



# **Employment Separation Resource Guide**



Career Experts Group  
[www.careerexpertsgroup.com](http://www.careerexpertsgroup.com)  
[info@careerexpertsgroup.com](mailto:info@careerexpertsgroup.com)

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# Introduction

## Taking Charge: Your Employment Separation Resource Guide

Are you facing an employment separation? Whether it's planned or unexpected, navigating your next move can feel overwhelming. This comprehensive resource guide is here to empower you throughout the process.

Within these pages, you'll find a roadmap designed to support you every step of the way. We'll guide you through:

- **Planning:** Understanding your financial situation, benefits, and legal rights.
- **Branding:** Cultivating a strong personal brand and crafting compelling job search materials.
- **Landing:** Developing a targeted job search strategy, acing interviews, and negotiating the offer you deserve.

We'll also address your emotional well-being and offer tips for building a supportive network. Our goal is to equip you with the knowledge, resources, and confidence needed to land your dream job.

This guide is for you if:

- You've been laid off or terminated.
- You've voluntarily left your job.
- You're considering a career change.
- You're re-entering the workforce after a break.

No matter the reason for your separation, we're here to help you chart a successful course forward.

"Don't be afraid to  
give up the good  
to go for the  
great."

- JOHN D. ROCKEFELLER

## Section 1: PLAN

### Assessing Your Financial Situation

#### NAVIGATING YOUR FINANCIAL PREPAREDNESS: TAKE INVENTORY BEFORE A LAYOFF OR JOB DEPARTURE

Whether you're contemplating a career change or bracing for potential downsizing, taking stock of your financial health is crucial. A clear understanding of your financial runway – how long you can last without a steady paycheck – empowers informed decisions about your next move. The following pages equip you with the tools to conduct a thorough financial assessment before a layoff or job transition.

#### STEP 1: CREATE A DETAILED INVENTORY OF YOUR FINANCIAL RESOURCES

- **Savings**
  - **Emergency Fund:** List the total amount saved in your Emergency Fund. Ideally, this fund should cover 3-6 months of living expenses.
  - **Bank Accounts:** Summarize the balances in your checking and savings accounts.
- **Investments**
  - **Retirement Accounts (401(k), IRA, etc.):** Note the current value of these accounts. Consider the implications of early withdrawals or loans against these accounts, including penalties and tax implications.
  - **Stocks, Bonds, and Other Investments:** Document the current market value of any additional investments.
- **Other Financial Resources**
  - **Real Estate or Property:** If you own property, estimate its current market value. Consider rental income or the potential sale of the property as part of your financial strategy.
  - **Life Insurance:** Check to see if you have any cash value in life insurance policies that can be accessed in times of need.



## Section 1: PLAN

### Assessing Your Financial Situation, Continued

#### STEP 2: OUTLINE YOUR DEBTS AND LIABILITIES

- **Fixed Expenses:**

- **Mortgage and Rent:** List your monthly mortgage or rent payment, including any property taxes or homeowners' association fees.
- **Auto Loans:** Detail the remaining balance and monthly payments.
- **Personal Loans:** Include any personal loans, home equity loans, or lines of credit.
- **Student Loan Payments:** Include all student loan payments, both government and private.
- **Insurance:** Include health, life, disability, auto, homeowners, and renters' insurance premiums.
- **Miscellaneous:** Alimony, child support, legal judgments, and liens.
- **Retirement:** 401(k) loans.
- **Taxes: Quarterly taxes,** if applicable.



- **Variable Expenses:**

- **Credit Cards:** For each credit card, list the total balance owed and the minimum monthly payment.
- **Home Maintenance/Repairs:** Expected or recurring maintenance and repair costs.
- **Utilities:** Summarize monthly costs for electricity, gas, water, internet, and phone services.
- **Groceries and Dining:** Estimate your monthly spending on food, both groceries and dining out.
- **Transportation:** Consider gas, public transit costs, and routine maintenance for vehicles.
- **Healthcare:** Estimate monthly out-of-pocket expenses for medications, doctor visits, and other health-related costs.
- **Personal and Discretionary:** Account for monthly expenses on entertainment, subscriptions, personal care, and any miscellaneous expenses.



## Section 1: PLAN

### Assessing Your Financial Situation, Continued

#### STEP 3: ANALYZE YOUR FINANCIAL RUNWAY

Based on the inventory of your resources and monthly expenses, calculate how long you can sustain yourself without a steady income. This financial runway is critical in determining the urgency for securing new employment.

- **Burn Rate Calculation:** Subtract your total monthly expenses from your liquid assets (savings and easily accessible investment funds). This calculation will give you an estimate of how many months you can support yourself.
- **Contingency Plans:** Consider what expenses can be reduced or eliminated if your period without employment extends beyond initial projections.



#### STEP 4: SET GOALS AND PLAN AHEAD

With a clear understanding of your financial situation, set realistic goals for your job search or next career move. Consider the following:

- **Immediate Employment Needs:** Based on your financial runway, determine if finding immediate employment is necessary or if you have the flexibility to explore different opportunities.
- **Skill Development:** If you have a longer runway, consider investing time in skill development or certifications that could enhance your employability.
- **Networking:** Start networking immediately, regardless of your financial situation. Connections can lead to unexpected opportunities.

**Assessing your financial situation before a layoff or voluntarily leaving your position is crucial in navigating the uncertainties of unemployment. By understanding your financial runway, you can make informed decisions about your next steps, manage stress, and plan strategically for your future.**

## Section 1: PLAN

### Assessing Your Financial Situation, Continued

#### STEP 5: SEEK ASSISTANCE AND TRY TO NEGOTIATE PAYMENT REDUCTIONS OR DEFERRALS

According to [Investopedia](#), if you're facing financial hardship and struggling to make ends meet, there are resources available to help. Here are some steps you can take to get assistance and potentially negotiate reductions or deferrals on your bills.

- **Prioritize your bills.** Focus on keeping a roof over your head and ensuring that essential utilities stay connected.
- **Gather your documents.** When contacting creditors or applying for assistance programs, be prepared to provide documentation of your financial hardship, such as pay stubs, bank statements, or a termination letter if you've recently lost your job.
- **Explore government assistance programs.** You may qualify for government assistance programs, such as:
  - Supplemental Nutrition Assistance Program (SNAP) for food assistance.
  - Rental assistance programs offered by some states.
  - Forbearance for federally backed mortgages, allowing you to postpone payments.
  - Homeowner's Assistance Fund programs offered by some states to help homeowners struggling to make mortgage payments.
  - Income-driven repayment (IDR) plan for federal student loans, which may reduce or eliminate your monthly payment based on your income.
- **Contact your creditors directly.** This applies to mortgages, rent, utilities, internet, cell phones, student loans, car loans, and credit cards. Explain your situation and ask about their hardship programs or options for delaying payments. Many lenders and service providers have programs in place to assist customers facing financial difficulties.
  - Speak with your mortgage lender immediately. Inform them of your job loss and ask about assistance options such as a mortgage forbearance or loan modification.
  - Negotiate with your landlord. If you're struggling to pay rent, be proactive and communicate with your landlord as soon as possible. They might be willing to work out a payment plan or delay eviction.
  - Explore options with your utility providers, internet company, and cell phone carrier. Many companies offer special payment plans or assistance programs to help customers who are struggling to pay their bills.
  - For car loans and leases, contact your lender or leasing company and inquire about their hardship programs. Many lenders may offer temporary deferrals or extensions on your payments.
  - While maintaining car insurance is crucial, some insurers might allow you to temporarily delay premium payments without canceling your coverage. Explore options with your provider and inquire about potential payment plans or discounts. However, be cautious about letting your insurance lapse, as this can lead to higher rates or even cancellation of your policy.

## Section 1: PLAN

### Assessing Your Financial Situation, Continued

#### TOOLS TO HELP YOU ASSESS YOUR FINANCES

There are a variety of free tools available online that can assist individuals in assessing their finances before a layoff or making a career transition. Tools like the ones listed below can help you organize your financial information, calculate your expenses, and plan your budget effectively.

