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Ethical Layoffs: Employee Experience During RIF

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Introduction:

After years of competitive market conditions, too few candidates for open roles, and topics like “Great Resignation” and “Quiet Quitting” dominating the headlines, late 2022 saw a shift in employment that many people weren’t expecting - layoffs.

In just the first few weeks of 2023, more than 55,000 people lost their jobs, nearly half of the total number impacted in 2022.

Household names once considered “safe” to work at - like Meta, Snapchat, Vimeo, Salesforce, Twitter, Goldman Sachs, Google, Microsoft, Capital One, and Amazon saw significant numbers of workers impacted by layoffs.

And we know more are coming.

Bank of America analysts predict layoff counts as high as 200,000/quarter (in the US) for the first three quarters of 2023¹ - tracking with our internal data which may tilt slightly higher for Q2 or 3 when small businesses outside of tech receive the ripple effect.

Before the 1970s, large-scale layoffs were uncommon. There have been several large-scale, multi-industry downsizing since then, with the most recent cycle occurring during the “great recession” of 2008-2009 when unemployment rates reached 10%.

One-third of today's workforce was still in high school during the Great Recession.

Employee expectations have changed significantly since then and those expectations are influencing layoffs.

Today, the brand and reputation of a company matter more than ever. How they treat candidates, employees, their community, and public decision-making on significant issues affects how desirable a company is to work for. As "employee experience" became a driving force at most large organizations, so did the technology to support more personalized experiences for employees in the office and remotely. We were repeatedly bombarded with messaging around the importance of employee feedback, recognition, engagement, etc. As remote work became more common, people started using Zoom meetings, Slack, or Teams channels. These tools gave the feeling of community and connectedness on a larger scale.

Work interactions became personal - until they weren't.

Layoffs started happening and, just as quickly, went "viral" as tightly branded, community-focused, people-first companies let employees go in transactional, impersonal, and sometimes shockingly harsh ways.

For companies that spend millions on customer branding, recruiting, and employee experience - there seems to have been little intention of how these layoffs would come across to remaining employees, customers, or the public. The worst offenses are impersonal emails overnight to employees who have been there two decades, the automatic lockout of systems, and doing layoffs while still having hundreds of open jobs left on their career site and actively hiring.

Companies must do better, but few know how.

**With new
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Discussions about "why" and "how" companies get to the point of a layoff are necessary, but for the 500,000+ people who are still to be impacted, it is unlikely that the process can be stopped. But we can help create a process to be managed with ethical integrity, dignity, and respect for all involved.

We spent the last few months researching how to do ethical layoffs. We spoke with companies preparing to do layoffs, those that did it wrong (including some of the viral CEOs), HR and business leaders who delivered the news, and most importantly, the employees that were laid off about what was good or bad for them. We also met with several HR Tech systems to better understand their role.

Companies can take action before, during, and after layoffs to provide support for support those involved, including those making the decisions, those leaving the company, and those remaining, while also preserving the company's reputation during this challenging time.



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Before the Layoff

The decision to do a RIF (Reduction in Workforce, also known as downsizing or layoff) is not made in a bubble, but the execution often makes it feel like it was.

The discussions around the RIF possibility may start six months or more before the actual layoff happens. Some companies may plan 9-12 months out while implementing new marketing or sales strategies to mitigate the risk and hopefully avoid it altogether.

If the company sees that savings measures and attempts to increase revenue won't support the current headcount, they should make sure the employees' experience is the priority in the process.

And that starts well before the layoffs are delivered.

Companies looking to support best their workers that will remain and those that will be impacted should plan and execute a few things before the layoff takes place:

- **Use data to minimize longer-term impact**
- **Develop clear communication strategies**
- **Prioritize talent redeployment**

Data-Driven Planning

When there is even a possibility that layoffs are coming, companies need to utilize data to create clear plans. Too often, companies make decisions without considering the highest-performing departments and teams, impact on customer experience, DEI efforts, etc.

Many intelligence, analytics, and workforce management tools already in place have excellent predictive tools and modeling to show where (location or by department) you may have the room to reduce staff, where you still need to hire people, and how different market criteria will impact both.

