

# Employee Termination

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# Employment-At-Will

- Missouri employers may terminate an employment arrangement whenever they choose
- Except:
  - Contract isn't involved
  - Discrimination did not motivate termination
  - Limited public policy exceptions (one of four conditions)
    1. Discharge must not from an employee not being willing to violate the law
    2. Termination must not result from an employee reporting a law breach
    3. Dismissal must not result from an employee choosing a course of action that public policy would strongly support
    4. Termination must not stem from an employee pursuing a legal right, such as a workers' compensation claim being filed

# Final Wages

- Should be paid when employee is discharged
- Employer must respond and pay owed wages within **7 days**
  - If not, additional wages incurred for up to **60 days**
- If not, employee may request final wages in written letter or could pursue legal action
- Missouri employers are not required to compensate discharged employees for earned vacation time



# Reporting

- If discharged employee had wage withholdings issued by MO Dept. of Social Services' Family Support Division, Child Support Enforcement, employer must notify the agency within **10 days**:
  - Include obligor's address and contact information for his/her new employer
  - Online notification system available at:
    - <https://www.missouriemployer.dss.mo.gov/TerminationInfo.aspx>

# Insurance Benefits

- Depending on discharge situation, employers may need to inform employees about options to continue their health insurance coverage.
- COBRA makes continued health coverage an option for certain employees and their families
  - <https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/publications/an-employers-guide-to-group-health-continuation-coverage-under-cobra.pdf>

# Exit Interviews (Voluntary Separation)

- Why did they chose to leave?
- Get honest feedback about work environment
- Occasionally, opportunity to encourage them to stay
- Can also interview with someone who didn't directly supervise the employee
- Prepare a list of questions ahead of time



# Exit Interview Questions

- Did employee understand responsibilities?
- Was the training helpful in developing the employee's skills?
- Did the operation/managers provide constructive feedback?
- Did the employee have the opportunity to share ideas?
- Was the employee adequately compensated?
- Did they feel safe while on the job?
- Was there any organizational issues?

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