The Separation Conversation: Doing Layoffs Right



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Doing layoffs right

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WHY THIS MATTERS NOW

Hard calls are coming to wine country

The market

Tariffs, shifting distribution and softer demand are squeezing margins.

The calendar

Harvest is closing out and next year's budgets are being set.

The people

Family-run teams where everyone knows everyone, and word travels fast.

“Employees and former employees may not remember why you were forced to do layoffs, but they will remember how they were treated.”

Susan Heathfield, HR consultant

OUR TIME TOGETHER

A layoff is three conversations, not one

01

Before

The decision you make in the boardroom

02

During

The words you say across the table

03

After

How you treat the people who stay

You'll leave with **a script for the conversation** and **a checklist for the 30 days after.**

01 · BEFORE

A layoff doesn't erase last year's complaint

The people on your list may have raised a concern, reported a problem or been a witness in an investigation. That history follows the decision.

Settle these before anyone is told

Did we truly exhaust the options?

Hiring freeze or attrition

Reduced hours or schedules

Voluntary separation offers

Moving people into open roles

Leadership pay first

Who owns each part?

Decides: the leader accountable for the budget

Delivers: the direct manager, prepared

Supports: HR, in the room or next door

BEFORE YOU FINALIZE THE LIST

Three questions to ask about every name

1

Why now?

Is the timing tied to the business, or to something this person said or did?

2

Who decided, and what did they know?

Did the decision maker know about a complaint or an investigation?

3

What does the record actually show?

Does the performance history before today support the choice?

90

DAYS

THE DANGER ZONE

Speaking up starts a clock

In California, an adverse action within 90 days of an employee speaking up creates a presumption of retaliation under Labor Code 1102.5. The burden shifts to you.

Has this person raised a concern in the last three months? If yes, slow down and get a second set of eyes.

Labor Code 1102.5, as amended effective 2024. Confirm specifics with employment counsel.

CHECK THE NUMBERS

Does Cal-WARN apply to you?

75+

employees at the site in the past 12 months

50+

laid off within 30 days, or a closure or a move of 100+ miles

60

days of written notice required

Count seasonal staff who worked 6 of the last 12 months. From Jan 1, 2027, AI-caused layoffs need a technology displacement notice (SB 951).

California Labor Code 1400 et seq.; SB 617; SB 951. Thresholds summarized; confirm your situation with counsel.

WHO IS PROTECTED

The circle is wider than you think

In wine country, spouses, siblings and cousins often work side by side. Letting go of someone's relative right after they spoke up can look like payback, even when it isn't.

- Applicants
- Current employees
- Former employees
- Complainants
- Witnesses
- **Family of someone who spoke up**

02 · DURING

The pause is where the humanity lives

Be clear. Be brief. Be kind. Then stop talking long enough for the person to breathe.

THE SCRIPT

Four moves, in this order

1

Say it fast

Deliver the news in the first 60 seconds.

2

Make it final

The decision is made. Don't invite a debate.

3

Show the path

Pay, benefits and what happens next.

4

Stop talking

Let them react. Hold the pause.

SCENARIO

Willow Creek Vineyards: a compassionate layoff

THE SETUP

You are the General Manager of Willow Creek Vineyards. Declining sales have forced the winery to eliminate Sarah's position.

YOUR GOAL

Deliver a compassionate layoff.