This analysis comes before the actual selection of “who” and is more of a look at the overall business health and needs in detail.

Then you can develop criteria for each impacted group to determine the “who.” This process helps create selection criteria based on objective rationale and documentation directly related to the business reasons for implementing them, and this ensures that layoffs are fair and justifiable.

Technology can also help make these decisions, like calculating severance costs, who may consider early retirement or redeployment, and analyzing the disparate impact,

A common complaint is companies use layoffs as an excuse to “get rid of” certain employees.

Companies mitigate potential liability and brand disruption when they can demonstrate the process used to select workers for layoffs.

Talent Redeployment

A concerning trend for HR Leaders and Workers alike in the current layoff cycle is when organizations have large numbers of open positions on their websites while simultaneously cutting 5, 10, or even 30% of staff. When asked, most laid-off workers said their previous company did not offer the option to move into any of these positions, even though they could have done the jobs and wanted to stay.

Companies should provide a path for moving talent within the organization to fill open positions with current employees. Skills retraining is often far less expensive than hiring and helps the organization keep institutional knowledge, maintain company culture, and make good on the employee experience promised.

Redeployment also saves the company a considerable amount of money by preventing the need for severance packages, retaining valuable talent, reducing recruiting costs, and minimizing the risk of separations. Even if the new role is not an exact fit with the employee's current skills, mobility and redeployment tools help the company connect workers' interests and open positions, finding new uses for their experience that benefit both the employee and the business.

Case in Point: Talent Redeployment

When a billion-dollar government contractor needed to close a location they had to either do a mass layoff, or redeploy thousands of highly skilled workers in a matter of weeks.

They quickly realized less than half of their employees were utilizing the internal job board, in part because they weren't sure if their skills would transfer - making it an ineffective tool when trying to retain so much talent.

In a matter of days they were able to go live with Worqdrive and used it to be more proactive in the approach and let employees share skills and insights, not tied to a particular role, that would not be found in typical HR data. These efforts allowed the HR team to be proactive at identifying new roles for the impacted workers, made decisions in days and significantly reduced the number of workers that had to be downsized with the majority being redeployed.

Transparent Communication

Regular, clear, communication about business goals, wins, and challenges help employees understand their role in the bigger strategy and builds engagement.

When there is the risk of a layoff, as much as possible in a publicly traded company, transparency, and communication about business needs are even more vital.

Some companies will be straightforward in saying there is a possibility of layoffs in (3, 4, 6) months if numbers don't improve or other changes don't occur. Others report on sales declines or customer losses and announce budget cuts or how teams are impacted - giving the employees an understanding of their own risk.

When layoffs are imminent, the more detail around them you can provide, the better. Advance notice is a legal requirement for most companies, but it also allows you to prepare properly. It is common in this stage to offer alternative work arrangements, early retirement buyouts, and start conversations around talent redeployment.

It gives an organization time to properly prepare and make the best decisions for you - and them.

Key Areas of Communication Prior to Layoffs



Business Situation & Layoff Basics

We fear what we don't know or don't understand. You can set expectations by educating employees on the business situation, what a reduction in force is, what it isn't, how decisions are made, and what support is provided under those circumstances before layoff announcements.



Buyout & Early Retirement Options

Once announced, many companies offer employees the opportunity to resign voluntarily or retire early and receive a severance package. This approach provides support to those uncomfortable with uncertainty and those you would possibly have lost anyway. The downside is you have little control over who may come forward, so you may lose key people in unexpected roles. Some companies also offer a more generous severance to those who opt out themselves.



Alternative Working Arrangements

Many companies can retain key employees and reduce the number of laid-off workers by reducing employee costs through alternative working programs. Voluntary reduced hours or changes in responsibilities cut company costs while allowing employees to change their work situation willingly. Workers make these changes for many reasons, such as a flexible schedule, work/life balance, or a new career financed by severance. Voluntary changes allow employees to make choices that work for them and benefit the company. Zapier, for instance, has reassigned its recruiting group to fill other roles and internal projects outside of HR until hiring starts back up again.




