

Severance & Compensation Checklist

Gather the records, witnesses, and timeline needed to assess your compensation and negotiate your exit.

1. Bonus Process

- ☐ Save bonus criteria, deadlines, decision-makers, and approval records.
- ☐ Record target amounts, past payout practices, eligibility rules, and management promises.
- ☐ Identify where discretion applies—pool funding, individual allocation, or performance—and date relevant conversations.

2. Witnesses

- ☐ List colleagues who know the bonus process and the records they manage.
- ☐ Identify witnesses to compensation promises, performance feedback, assignments, and prior departures.
- ☐ Note what each person saw or heard, when, and how they know.

3. Agreements & Awards

- ☐ Collect offer letters, contracts, bonus/equity plans, amendments, award statements, and employer policies; distinguish payroll-provider terms.
- ☐ Save guaranteed amounts, formulas, milestones, and promises; identify who made them and their authority.
- ☐ Check earning, vesting, forfeiture, and active-employment conditions, including year-end and payout dates.

4. Compensation & Reliance

- ☐ Compare salary, target and paid bonuses, ratings, accrual periods, payout dates, and proration by year.
- ☐ Save recruitment, sign-on, retention, and relocation promises, declined opportunities, and related costs or extra work.
- ☐ Calculate the gap between promised or earned compensation and amounts paid.

5. Performance & Personnel File

- ☐ Build a dated record of reviews, praise, promotions, assignments, criticism, warnings, and PIPs.
- ☐ Preserve relevant emails, chats, client feedback, and project reviews.
- ☐ Request your personnel file where applicable, including evaluations, discipline, payroll, and termination records; confirm coverage and response deadlines.

New York Labor Law § 210-b: confirm coverage and the five-business-day response period for a written request by a current or former employee.

6. Employer's Explanation

- ☐ Record each reason given for termination or denied pay, including performance, timing, discretion, and restructuring.
- ☐ Ask which condition was unmet, who decided, when, and whether pay was never earned or later forfeited.
- ☐ Compare each explanation with the plans, performance record, bonus process, and witness accounts.