##### 1. Mint (Intuit):

- **Website:** [mint.com](https://mint.com)
- **Description:** Mint is a comprehensive budgeting app that allows you to track your expenses, categorize them, and see where you can cut back. It can link to your bank accounts, credit cards, and investment accounts, providing a holistic view of your financial situation.

##### 2. Personal Capital:

- **Website:** [personalcapital.com](https://personalcapital.com)
- **Description:** Personal Capital is geared more to investments, but it also offers tools for tracking spending and budgeting. Its dashboard provides an overview of your net worth, investments, and monthly spending.

##### 3. YNAB (You Need A Budget):

- **Website:** [ynab.com](https://ynab.com)
- **Description:** YNAB offers both free and paid options, focusing on “giving every dollar a job.” While its main service is subscription-based, it provides free educational resources and workshops that can help with budgeting strategies.

##### 4. PocketGuard:

- **Website:** [pocketguard.com](https://pocketguard.com)
- **Description:** PocketGuard helps you track your spending, create a budget, and lower your bills. It connects to your bank accounts to help you see where your money is going and identifies opportunities for spending less.

##### 5. Credit Karma:

- **Website:** [creditkarma.com](https://creditkarma.com)
- **Description:** Primarily known for offering free credit scores and reports, Credit Karma also provides insights into how to improve your financial situation and offers tools for budgeting and debt repayment.

##### 6. SmartAsset:

- **Website:** [smartasset.com](https://smartasset.com)
- **Description:** SmartAsset offers a variety of free financial calculators, including a paycheck calculator, a retirement calculator, and tools for comparing the cost of living between cities. These can be especially useful for planning a job change or relocation.

When using these tools, it's important to be cautious about security. Ensure you are comfortable with the privacy policies and the security measures they have in place to protect your financial information.



## Section 1: PLAN

# Separation Agreement / Severance Agreement Essentials

### NAVIGATING SEPARATION AGREEMENTS VS. SEVERANCE AGREEMENTS

When navigating the end of an employment relationship, it's crucial to understand the legal documents that may be involved, particularly separation agreements and severance agreements. Although these terms are sometimes used interchangeably, they have distinct purposes and contents. Understanding the differences and how these agreements interact is essential for both employers and employees.

#### WHAT IS A SEPARATION AGREEMENT?

A separation agreement is a comprehensive document that outlines the terms of an employee's departure from a company. It covers a broad range of terms including, but not limited to: severance pay, benefits continuation, return of company property, confidentiality obligations, and release of claims against the employer. Essentially, a separation agreement is designed to ensure a clear and mutual understanding of the end of the employment relationship and to minimize potential legal disputes.

#### Key Components:

- **Effective Date of Termination:** The exact date on which employment ends.
- **Severance Pay Details:** If applicable, specifics about any severance pay, including the amount and payment schedule.
- **Benefits:** Information on the continuation or termination of employee benefits.
- **Return of Company Property:** A list of company property that must be returned by the employee.
- **Confidentiality:** Conditions pertaining to the non-disclosure of company information.
- **Non-Disparagement:** Agreements to refrain from making negative statements about one another.
- **Release of Claims:** The employee's agreement not to sue the employer post-termination.
- **Non-Competition and Non-Solicitation:** Restrictions on the employee's future employment to protect the company's interests.
- **Dispute Resolution:** Preferred methods for resolving any disputes that arise from the agreement.
- **Other Specific Terms:** Any additional terms relevant to the specific circumstances of the separation.

## Section 1: PLAN

# Separation Agreement / Severance Agreement Essentials Continued

### WHAT IS A SEVERANCE AGREEMENT?

A severance agreement, on the other hand, is specifically focused on the financial compensation (severance pay) and benefits that an employee will receive upon leaving the company. While it may touch on aspects like the return of company property or confidentiality, its primary purpose is to detail the severance package in exchange for certain concessions from the employee, such as a release of claims.

#### Key Components:

- **Severance Pay:** The amount of money paid to the employee, often calculated based on years of service.
- **Benefits Continuation:** Details regarding how long benefits such as health insurance will continue after termination.
- **Eligibility:** Criteria that define who is eligible for severance pay, which may depend on the nature of the termination (e.g., voluntary vs. involuntary).
- **Conditions:** Any conditions attached to the receipt of severance pay, such as signing a non-disclosure agreement.

### DIFFERENCES BETWEEN THE AGREEMENTS AND WAYS THEY COMPLEMENT EACH OTHER

- **Scope:**
  - The separation agreement is broad with the aim to provide a clear, comprehensive framework for the termination process, covering legal protections, responsibilities, and various non-monetary terms.
  - The severance agreement is typically focused on financial aspects of the departure.
- **Usage:**
  - Separation agreements are used to ensure a clean break, with clear expectations and protections for both parties.
  - Severance agreements may be used as a tool for negotiation, to incentivize the employee to agree to certain terms upon departure, such as non-compete clauses.

"Difficulties in your life  
are intended to make  
you, not break you."

- ROY T. BENNETT

## Section 1: PLAN

# Separation Agreement / Severance Agreement Essentials Continued

### KNOW YOUR RIGHTS

When navigating employment termination, understanding your rights is paramount. This knowledge empowers you to make informed decisions, negotiate effectively, and ensure fair treatment. Both employers and employees should be aware of legal rights, common practices, and potential red flags in the context of separation and severance agreements.

#### Key Rights and Considerations:

- **Right to Review and Negotiate:** Employees have the right to review any proposed separation or severance agreement and to negotiate its terms. This includes the right to seek legal counsel before signing. Employers should provide a reasonable period for the employee to review the agreement, typically at least 21 days for severance agreements involving group layoffs and 7 days to revoke the agreement after signing.
- **Understanding of All Terms:** Clarity on all terms within the agreement is a right. If any part of the agreement is unclear, seek clarification. This includes understanding non-compete, non-solicitation, and confidentiality clauses and how they impact future employment opportunities.
- **Legal Protection Against Discrimination:** Both federal and state laws protect employees from discrimination in severance and separation situations. Agreements cannot waive certain rights, such as the right to file a charge with the Equal Employment Opportunity Commission (EEOC) or to participate in an investigation.
- **Right to Fair Compensation:** Severance pay should be fair and reflect the employee's tenure, position, and circumstances of the separation. While not mandated by federal law (unless stipulated in a contract or employer policy), severance pay is a common practice and can be negotiated.
- **Protection Against Coercion:** Signing a separation or severance agreement should be voluntary. Coercion, undue pressure, or misleading information can invalidate an agreement.
- **Access to Unemployment Benefits:** It is crucial to understand how accepting a severance package affects eligibility for unemployment benefits. Regulations vary by state, but generally, severance pay does not disqualify someone from receiving unemployment benefits, though it may impact the timing of benefits. Refer to the [Unemployment section](#) of this guide for more information on the interaction between severance payments and unemployment.

## Section 1: PLAN

### Separation Agreement / Severance Agreement Essentials Continued

#### ACTION ITEMS FOR ENSURING YOUR RIGHTS:

- **Seek Legal Advice:** Before signing any agreement, consult with an attorney specializing in employment law. This is crucial for understanding your rights and obligations and for identifying any potentially unfair or illegal terms.
- **Negotiate Terms:** Do not hesitate to negotiate the terms of your separation or severance. This includes severance pay, benefits continuation, and the scope of any restrictive covenants.
- **Understand Non-Compete and Non-Solicitation Clauses:** Be clear on how these clauses work and their duration. Make sure that they don't unreasonably limit your future employment opportunities.
- **Review Tax Implications:** Understand the tax implications of your severance pay and any other compensation included in the agreement. This may affect your financial planning.
- **Clarify the Impact on Future Claims:** Be aware that signing a release of claims may prevent you from pursuing legal action on certain matters. However, some rights, such as filing a claim with the EEOC, cannot be waived.

This document is designed to provide a general overview of the essential components of separation agreements and severance agreements. Both employers and employees are encouraged to consult with legal professionals to ensure their rights are protected and obligations are clearly understood before finalizing such agreements.