Package Details

Providing details on severance, benefit continuations, etc., minimizes fear and uncertainty and helps to retain trust and respect. 64% of American workers live paycheck to paycheck,² meaning they do not have enough savings to cover expenses for even a few months and must rely on their current income to meet their basic needs. Under these circumstances, layoffs can be especially devastating. Explaining clearly what severance benefits will look like at different levels of the organization helps reduce this fear.



Available Resources

All employees need resources to support them through this difficult transition. Whether staying, leaving, or sharing the news, each employee should have access to mental health support such as Employee Assistance Programs (EAPs), on-demand mental health services, and resilience training. Additionally, financial well-being tools can assist in addressing financial concerns in a confidential and non-invasive way.

Layoff's Should
Never Be A
Surprise.  aspect43

Case In Point: Consistency & Cost Savings

A healthcare technology firm faced a reduction in force and wanted to retain its employee experience by ensuring consistency in the process. At the same time, they were looking for all possible ways to be more cost-effective, including how they managed this process.

To do this, they partnered with a layoff and offboarding technology, OnwardsHR, to improve planning and execution.

The software allowed them to use data analytics to identify which positions met the criteria placed for elimination. It also streamlined the workflow, coordinated the IT and payroll changes, and generated the separation agreements, WARN announcements, and unemployment notices.

This allowed the company to ensure consistency in both the planning, communication and execution phases. Making sure the decisions were being made for the right reasons and that all the steps needed to communicate and support the impacted workers were handled.

This allowed them to shorten the announcement timeline and reduce the cost per employee. It also helped increase the efficiency of already stressed HR and Legal teams.

Most importantly, consistency and coordination kept the employee experience on track even with limited resources to execute.

During the Layoff

The most challenging part of a layoff for everyone involved is actually delivering the news.

There is no “good” way to notify someone that they are losing a job they care about. The more we dove into this, the clearer it became that it was an emotional moment for more than just the person directly impacted. The managers and HR teams tasked with delivering the news (often uncertain about their future or without knowing ahead of time) and coworkers remaining at the organization report significant impact when the layoffs occur.

In multiple cases needing mental health support because they were expected to do this, to colleagues, with little to no notice.

As we researched this topic, the first concern and primary criticism were about communication - whom to tell, when to tell, how to tell, what to say, and what not to say. Companies can get so many pieces of the layoff process, but the brand is irreparably harmed if communication and delivery go wrong. Everyone agrees that communication should be done well, but we struggle with how to actually to accomplish it

The point everyone agrees on is that communication needs to be designed with people as the priority.

Ideally, all communication is done face-to-face and 1-on-1, but we know there are logistical and legal reasons why this may not be possible in all situations. Communication can be personal, even if it’s not in person. At some point in the process, every affected employee should be able to speak with a real person, whether physically, on the phone, or online. As we spoke with HR professionals, employees, and those who have been laid off, some key themes emerged about what and how to communicate with different groups at the company.

How to deliver the news to the company.

Company layoffs impact every employee at an organization, so the communication needs to go to all employees to provide context and a roadmap for the next steps.

Worker Adjustment and Retraining Notification Act (WARN Act)

This law makes surprise layoffs illegal in some cases. It requires covered companies to give 60 days' notice of impending mass layoffs or significant reductions in hours without paying fines.

There are a lot of calculations to determine if your company is covered and if the employment action applies, so be sure to check out the details and consult with counsel.

Some state-level regulations exist that are even more strict, impacting smaller businesses, longer notifications, or impose severance and benefit obligations.

Note: The minimum requirement should not be the goal for your business.

Communicate early and directly with everyone.

Ensure that all employees are aware of the upcoming layoffs, understand the reasons behind the decision, selection criteria used, and feel that their care is a top priority during the process. Outline selection criteria used, if possible, to make sure people do not feel singled out or targeted. This may be done via email.

Leaders must genuinely take responsibility for the situation and explain the consequences for them and their team.

