

The Double Edged Sword of Severance Agreements

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Since the economic downturn, Human Resource professionals and in-house employment counsel have used severance agreements with departing employees to obtain peace of mind and predictability regarding the associated costs of involuntary employee separations.

While severance agreements and the accompanying consideration can be valuable litigation avoidance tools, some employers have learned the hard way that severance agreements are not always the best course of action.

In the article, Josh examines the pros and cons of entering into severance agreements with departing employees. The clear upside of such agreements is the notion of a clean break—employer and employee agree to part ways completely and forever, never again having to deal with each other. On the downside, severance agreements are not right for every employer and every situation.

After weighing out the pros and cons, many employers might be skittish about severance agreements, and rightfully so. They are not a "one size fits all" tool and should be used only after great deliberation.

To read the full article, please visit HR.BLR.com.

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