of the reason for the termination. Within 10 working days following receipt of such request, an employer shall inform the terminated employee in writing of the truthful reason for the termination.

If you receive such a request, it is best to contact your attorney and ask for assistance in reviewing the circumstances and the language of the letter. While the request and your response may be the end of the matter, it is possible the former employee is contemplating litigation. It may be prudent to have your attorney involved from the very beginning.

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