If the company is sacrificing jobs, what sacrifices are the leaders making? If they have cut bonuses, salaries, spending, etc. - highlight and feature that. Do not plan major concerts or sponsorships the week you do a layoff. Note: if you have planned awards trips, do not take those away from the workers who earned them.

Include specific logistics for the process, notifications, etc.

Knowing what to expect, when to expect to know the specifics and if they are impacted, from whom, and how it will come eases anxiety and helps everyone prepare.

Beware of Survivor Syndrome

Remember that layoffs affect the remaining employees. Research shows that survivors experience a 41% decline in job satisfaction, a 36% decline in organizational commitment, and a 20% decline in job performance after a layoff at their organization.³ Be clear with what the future will look like for those that remain - if there are further cuts, etc.

How to prepare those that have to deliver the news.

The delivery of layoff news often falls on direct managers or the HR department, but in the case of large-scale layoffs, other leaders may be brought in to support. These individuals should not be developing communication on their own.

They should be armed with accurate data, legal guidance, and communication plans.

Notify Them of Their Status

If these employees' positions are being eliminated as well. Extend the courtesy to tell them first and provide time to process the news before relying on them to share the news with others. In either event, give them the option to opt out of delivery.

Deliver Clear Communication

Provide a clear script with how to deliver the news, including details on what can and can not be said, along with a series of FAQs and the responses that could be brought up. If possible, allow each person to practice or run through it - along with possible questions - of what can and can't be said. This will keep messaging consistent no matter who delivers the news and ensure nothing vital is missed.

Have a Hotline or Backup Available

Provide a "hotline" to answer questions or address situations as they arise on the fly. Actually answer it when someone calls.

Secure their Safety

Sometimes, when the layoffs are happening face to face, there is a security risk to the employee delivering the news. If you have an organization where you feel this may be a concern. In that case, when the news is being delivered, you need to ensure the safety of that employee and others in the building (possibly having 2 people in the room or security close by). You should also communicate that clearly to the employee delivering the news, so they understand they are safe.

Provide After-Support

One of the conversations that came up over and over was the desire to have counseling and support available to those that had to conduct the layoffs, especially if they had to eliminate people they directly managed and had little to no say in the selection.

How to deliver the news to the impacted employee.

There is no easy way to do this for anyone involved, but there are things you can do, based on our research, to make it better.

"We were loyal employees, don't treat us like criminals"

"Tell me how I was selected, I would prefer to know it was a random draw then nothing"

"They made it about them when I am the one that lost my job."

Do Not Send a Blanket Email

I can't believe this even has to be said, but it does. Employees should not wake up to find an email when there have been no conversations or hints of an upcoming layoff. There are a few times when an email is used, but it is usually after conversations (not another email) have taken place with a team with full details of what is to come, how the selections were made, when and how they will be impacted, what will follow for severance/support.

Try for 1:1 When Possible

Layoffs are an emotional time, and being in a large group - when you have so many questions and are in shock - doesn't lead to the proper care and support they may need at the moment. Getting the news 1:1 from someone they know can provide an added layer of comfort and care. This isn't always possible in large layoffs, and in that case, small groups - often from the same department or team- are preferred. Delivering them all as close to possible at the same time is also preferred vs rolling them out over weeks.

Be Human.

Yes, there will likely be a script, but that doesn't mean you can't still show empathy and compassion when delivering it. When possible, give them time to finish projects and allow them the opportunity to say goodbye to their coworkers. If security concerns prevent this approach, make sure your words and demeanor reflect that these are valued and trusted employees.

Answer the questions before asked.

Share details, and offer in writing (or email if on video) all information about severance, ongoing benefits, outplacement, etc. How the decision was made and what the next steps are - who will reach out, how, when, etc.

Shut up and let them process. Your anxiety doesn't need to fill time.

When doing the layoff conversation:

WHAT TO SAY

Apologize and exhibit genuine care for the people, their lives, and their work.

Employees must know the layoff is through no fault of their own. Losing a job can cause individuals to question their abilities or self-worth. Companies prevent this spiral of questioning and self-doubt by confirming employees are valued and sharing the selection criteria.