## Section 1: PLAN

### Unemployment Benefits 101

#### NAVIGATING UNEMPLOYMENT BENEFITS: WHAT TO KNOW

Unemployment insurance benefits (UI) are intended to provide temporary financial assistance to those who meet the requirements of their state law. Each state operates its own unemployment insurance program. To learn how to file unemployment in the state where you worked, check out this great tool at [CareerOneStop](#).

#### GENERAL ELIGIBILITY GUIDELINES:

1. You must be unemployed through no fault of your own.
2. You must meet work and wage requirements.
3. Unemployment benefits are usually based on a percentage of your earnings over a recent period.
4. Self-employment and contract work are not generally covered under unemployment.
5. Benefits are paid out weekly for a determined amount and number of weeks, depending on state rules.

#### IMPACT OF SEVERANCE PAYMENTS ON UNEMPLOYMENT ELIGIBILITY AND/OR TIMING:

You may be entitled to unemployment benefits even if you're receiving severance pay. The specific rules vary from state to state. Some states do not consider severance as income, which means it doesn't impact unemployment benefits.

Severance can be paid as a lump sum or in installments. Refer to the [Separation Agreement / Severance Agreement](#) section in this guide for more information on severance payments.

**State regulations:** The impact of severance pay on unemployment benefits depends on the specific laws and regulations in each state. Some states treat severance pay as regular wages, which can disqualify you from receiving unemployment benefits, while other states do not consider severance pay as income for unemployment purposes.

**Type of severance payment:** Severance payments made as a lump sum are less likely to affect unemployment eligibility compared to severance paid as salary continuation or in lieu of notice, which may delay or reduce the benefits you receive.

Severance pay does not automatically make you ineligible for unemployment benefits. It may delay when you can begin receiving unemployment benefits or count as an offset against the unemployment benefits you receive, depending on your state's laws and the specific details of your severance package. Before signing a severance agreement, you will want to check your state laws as you decide how to collect your severance.



## Section 1: PLAN

### Unemployment Benefits 101 Continued

#### **FILING A CLAIM/ CONTINUING CLAIMS:**

- If you worked and lived in the same state, file a claim with that state's instructions. Filing online is presently the most common filing method.
- If you worked in different states, file a claim in the last state that you worked. States have procedures for coordinating with each other.
- Expect a span of 2-3 weeks before receiving your first unemployment check.
- Applying for suitable employment opportunities is usually a requirement to continue receiving checks. ("Suitable" is defined by the state.)
- Engaging in approved educational and training programs may satisfy the job search requirement.
- If you are denied unemployment and feel that you qualify, you have the right to appeal that denial. With an appeal, there is often a hearing where both you and the employer will present evidence as to why you do or do not deserve unemployment compensation. Each state has its own rules.

#### **IMPACT OF MISSING UNEMPLOYMENT INSURANCE FILING DEADLINES:**

Failing to file for unemployment insurance benefits within the required timeframe can have several significant consequences:

##### **Ineligibility for Benefits:**

- Most states require you to file your initial unemployment claim within a certain period, often 1-4 weeks, after becoming unemployed.
- Missing this deadline can make you ineligible for benefits entirely, even if you would have otherwise qualified.

##### **Reduced Benefit Amounts:**

- Even if you are still able to file your claim after the initial deadline, your benefit amount may be reduced as a penalty for the late filing.
- This can mean receiving hundreds or even thousands of dollars less in much-needed unemployment assistance.

##### **Delayed Payments:**

- Late filings often result in significant delays before you start receiving your unemployment checks or direct deposits.
- These delays can last for weeks or even months, leaving you without crucial income to cover bills and living expenses.

## Section 1: PLAN

### Unemployment Benefits 101 Continued

#### **WEEKLY PAYMENTS/TAXABLE:**

The weekly payment amount is determined by state rules, by your previous wages, and by the length of time you worked. There may be a waiting week or two, which means there is no payment during time.

Unemployment benefits are taxable as income on your federal income tax return. You may be able to have funds withdrawn from your unemployment check to cover those taxes. At the end of the year, you will receive a 1099-G statement to be filed with your taxes.

Some states also consider unemployment compensation as taxable income, while others do not.

#### **PART-TIME WORK AND UNEMPLOYMENT:**

1. In most states, you may still be eligible for partial unemployment benefits if you are earning income from part-time, contract, or self-employment work.
2. When you file your weekly claim, you will report the gross amount earned. In many states there is an amount that you can earn before that additional income counts against your weekly benefit.
3. If you work part-time, it may extend the number of weeks you are eligible for benefits.

#### **UNEMPLOYMENT AND SOCIAL SECURITY BENEFITS:**

1. Most states do not count Social Security benefits income against your unemployment benefits.
2. Social Security does not consider unemployment insurance as income, so it does not decrease your Social Security benefits. Unemployment does not count as earnings toward your Social Security benefits.

Every state has different laws regarding unemployment and consequently different rules and regulations. If you are having a challenge getting the answers you need from your state employment agency, you may want to contact your state senator and/or representative, attorney general's office, or local career center for assistance.

"You are never too old to set  
another goal or to dream a  
new dream."

- C.S. LEWIS

## Section 1: PLAN

### Understanding Your Employee Benefits

#### NAVIGATING POST-EMPLOYMENT BENEFITS: A COMPREHENSIVE GUIDE

When your employment ends, either voluntarily or involuntarily, navigating the maze of benefits continuation can be daunting. This guide aims to provide a comprehensive overview of what happens to your benefits after employment ends, including critical deadlines and options available to you.

#### COBRA: MEDICAL, DENTAL, VISION

- **End of Benefits:** Your employer-sponsored health insurance (medical, dental, and vision) typically ends on the last day of the month your employment terminates.
- **Options for Continuation:** Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), you have the option to continue your group health benefits for a limited period, usually up to 18 months.
- **Deadlines:** You have 60 days from the date of the COBRA notification, or the date your benefits would end (whichever is later), to elect COBRA continuation.
- **Action Steps:**
  - a. Review the COBRA notice carefully for details on how to elect continuation coverage.
  - b. Compare COBRA premiums with other health insurance options, like a spouse's plan or the [Health Insurance Marketplace](#).
  - c. Make your election within the 60-day period to avoid loss of coverage.

#### FLEXIBLE SPENDING ACCOUNT (FSA), HEALTH SAVINGS ACCOUNT (HSA), AND HEALTH REIMBURSEMENT ARRANGEMENT (HRA)

- **FSA:** You can spend your FSA balance until the end of the plan year in which your employment ends, provided you opt for COBRA continuation. Otherwise, you can only claim expenses incurred up to your last day of employment.
- **HSA:** Your HSA belongs to you, and you can continue to use the funds for qualified medical expenses regardless of your employment status.
- **HRA:** Continuation options for HRAs vary by employer. Check with your plan administrator for specific details.
- **Action Steps:**
  - a. Check your balances and plan details.
  - b. For FSA, spend down your balance before employment ends or elect COBRA, if necessary, to extend the spending period.
  - c. Continue using your HSA as needed for medical expenses.
  - d. Contact your plan administrator for HRA specifics.

# Section 1: PLAN

## Understanding Your Employee Benefits Continued

### LIFE INSURANCE

- **End of Benefits:** Life insurance coverage usually ends upon employment termination.
- **Options for Continuation:** Many policies allow for conversion to an individual policy without the need for a medical exam, but you must act within a certain period – typically 30 days after employment ends.
- **Action Steps:**
  - a. Review your life insurance policy for conversion options.
  - b. Contact the insurance provider to initiate the conversion process within the specified timeframe.
  - c. Evaluate other life insurance options to ensure you're making the best choice for your needs.

### DISABILITY INSURANCE

- **End of Benefits:** Similar to life insurance, disability insurance coverage typically ends when your employment does.
- **Options for Continuation:** Individual policies might be available through the insurer, but terms and eligibility will vary.
- **Action Steps:**
  - a. Inquire about conversion options with your insurer or HR department.
  - b. Compare plans to find suitable coverage that meets your needs.

### VOLUNTARY BENEFITS (CRITICAL ILLNESS, PET INSURANCE, ETC.)

- **End of Benefits:** Voluntary benefits often end with employment, but specific terms can vary by policy.
- **Options for Continuation:** Some plans may offer conversion options or allow you to continue coverage directly through the provider.
- **Action Steps:**
  - a. Inquire about conversion options with your insurer or HR department.
  - b. Compare plans to find suitable coverage that meets your needs.

### BONUSES, PROFIT SHARING, AND VACATION/PTO (PAID TIME OFF)

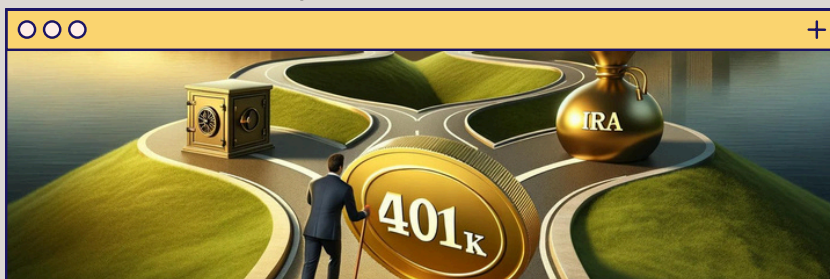
- **Bonuses and Profit Sharing:** Payment depends on company policy and the terms of any agreements you have.
- **Vacation/PTO:** State laws and company policies dictate if and how unused vacation time or PTO is paid out upon termination.
- **Action Steps**
  - a. Review employment agreements and company policies.
  - b. Speak with HR to clarify how termination affects these benefits.

# Section 1: PLAN

## Understanding Your Employee Benefits Continued

### 401(K) PLAN

- **End of Benefits:** Your contributions end with your final paycheck.
- **Options for Continuation:**
  - a. Less than \$1,000: The plan may distribute the balance to you as a lump sum, possibly subjecting you to taxes and penalties.
  - b. \$1,000 to \$5,000: The plan might roll over your funds into an IRA on your behalf, unless you instruct otherwise.
  - c. More than \$5,000: You usually have the option to leave the funds in the current plan. Alternatively, you can choose to roll them over to a new employer's 401(k) plan or into an individual retirement account (IRA).
- **Outstanding 401(k) Loan:** If you have an outstanding 401(k) loan when your employment ends, it's crucial to understand your options and the potential implications. Here's a breakdown:
  - a. **Immediate Repayment:** Upon termination of employment, many plans require the loan to be repaid in full by a specific deadline, often by the due date of your federal income tax return for the year in which your employment ends (including extensions). If you can't repay the loan by this deadline:
    - The outstanding balance is considered a distribution, subject to income tax.
    - If you are under 59½ years of age, you may also be subject to a 10% early withdrawal penalty unless you qualify for an exception.
  - b. **Rollover Options:** If you can't repay the loan immediately, you might have the option to rollover the deemed distribution amount into an IRA or another employer's 401(k) plan. This action must occur within 60 days after the distribution to avoid taxes and penalties. Note that this involves using other funds to replace the loan amount in the new retirement account because the actual loan cannot be transferred.
- **Action Steps:**
  - a. Determine your account balance to understand which options apply to you.
  - b. Evaluate your options by considering factors like fees, investment choices, and tax implications. If your account balance is below \$5,000, consider whether to roll over the funds to avoid automatic distribution or involuntary rollover.
  - c. Contact your plan administrator for specifics on how to execute your chosen option, especially if you wish to roll over your funds or leave them in the plan. Be aware of deadlines to prevent automatic distributions or rollovers.





## Section 1: PLAN

### Understanding Your Employee Benefits Continued

#### PENSION PLAN

- **End of Contributions:** Contributions stop upon employment termination.
- **Options for Continuation:** If you're vested, you'll be eligible for benefits at retirement age based on the plan's rules.
- **Action Steps:**
  - a. Understand your vesting status and benefit entitlement.
  - b. Consult with HR or your pension plan administrator for specific details on your benefits.

#### RESTRICTED STOCK OR STOCK OPTIONS

- **Eligibility and Options:** The treatment of restricted stock and stock options varies by company and specific plan rules. Typically, unvested shares are forfeited, while vested shares may need to be exercised within a specified period.
- **Action Steps:**
  - a. Review your grant agreement for specifics on termination clauses.
  - b. Consult with HR or a financial advisor to understand your options and deadlines.

#### RELOCATION EXPENSES, TUITION REIMBURSEMENT, AND STUDENT LOAN PROGRAMS

- **Relocation Expenses:** Some agreements require repayment of relocation expenses if employment ends within a certain period.
- **Tuition Reimbursement:** Repayment obligations vary; some employers require reimbursement if you leave within a specific time frame after receiving benefits.
- **Student Loan Programs:** Terms for continuation or repayment depend on the employer's policies and the specifics of the program.
- **Action Steps:**
  - a. Review any agreements you've entered into regarding these benefits.
  - b. Discuss with HR any repayment obligations or continuation options, as requirements may vary depending on whether you are laid off, terminated, or leave voluntarily.

Navigating the landscape of benefits continuation after employment ends can feel overwhelming, but armed with the right information and proactive steps, you can make informed decisions to protect your financial well-being and health coverage. Each benefit — from health insurance through COBRA, to retirement plans, life insurance, and beyond — has its own set of rules and deadlines.

By carefully reviewing your options, consulting with HR or plan administrators, and possibly seeking advice from financial professionals, you can develop a strategy that best suits your individual needs and circumstances. Remember, the decisions you make during this transition period can have long-term implications for your financial security and peace of mind, so take the time to understand your benefits and act promptly to secure your future.

# Section 1: PLAN

## Leveraging Outplacement Services

### NAVIGATING CAREER TRANSITIONS: THE POWER OF OUTPLACEMENT

Outplacement services are support services offered by employers, to help their departing workers transition to new jobs or careers following a layoff. **There is no cost to the employee receiving these services.**

Outplacement services have become essential in today's rapidly changing workforce which is impacted by frequent layoffs, organizational restructuring, mergers, and acquisitions. According to an article by [Turbo Transitions](#), 55% of organizations provide outplacement services to at least some employees following layoffs.

Outplacement services help individuals find new employment opportunities and maintain the employer's brand reputation by demonstrating a commitment to employee welfare even in difficult times.

#### KEY DIFFERENCES BETWEEN OUTPLACEMENT AND OTHER JOB SEARCH SERVICES:

- **Target Audience:** Outplacement services: Assist soon-to-be or recently laid-off or transitioning employees. Unemployment services: Focus on unemployed individuals, some of whom also face various barriers to employment. Job placement services: Support both active and passive job seekers.
- **Sponsorship and Cost:** Outplacement services: Usually paid for by the employer as part of a severance package. Unemployment services: Funded by government taxes, so there's no cost to the individual. Job placement services: Can be free (e.g., government employment websites) or charge fees (e.g., some recruiting agencies).
- **Objective and Scope:** Outplacement services: Focus on a smooth career transition with support services such as resume writing, interview preparation, career counseling, job search strategy, extended family support, and emotional support. Unemployment services: Focus on financial aid and may offer limited job search assistance. Job placement services: The specific services vary depending on the agency or platform. They may help with resume writing, interview preparation, or connecting you with relevant job openings.



## Leveraging Outplacement Services Continued

**TYPES OF OUTPLACEMENT SERVICES**

Outplacement services are tiered to cater to various levels of need, from basic job search assistance to comprehensive, executive-level support. The tiers typically differ regarding the depth of services provided, duration, and customization opportunity. Here's a broad overview of the standard tiers of outplacement service:

**Entry-Level Services**

- **Target Audience:** Employees in entry-level positions or with a short tenure in their roles.
- **Services Included:** Basic resume and cover letter writing assistance, job search strategies, and interview preparation tips. These services are often delivered through online platforms with limited one-on-one counseling.
- **Duration:** Short-term, often from a few weeks to a few months.

**Professional or Mid-Level Services**

- **Target Audience:** Mid-level professionals with several years of experience or working in specialized roles.
- **Services Included:** This tier includes personalized career coaching, advanced resume and cover letter optimization, interview coaching, access to job search tools and technologies, and sometimes networking strategies. Personalized job matching and introductions to potential employers may also be included.
- **Duration:** Medium-term, often three to six months, with some flexibility based on individual needs.