Communicate how much the company will miss their contributions.

Thank them for their work. Workers give their time and talents to the organization; the organization should recognize and appreciate those efforts even when they are no longer needed.

Sometimes, nothing. Give them a minute. They may need some time to process.

WHAT NOT TO SAY

That these things happen and its an unfortunate part of business.

Comments that shift attention to how hard this is for you or the company. While that may be true, this is not the time to talk about it.

Anything related to their performance, attitude, relationships at work or anything else ad-libbed off script.

"You will be fine" or "I have been there" or "You know how they feel" or "This will turn into something even better"

Positive things that may happen in the business after because they are saving money with layoffs.

Random comments to fill time or uncomfortable pauses.

Case In Point: Companies doing layoffs at scale right.

In an online environment where everyone seems to be getting it wrong, we have seen much positive feedback about the Airbnb layoff announcements of 25% of their staff in 2020 and Stripe's announcement of 14% in 2022. Both companies set a baseline for communication when done at scale and had many of the things we heard over and over in our research.

But what is so different about what they did vs the negative experiences on the market?

Their announcements and notices included:

- A clear and concise description of what is happening and how employees will know its impact.
- Context of the economic and business circumstances that led to the situation.
- Acceptance of responsibility - in length and detail.
- Reassurance to employees that the layoffs are not a result of any fault on their part.
- An outline of the supporting severance package.
- Continued care for the departing employees and reclassification as alumni.
- The promise of live, face-to-face conversations for those affected.
- Encouragement to remaining employees.
- The plan for moving forward.
- Specific logistics about notification.

After the Layoff

When considering and planning ethical layoffs, the "after" is one of the most important parts of the conversation.

In addition to the support and care for the workers, logistics and compliance issues need to be considered, just like when you are offboarding an employee for any other reason...plus the complexity of regulations and added benefits that go along with a layoff.

Post-layoff, providing the impacted worker with emotional and financial support is vital. There are several benefits that we see in place for those impacted. Few companies consider the "after" for those who remain, but should.

Companies that have spent a decade building their employer brand and employee experience need to recognize the long-term effects on their business and the people inside it.

Most employees live paycheck to paycheck, and it takes, on average, 5-6 months to find a new job.⁴

Offboarding Technology.

There are a lot of moving pieces to any employee exit.

With a large-scale reduction in force, there are many places small details can fall through, having a major impact. Like onboarding a new hire, offboarding technology ensures everything is managed and provides documentation and e-signatures as needed.

Companies can often leverage onboarding software to ensure consistent and compliant exit processes with limited modification.

This can be used to manage the distribution and signing of severance agreements, have a FAQ section they can easily access as needed, provide links and details on all of the other services available and even have a place to connect with support resources. For internal teams, this can be utilized to ensure exit interviews are completed; benefits are started/ended as appropriate, security and IT deactivations are tracked and logged, and any other steps of the process are managed in a clear, consistent way.

The goal is to ensure the offboarding experience ends as smoothly as it began for the employees leaving and the transition is as seamless as possible for the employees staying.

Not only does a well-designed offboarding program have a business driver, but it can also result in a positive experience for those that leave - 40% of employees say they would consider returning to their previous employer.⁵

One company we talked to had no central system to manage the offboarding of all their impacted workers. They later (6 months) realized a number of employees never had their security badges deactivated or their systems (including client financial data) turned off.

Career Transition Support (Outplacement)

Finding a new job is hard when it's your choice, so being forced to find a new job after a layoff while dealing with the emotions and fear, can be overwhelming. This is especially true for long-term employees who haven't been on the job market for several years.

By offering Outplacement, you can support these employees as they prepare for re-employment. You often find some level of career coaching and support around skills assessments and even training for a new role. Some provide your workers and an entire team with specialist-level support in areas like resume design, interview prep, social media networking, and even negotiation. The programs can be done remotely and include consumer-grade technology for the worker to access.

On average, impacted workers using outplacement services find a new role 60% faster than those that don't, creating cost savings on unemployment drawdowns, according to Randstad-RiseSmart research.