**Executive Services**

- **Target Audience:** High-level executives or individuals with significant experience in leadership roles.
- **Services Included:** Highly personalized services that include all offerings in the Professional Services tier, plus additional support such as personal branding, executive coaching, access to exclusive job markets, strategic networking assistance, and sometimes board placement services. These services are highly tailored to the individual's career goals and often involve strategic advice on navigating the market as a leader.
- **Duration:** Long-term, often six months to a year or more, reflecting executive job search complexity and higher stakes.

"Don't be afraid to  
ask for help."

- PROVERB

## Leveraging Outplacement Services Continued

### TYPES OF OUTPLACEMENT SERVICES (Continued)

#### Specialty Services

- **Target Audience:** Individuals in highly specialized fields or those with unique career transition needs such as technical professionals, executive and C-Suite leaders, career changers, creative professionals, and those navigating second act careers (post-retirement).
- **Services Included:** This tier is tailored to the specific requirements of the individual, which could include industry-specific job search strategies, access to niche job boards, specialized personal branding, and networking in a particular sector. It may also cover transition services for retiring athletes, military-to-civilian transitions, and more.
- **Duration:** Varied, depending on the individual's circumstances and the market for their specific skills.

#### Additional Considerations:

- **Group Workshops and Seminars:** Some outplacement firms offer workshops and seminars as part of their service tiers or as additional offerings. Others create a "pop-up" career center at the organization to support employees before the layoff. Services can include job search strategies, social media for job searching, and career transition planning.
- **Online Resources:** Many firms provide access to extensive online resources that complement their personalized services, including video tutorials, webinars, and downloadable guides.
- **Flexibility and Customization:** While services are tiered, many outplacement firms offer flexibility and customization within each level to best meet the needs of the individual or sponsoring organization.

### BENEFITS OF OUTPLACEMENT SERVICES

Outplacement services benefit both the employer and the employees. For employees, they provide a pathway to new opportunities, aiding both in practical job search strategies and emotional support through challenging times. For employers, they can improve their reputation and reduce their unemployment costs by helping employees find a new job faster.

- **Faster Transition to New Employment:** With professional support in resume writing, interview preparation, and job searching, employees can find new opportunities faster, reducing the period of unemployment. Employees who use outplacement services find new jobs 20% faster than those who don't.
- **Professional Development:** Employees receive valuable feedback and coaching, aiding their professional development. This can help them identify potential career paths and improve their employability.
- **Emotional Support:** Losing a job can be a stressful and emotional experience. Outplacement services often include counseling, which can help individuals and their family members cope with the emotional aspects of job loss, making the transition smoother.

## Section 1: PLAN

### Leveraging Outplacement Services Continued

#### REASONS WHY EMPLOYEES MAY NOT TAKE ADVANTAGE OF OUTPLACEMENT SERVICES

There are many reasons why employees may not take advantage of outplacement services. Employers and outplacement representatives must address these factors to encourage greater utilization of these beneficial services and to support their employees during the transition.

- **Lack of Awareness or Understanding:** Employees may not be fully aware of the outplacement services available to them, or may not understand the benefits these services can provide. Employees may think they must pay to access the services.
- **Negative Emotions and Mindset:** Being laid off can be a highly stressful and emotional experience. Employees may feel anger, resentment, or a lack of motivation, making them less inclined to utilize the outplacement support.
- **Perceived Stigma:** Some employees may view accepting outplacement services as a sign of weakness or failure and may be hesitant to take advantage of them due to the perceived stigma.
- **Time Constraints:** Employees who have been laid off may feel pressed for time and prioritize immediate job searching over taking the time to utilize outplacement services.
- **Preference for Independent Job Search:** Some employees may prefer to conduct their job search independently, without the guidance of outplacement providers, believing they can be more effective on their own.
- **Lack of Personalization:** Employees may be less inclined to engage with the outplacement services if they are not tailored to the individual's needs and preferences.
- **Competing Priorities:** Employees laid off may have other pressing concerns, such as financial obligations or family responsibilities, that take precedence over utilizing outplacement services.

#### UNDERSTANDING THE OUTPLACEMENT PROCESS

Understanding the outplacement process and its comprehensive support can empower individuals to navigate this challenging time with confidence and strategy, ultimately leading to successful new beginnings in their professional lives.

##### Initial Consultation and Needs Assessment

The first step in the outplacement process is an initial consultation and needs assessment. During this phase, outplacement counselors work with the individual to understand their career goals, strengths, and areas for development.



## Section 1: PLAN

### Leveraging Outplacement Services Continued

#### UNDERSTANDING THE OUTPLACEMENT PROCESS (Continued)

##### Career Coaching

Career coaching is at the heart of outplacement services. It helps individuals explore their career options, set realistic goals, and develop a plan to achieve them. This covers various topics, from career exploration and decision-making, to overcoming obstacles and staying motivated throughout the job search process.

##### Resume and Cover Letter Development

A compelling resume and cover letter are critical tools in the job search process. Outplacement services include professional assistance in developing these documents, ensuring they effectively showcase the individual's skills, experience, and achievements.

##### Interview Preparation

Preparing for job interviews is another key component of outplacement services. Individuals can receive coaching on interview techniques, including effectively communicating their strengths and articulating their fit for the role.

##### Job Search Strategy

Developing an effective job search strategy is essential for navigating the job market efficiently. Outplacement services help individuals identify the most effective job search channels, including online job boards, industry-specific websites, and recruitment agencies. They also guide in organizing the job search process, tracking applications, and following up with potential employers.

##### Networking Strategies

Networking can significantly enhance job search efforts. Outplacement services offer advice on building and leveraging professional connections, including identifying networking opportunities, effectively using professional associations, and engaging with peers and industry leaders. This can also cover strategies for informational interviewing and building relationships in the individual's target industry.

##### Social Media and Personal Branding

A strong online presence can be a significant advantage in today's job market. Outplacement services often include guidance on social media platforms such as LinkedIn and industry-specific online communities to enhance visibility and establish a professional brand. This can involve strategies for optimizing social media profiles, sharing relevant content, and engaging with other professionals online.

## Section 1: PLAN

### Leveraging Outplacement Services Continued

#### UNDERSTANDING THE OUTPLACEMENT PROCESS (Continued)

##### Career Workshops and Webinars

Many outplacement firms offer workshops and webinars as part of their services. These can cover various topics, from resume writing and interview skills to industry-specific trends and career planning. Workshops and webinars provide valuable opportunities for learning and development, allowing individuals to gain new skills and insights that can aid their job search and career growth.

#### BEST PRACTICES IN OUTPLACEMENT SERVICE UTILIZATION

Leveraging outplacement services can significantly ease the transition for employees facing job loss and help them to find new opportunities more quickly and successfully. Here are some best practices for individuals to make the most of outplacement services:

- **Engage Proactively:** Take an active role in the outplacement process. Engaging with the services offered, attending workshops, and fully utilizing available resources can significantly enhance your job search.
- **Openness to Change:** Be open to exploring new industries, roles, or career paths.
- **Utilize Career Coaching:** Take full advantage of career coaching sessions. Coaches can offer valuable perspectives on your career direction, help you navigate challenges, and work with you to develop strategies for your job search and interviews.
- **Network Actively:** Use the networking strategies and opportunities provided by outplacement services. Expanding your professional network is crucial for uncovering job opportunities.
- **Develop Skills:** Enroll in offered training or professional development opportunities to enhance or learn new skills. This can make you more attractive to potential employers and open new career possibilities.
- **Embrace Technology:** Utilize the technology and social media tools provided to optimize your job search. These tools can help you identify opportunities, connect with employers, and enhance your personal brand.
- **Prioritize Well-being:** If offered, take advantage of emotional support and mental health services. Managing stress and maintaining a positive outlook are essential for a successful transition.

#### OUTPLACEMENT FAQs

##### Q: Will outplacement services find me a job?

A: While outplacement services provide tools, resources, and guidance to improve your job search significantly, they do not guarantee job placement. However, they can substantially increase your chances of finding a new position that fits your skills and career goals.

## Section 1: PLAN

### Leveraging Outplacement Services Continued

#### ESSENTIAL QUESTIONS EMPLOYEES SHOULD ASK OUTPLACEMENT PROVIDERS

##### Scope of Services

- What specific services are included in the outplacement package?
- When are the services available for me to access? (Some may be available before the last day of employment, and some are not available until after employment ends).
- How long do I have to initiate my program before the services are no longer available/accessible to me?
- How will the outplacement services be personalized to fit my career goals and industry?

##### Career Coaching and Support

- Who will be my career coach, and what is their background and experience?
- How often can I meet with my career coach, and what kind of support can I expect to receive between sessions?

##### Job Search and Networking Assistance

- What tools and resources will be available to aid my job search?
- How does the outplacement service assist with networking opportunities and introductions?

##### Training and Development

- Are there opportunities for professional development, such as workshops or certifications?
- How is ongoing learning supported throughout the outplacement process?

##### Technology and Tools

- What technology and tools are provided for job search and application processes?
- How do these tools integrate with existing job search platforms and social media?

##### Duration and Accessibility

- How long will I have access to outplacement services, and what happens if I secure a job before the end of this period?
- Are services accessible remotely, and are there flexible scheduling options for my needs?

#### OUTPLACEMENT FAQs (Continued)

##### Q: Are outplacement services confidential?

A: Yes, outplacement services are confidential. Your discussions with your career coach and the assistance you receive are not shared with your former employer or any third parties without your consent.

## Section 1: PLAN

### Leveraging Outplacement Services Continued

#### **FUTURE TRENDS IN OUTPLACEMENT SERVICES**

The landscape of outplacement services is continually evolving, shaped by technological advancements, changing workforce dynamics, and a growing recognition of the importance of holistic support. Here's a deeper look into the future trends in outplacement services:

#### **The Role of Technology and Artificial Intelligence:**

Technology, particularly artificial intelligence (AI), is transforming outplacement services by making them more efficient, personalized, and accessible. AI-powered platforms can analyze vast amounts of job market data to identify emerging opportunities and predict future trends – enabling personalized job recommendations based on an individual's skills, experience, and preferences.

Virtual reality (VR) and augmented reality (AR) technologies are also beginning to play a role, offering innovative ways for job seekers to develop soft skills, simulate interview scenarios, and even explore new career paths in immersive environments. As these technologies evolve, they will increasingly support more nuanced and effective job search strategies.

#### **OUTPLACEMENT FAQs (Continued)**

**Q: Can I continue to use outplacement services if I find a job before the end of the program?**

A: This depends on the specific terms of service with your outplacement provider. Some may offer continued access to certain resources or allow you to use the remaining time for further career development or coaching.

**Q: How quickly can I start using outplacement services after being laid off?**

A: The start time can vary, but many organizations aim to provide access to outplacement services immediately after notifying employees of their layoff. Quick access helps address uncertainties and maintain momentum during your career transition.

**Q: Is there a limit to how often I can meet with my career coach?**

A: This depends on the service package provided by your employer. Some packages offer unlimited access to a career coach, while others might set a certain number of sessions. Check with your outplacement service provider for specifics regarding your plan.

**Q: Can outplacement services help if I want to change industries or careers?**

A: Yes, many outplacement services are designed to support career transitions, including changing industries or careers. They can provide market insights, retraining advice, and networking opportunities to help you pivot effectively.

## Leveraging Outplacement Services Continued

### OUTPLACEMENT FAQs (Continued)

**Q: What if I'm interested in starting my own business instead of finding a new job?**

A: Some outplacement providers offer entrepreneurship support, including guidance on business planning, networking, franchise information, and accessing financial resources. Express your interest in this path early in the process to ensure you receive the most relevant support.

**Q: How are virtual outplacement services delivered, and are they as effective as in-person services?**

A: Virtual outplacement services are delivered through online platforms, video conferencing, digital tools, and e-learning resources. Many find these services as effective as in-person options, offering flexibility and access to various resources and support mechanisms.

**Q: What support is available for mental health and emotional well-being?**

A: Recognizing the emotional impact of job loss, many outplacement services include access to counseling, stress management resources, and workshops focused on resilience and well-being. This support aims to address the emotional aspects of career transition comprehensively.

### FUTURE TRENDS IN OUTPLACEMENT SERVICES (Continued)

#### **The Importance of Emotional Support and Mental Health Services:**

Recognizing the psychological impact of job loss and career transition leads to a more holistic approach in outplacement services. Emotional support and mental health services are becoming integral components, acknowledging that a successful career transition involves more than finding a new job. As mental health awareness grows, these services will become even more central to the outplacement process, emphasizing the importance of a balanced approach to career transitions.

#### **Career Transition Strategies for the Evolving Job Market:**

The job market is undergoing rapid changes, driven by technological advancements, shifts in economic conditions, and evolving workforce expectations. These changes require adaptive career transition strategies that can address the current job market and anticipate future shifts.

Outplacement services are increasingly focusing on skills development and retraining, recognizing the need for individuals to evolve their skill sets to remain competitive. This includes technical skills and soft skills like adaptability, critical thinking, and digital literacy.

Moreover, there is a growing emphasis on lifelong learning and career agility, encouraging individuals to view their career paths as a series of transitions and opportunities for growth, rather than a linear trajectory. This shift necessitates outplacement services that facilitate immediate job placement and prepare individuals for ongoing career development.

Check out these great CEG Resource Guides:

[Lifelong Learning Resources](#)

[Returnship Program Support](#)



## Section 1: PLAN

# Non-Compete Clauses: Know Your Rights

### NAVIGATING NON-COMPETE CLAUSES AND THEIR LEGAL IMPLICATIONS

Non-compete clauses, often embedded within employment contracts or severance agreements, are designed to prevent employees from entering into competition with their former employers for a specified period after their employment ends. These clauses aim to protect a company's proprietary information or trade secrets but can also significantly impact an employee's future employment opportunities.

#### WHAT IS A NON-COMPETE CLAUSE?

A non-compete clause, also known as a covenant not to compete (CNC), is a legal agreement within an employment contract. It restricts an employee, after their departure from the company, from working for a competitor or starting a similar business for a defined period and within a specific geographic area. These clauses are intended to protect an employer's confidential information, trade secrets, and customer base.

#### GENERAL REQUIREMENTS FOR ENFORCEABILITY

According to the [American Bar Association](#), "Under most states' common law, for a non-compete agreement to be enforceable, it must generally meet the following requirements:

- **Consideration:** Non-compete agreements must be supported by valid consideration, which means that the employee must receive something of value in exchange for agreeing to the restrictions. For example, the offer of initial employment, a promotion, or additional compensation may serve as valid consideration.
- **Reasonableness:** Non-compete agreements must be reasonable in terms of their scope and duration. This means that the restrictions must be no broader than necessary to protect the legitimate business interests of the employer, such as protecting trade secrets, confidential information, and/or customer relationships. The duration (length of time) and scope (geographic, role, and otherwise) of the non-compete agreement also must be reasonable, and overly broad or overly long restrictions may be deemed unenforceable.
- **Public Policy:** Non-compete agreements must not violate public policy. For example, non-compete agreements that unreasonably restrict an employee's ability to seek new employment or that are against the public interest may be deemed unenforceable.
- **Notice:** Non-compete agreements must be clear and conspicuous, and employees must be given reasonable notice of the restrictions before or at the time of entering into the agreement."

# Non-Compete Clauses: Know Your Rights Continued

## KEY RESTRICTIONS AND CONSIDERATIONS

Non-compete clauses may vary significantly based on the language used in the agreement, but they generally include limitations on:

- **Duration:** How long the employee is restricted from competing, usually ranging from six months to three years.
- **Geographic Scope:** The specific geographic area where restrictions apply.
- **Scope of Work:** Types of work or industries in which the employee is prohibited from engaging.

## LAWS AND RESTRICTIONS BY STATE

**General Trends:** The enforceability of non-compete clauses varies significantly by state. Some states, like California, generally do not enforce them. Others, like North Carolina, have a high bar for enforceability.