Case in Point: Outplacement

When a global organization was needing to do a large scale RIF, they were looking to offer workers not just a new resume, but support that actually give them skills and coaching as they looked for a new role.

After looking at a number of options, they partnered with RiseSmart to offer individualized services, but also give the option of technology for those that didn't need as much 1:1 support. Each employee was paired with a career coach that helped them plan their next steps and offered a career concierge with technology to support skills testing and curate a list of potential roles that were adjacent to the employee's original role.

The executive team received ongoing analytics on the effectiveness and participant satisfaction, both of which improved dramatically over their previous efforts. As a result they saw displaced workers feel cared for, potential litigation claims minimized and a reduction in unemployment costs.

Financial & Emotional Support.

The laid-off employees have lost their livelihood, impacting them emotionally and financially and the sense of community that comes with their workplace.

Fair Severance Programs

With the large increase in the number of workers that have shifted jobs over the last few years, the traditional severance model is no longer the baseline. Today, most of the layoffs we are seeing start at 6-8 weeks (12-16 for management and go up from there), plus additional 1-2 weeks for every year employed. For employees with vesting coming or existing RSUs that were part of comp, most are doing some sort of accelerated vesting schedule or partial vest.

Benefits Continuation

For most workers, benefits will become one of the biggest challenges of losing their job, and for those with mental or physical limitations, this can be catastrophic. Yes, COBRA is an option, but for many - the cost of cobra is as much as their paycheck. Many companies are offering benefit continuation for a set period of time, paying a portion of the cobra costs to support those who would otherwise go-without key health insurance coverage.

Mental Wellness Support

Outside of benefits and medical continuation, some organizations are providing access to mental health counselors (not EAP) as well as other wellness and meditation/stress apps. This allows the employees to process and deal with this, and along with outplacement services, be ready to take a new role as soon as possible.

References, Recommendations

Provide references and recommendations for those that were impacted. Ask existing employees to use their social networks - LinkedIn, Twitter, Etc to support those and help them find new roles. Several companies are keeping a list of impacted workers (who choose to be included) for recruiters and other companies that are hiring. One company we spoke with has contacted all their vendors and partners to try and identify roles.

Conclusion

While significant investments are made to improve it every year, the true measure of employee experience is how former employees talk about the company once they are no longer bound to it. This is especially true with layoffs.

Not all of the impacted workers we spoke with, or the ones remaining, were negative about the company or even the fact they were laid off. They were more disappointed they didn't get to work with the teams and people they had spent so much time with. In many cases, they said they would return if offered.

What was the difference between that group and others (which was very clear how angry they were)?
The way that employee was treated long before the layoffs happened.

One group reported feeling heard, valued, and appreciated and that nothing was hidden. Those that were angry typically said they felt the organizations were cliquey, didn't care about the employees, had leadership that didn't listen, and was secretive. Neither is about the layoff, but how their perspective of the business was as an employee.

Layoffs are a difficult and emotional experience for everyone involved. While they may be necessary in some cases, companies need to handle them ethically, with care and consideration for the well-being of their employees. Companies must stop burying their head in the sand of secrecy when the business is in trouble. Communicate and educate employees on the company's situation and give them as much warning as possible when layoffs are coming. Try to help them find other roles in your company and give them the option to decide what is best for them.

These efforts include multiple steps long before the layoffs, during, and how you support the worker after they have been displaced.

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WORQDRIVE is a talent mobility and workforce redeployment tool that matches current employees to open jobs internally based on their skills and aspirations serves up relevant learning and development based on the employee's growth goals and allows them to apply for internal jobs with one click. WORQDRIVE also allows recruiters to source internal talent based on their skills, reducing bias and bringing equity in.

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Footnotes

1. <https://www.businessinsider.com/how-many-jobs-lost-next-year-layoffs-recession-outlook-bofa-2022-10>
2. <https://www.cnbc.com/2022/10/24/more-americans-live-paycheck-to-paycheck-as-inflation-outpaces-income.html>
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