- **California, Colorado, Minnesota, North Dakota,** and **Oklahoma** broadly prohibit non-compete agreements for employees. California is particularly stringent against such clauses, allowing very few exceptions mainly related to business owners and partnership dissolution.
- **Texas** and **Florida** tend to be more employer-friendly, allowing non-compete clauses as long as they are reasonable in time, geographic scope, and the scope of prohibited activities.
- **Illinois, Massachusetts, Oregon, Nevada, Maine, New Hampshire, Vermont, Virginia, Maryland, Washington, D.C., Wisconsin,** and **Washington** have specific statutes that regulate non-compete agreements, often requiring a certain level of compensation, limiting duration, and setting other restrictions to ensure fairness.

It's crucial for both employers and employees to be aware of the specific laws and regulations in their state, which can significantly affect the enforceability of non-compete clauses.

**State-by-State Laws Regarding Non-Compete Clauses:** Check out [US non-compete agreement laws by state](#) by SixFifty for more specifics by state.

## FTC RULE BANNING NON-COMPETE CLAUSES

**Issue Date:** April 23, 2024

**Effective Date:** September 4, 2024

The rule prohibits employers from entering into and enforcing non-compete agreements with most workers, including employees, independent contractors, interns, and volunteers. Note however that numerous companies and organizations have filed suit to stop the law from going into effect. We will update this section as information becomes available.

## Section 1: PLAN

### Non-Compete Clauses: Know Your Rights Continued

#### HOW REMOTE WORK CAN IMPACT NON-COMPETE CLAUSES

The applicability of state law regarding non-compete clauses for remote workers can be complex and depends on various factors, including the terms of the employment contract and the specific laws of the states involved. Generally, the governing law for a non-compete agreement could be the state where the employee works (lives), the state where the employer is headquartered, or another state specified in the contract's choice of law provision. Here are key considerations:

**Contractual Choice of Law:** Many employment contracts and non-compete agreements contain a choice of law or governing law provision, which specifies which state's law will govern the interpretation and enforcement of the contract. Courts generally respect these provisions unless the chosen law conflicts with the public policy of the state where the employee works or lives, especially if that state has a strong interest in regulating non-compete agreements.

**The Employee's Work Location:** In cases where there is no choice of law provision, or the provision is not upheld, the law of the state where the remote employee works or resides typically applies. States are increasingly enacting laws that protect their residents from being bound by non-compete agreements that would be unenforceable if the agreement had been entered into within that state.

**Employer's Location:** The state where the company is headquartered may be relevant, especially if the employment contract includes a valid choice of law provision selecting this state's law. However, even if the company prefers the law of the state where it is located, this choice may not be enforceable if it deprives the employee of the protection of their home state's law, which might be more restrictive regarding non-competes.

Given the complexity of these issues and the variability in state laws concerning non-compete agreements, both employers and employees should seek legal advice when drafting, agreeing to, or disputing a non-compete clause. This is especially true for remote work arrangements that span multiple jurisdictions, as the enforceability of these clauses can significantly impact the parties' rights and obligations.

## Section 1: PLAN

### Non-Compete Clauses: Know Your Rights Continued

#### EMPLOYEE RIGHTS WITH NON-COMPETE CLAUSES IN SEVERANCE AGREEMENTS

If you are presented with a non-compete clause during severance negotiations, you have certain rights:

- **Negotiate:** You can negotiate the terms of the non-compete, such as the timeframe or geographic scope.
- **Seek Legal Counsel:** It is highly recommended to consult with an employment lawyer to understand your rights and the enforceability of the clause in your state.
- **Consider Alternatives:** Depending on the value of the severance package, you may be able to negotiate for a higher payout in exchange for a stronger non-compete clause.
- **Make a Legal Challenge:** If an employee believes a non-compete clause is unfairly restrictive, they may challenge its enforceability in court. Courts typically require that the clause be reasonable in duration, geographic scope, and scope of activities restricted and that it serves a legitimate business interest.

Non-compete clauses represent a complex area of employment law that balances the interests of employers in protecting their business with the rights of employees to pursue their careers. The enforceability and restrictions of these clauses vary widely by state, emphasizing the importance of understanding local laws and seeking legal advice. Employees should be aware of their rights to negotiate and challenge overly restrictive clauses, ensuring that their career mobility is not unduly hindered.



## Section 1: PLAN

### Handling Company Technology Post-Separation

#### NAVIGATING TECH RETURNS AFTER JOB SEPARATION

Returning company property, including laptops, computers, and other assets entrusted to you during your employment, is a key aspect of your separation that requires attention. While seemingly straightforward, this process can have significant legal and professional implications. The goal is to leave on good terms, maintain positive relationships, and secure a solid professional reputation.

Here are six steps for efficiently and responsibly returning company property after job separation, ensuring a smooth transition for the employee and the employer.

##### **STEP 1: UNDERSTAND WHAT NEEDS TO BE RETURNED**

Before initiating the return process, review your employment contract and the company's exit policies. These documents typically detail what needs to be returned, the items' required condition, and the timeline for their return. Contact your HR department for clarification if you're unsure or have questions. This initial step prevents potential disputes and ensures compliance with company requirements.

##### **STEP 2: MAKE A COMPREHENSIVE LIST OF ALL COMPANY PROPERTY IN YOUR POSSESSION**

Your list should include hardware like laptops and phones, software licenses, security badges, keys, and company documents. It can be helpful to check against the inventory list provided by your company at the start of your employment. Make sure you include anything that can be easily forgotten, like company credit cards or access tokens.

##### **STEP 3: BACKUP PERSONAL DATA AND WIPE DEVICE (IF ALIGNED TO COMPANY POLICY)**

It's helpful to return the devices and other company property in a state that respects both your privacy and the company's data security protocols.

For electronic devices, back up personal data and then securely wipe the device. If you plan to start a job search after separation, gather your personal documents with non-proprietary information to help you list your work achievements and quantifiable results in your role(s). This includes past performance reviews, work samples that show measurable results, and other relevant information you could include on your resume, cover letter, LinkedIn profile, or portfolio.

Check your company separation policy and consult your IT department on the recommended procedure for wiping devices to ensure you do not inadvertently leave personal information behind or violate data protection policies.



## Section 1: PLAN

### Handling Company Technology Post-Separation Continued

#### STEP 4: SCHEDULE THE RETURN

Contact the relevant department, often HR or IT, to schedule the return of items. Some companies may require you to return items in person, while others may facilitate mail returns through a courier service, especially if you're working remotely. Make sure you get clear instructions on the process and adhere to any deadlines provided.

#### STEP 5: DOCUMENT THE RETURN

Ask for a receipt or documentation confirming the return of items. If your company needs to do this step, complete your own documentation. This action is helpful for both parties, as it proves that you have fulfilled your obligation to return company property. The documentation should ideally list all returned items, their condition, and the return date. Keep this document in a safe place for future reference.

#### STEP 6: FOLLOW UP

Address any issues or disputes regarding the return of property promptly. If the company claims that something was not returned or returned in an unsatisfactory condition, keeping detailed records and documentation will be invaluable in resolving these issues.

#### CONCLUSION

Returning company property after a job separation is a critical step in the exit process. You can ensure a smooth transition by understanding company policies, accurately inventory items, securely handling data, and documenting the return process. These actions reflect well on your professional conduct and minimize the potential for post-employment complications.



# Section 1: PLAN

## CEG Employment Separation Tools

### NAVIGATING THE COMPLEXITIES OF AN EMPLOYMENT SEPARATION:

Navigating the complexities of a layoff can be an emotionally taxing and uncertain journey. It demands not only a strategic approach toward your next career move, but also a focus on personal well-being and resilience. Check out these articles, resource guides, and videos designed to empower individuals facing layoffs or other career transitions with actionable strategies and insights.

From building an emotional support network and completing a skills assessment, to defining your job search and crafting effective communication messages, each section is curated to assist you through this transitional phase. Whether you're seeking to pivot to a new industry, explore further education, or simply find the next step on your career path, these tools aim to provide clarity, support, and direction during a challenging time.

### BUILD AN EMOTIONAL SUPPORT NETWORK

- **Seek emotional support from friends, family, or a professional.**
  - April 2024 Article – Job Search Stress: Steps to Managing and Mitigating It [\(add link\)](#)
  - August 2022 Article – [Prioritizing Well-Being During the Job Search: Interview With Sabrina Woods](#)
  - July 2023 Article – [3 Strategies to Free Yourself From Fear in the Job Search](#)
- **Connect with your professional network to communicate that you are looking for work.**
  - November 2023 Article – [Celebrate the Intersection of Career Development Month and Inspirational Role Models Month by Creating Your Own Career Board of Directors](#)
  - November 2023 Article – [Unlocking Your Potential: Leveraging Role Models That Align with Your Personal Brand](#)
  - May 2023 Article – [Career Success: Finding Your Path and Navigating Obstacles](#)
- **Focus on self-care.**
  - February 2024 Article – [Staying Motivated on Mondays: Navigating the Job Search Journey](#)
  - August 2023 Article – [Feeling Stuck or Burnt Out? Try a Vision Board](#)

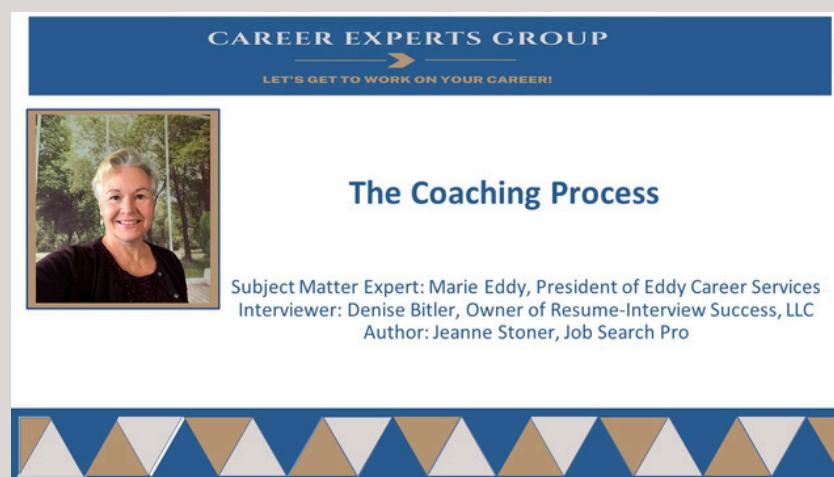


# Section 1: PLAN

## CEG Employment Separation Tools Continued

### COMPLETE A SKILLS ASSESSMENT AND EVALUATE CONTINUING EDUCATION

- **Find a few jobs of interest and read the qualifications.**
  - April 2024 Article – How to Read a Job Description ([add link](#))
- **Identify your strengths and areas for improvement.**
  - March 2024 Article – [More Employers are Embracing Skills-Based Hiring](#)
  - November 2023 Ask the Experts – [“How can I identify and leverage my strengths to advance my career?”](#)
- **Evaluate additional training or certifications if needed.**
  - November 2022 Article - [Lifelong Learning: A Necessity for Staying Relevant in the Workforce](#)
  - Resource Guide – [Lifelong Learning Resources](#)
- **Seek advice if you are pivoting to a new industry or role.**
  - October 2022 Article – [Rebranding for a Career Transition](#)
- **Consider hiring a professional career coach to explore interests and career paths.**
  - October 2022 Article – [Marie Eddy Interview: The Coaching Process](#)
  - YouTube Video – [The Coaching Process](#)
  - July 2022 Article – [Career Coaching or Therapy: What’s the Difference](#)
  - July 2022 Ask the Experts – [“What’s the difference between career counseling, career coaching, and career consulting?”](#)



- **If you are reentering the workforce after a year or more, look into returnship programs.**
  - June 2022 Article – [Returnship Programs: Helping Individuals Re-enter the Workforce after a Career Break](#)
  - Resource Guide – [Returnship Program Support](#)



## Section 1: PLAN

### CEG Employment Separation Tools Continued

#### DEFINE YOUR JOB SEARCH

- **Build a job search strategy.**
  - February 2024 Article – [Out-of-the-Box Job Search Tips](#) -
  - August 2023 Article – [Career Clarity: Where You Are and Where You Want to Go](#)
  - YouTube Video – [Mastering LinkedIn Career Explorer: Your Guide to New Career Paths!](#)
  - February 2023 Article – [Tips for Streamlining Your Job Search](#)
  - February 2023 Article – [Build a Job Search Strategy Using LinkedIn Features](#)
  - Resource Document – [Job Search Strategies: Using LinkedIn Job Search Features Checklist](#)
  - YouTube Video – [Building a Job Search Strategy Using LinkedIn \(Demo\)](#)
  - October 2022 Article – [How to Survive a Layoff](#)
- **Define your search criteria (industry, function, role, geography, cultures, size, compensation)**
  - October 2023 Article – [Finding a Company Aligned to Your Core Values](#)
  - March 2023 Article – [5 Effective Tips to Help Determine a Company's Culture](#)
- **Create a target list of companies .**
  - YouTube Video – [How to Build a Target List of Companies Using AI Tools](#)
- **Understand what recruiters are looking for and how Applicant Tracking Systems (ATS) impact your job search.**
  - September 2023 Article – [Demystifying Applicant Tracking Systems: Insights from Arthur Hughes](#)
  - YouTube Video – [Everything You Wanted to Know About ATS, Part 1: An Interview with Arthur Hughes](#)
  - November 2023 Article – [A Recruiter's Perspective on the Application Process: Insights for a More Effective Job Search](#)
  - YouTube Video – [Everything You Wanted to Know About ATS, Part 2: An Interview With Arthur Hughes](#)
- **Set or reset your goals.**
  - February 2024 Article – [Embracing a Fresh Start: The Art of Positive Goal Resetting](#)
  - May 2023 Article – [Life-Work Integration: A New Mindset for Prioritizing Your Personal and Professional Responsibilities](#)
  - August 2022 Article – [Rejuvenate, Renew, and Reinvigorate](#)
  - YouTube Video – [Rejuvenate, Renew, and Reinvigorate, Susan Chritton Interview](#)
  - July 2022 Article – [Step Away From the Checklist Mindset and Into the Growth Mindset](#)
  - April 2022 Article – [Project refresh: 5 Job-Finding Strategy Mindset Updates](#)

## Section 1: PLAN

### CEG Employment Separation Tools Continued

#### WRITE COMMUNICATION MESSAGES

- March 2024 Article – [Crafting Effective “Reasons for Leaving” Statements: Navigating Layoffs, Terminations, and Career Gaps with Professionalism](#)
- Resource Document – [List of Questions for a Career Conversation](#)
- Resource Document – [Networking Messages to Warm and Cold Connections](#)

Remember that preparing for a layoff involves a multifaceted approach encompassing emotional well-being, skills enhancement, and strategic job searching. Each article, guide, and video link provides valuable insights and practical tips to navigate your career transition with confidence. Embrace the journey of lifelong learning, lean on your support network, and utilize these resources to redefine your professional trajectory. Whether it's through enhancing your resume, mastering job search strategies, or communicating effectively with potential employers, the path forward is filled with opportunities for growth and new beginnings.

"It's not what  
happens to you, but  
how you react that  
matters."

- EPICTETUS



This informative document is presented by The Career Experts Group which is a select group of Master Career Practitioners and Personal Branding Strategists. We share one mission: to guide and support individuals at all stages of their career journeys, from new college graduates to C-Suite executives.

Our clients include neurodiverse workers, professionals of color, older workers, early-career professionals, career changers, and those returning to the workforce. Our own professional backgrounds are just as diverse: high-tech, education, counseling, marketing, human resources, recruiting, and entrepreneurship, to name a few.

Each member of the Career Experts Group is passionate about helping you get to work on your career. We've got you covered, no matter where you are in your career journey.

For a wealth of career-focused information, insights, and inspiration, visit the Career Experts Group website.

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Do you have questions about career industry news and trends, job-finding strategies, career exploration, building your brand, or any other career-related areas? Just Ask the Experts!

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