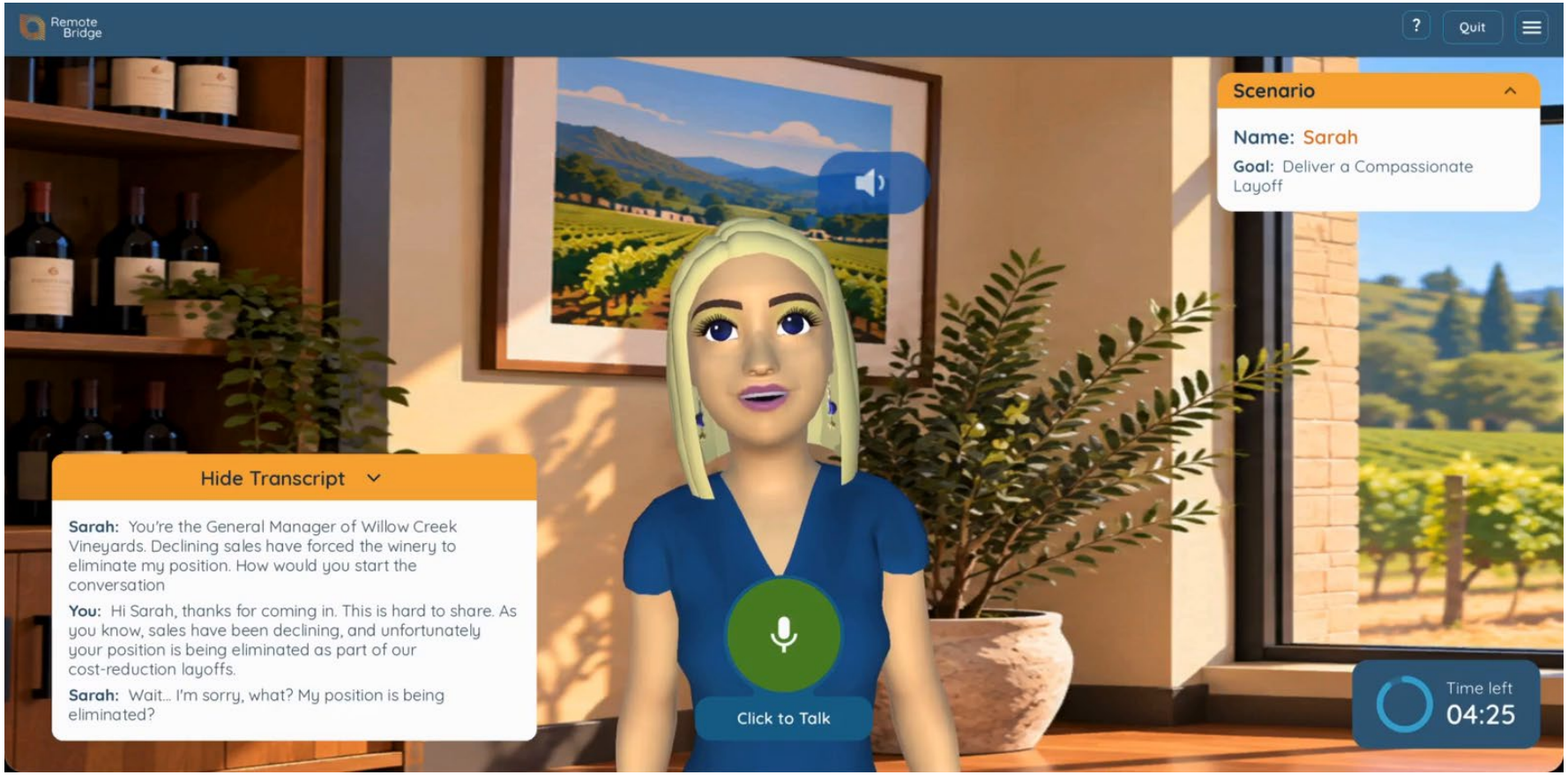
SARAH SITS DOWN ACROSS FROM YOU

How would you start the conversation?

What are your first 60 seconds?

Scenario courtesy of RemoteBridge

Watch: the Willow Creek conversation



Demo courtesy of RemoteBridge

Say this, not that

Avoid

“This isn't personal.”

“After everything that happened this spring…”

“Legally, we're covered.”

Say instead

“Your position is being eliminated because [business reason].”

“This decision is final. Let me walk you through what happens next.”

“Thank you for what you've given this team.”

CALIFORNIA DAY-OF CHECKLIST

Have it in hand before they sit down

- ✓ **Final paycheck, same day,** including all accrued vacation
- ✓ **Written notice** of the change in employment status
- ✓ **EDD "For Your Benefit"** unemployment pamphlet (DE 2320)
- ✓ **Benefits continuation** information and dates
- ✓ **Severance terms in writing,** if offered, with time to review
- ✓ **A private room** and a dignified way out

Labor Code 201, 227.3; Unemployment Insurance Code 1089. Confirm forms and timelines with counsel.

Retaliation doesn't end on layoff day

Watch for

Piling extra work on someone who spoke up

Sudden extra scrutiny or write-ups

Cut hours or shifts with no clear reason

A cold or negative reference for someone let go

Do instead

Talk to the team within 24 hours

Say what changed and what didn't

Check in with anyone who raised a concern

Set one reference policy and follow it

THE PART MOST COMPANIES SKIP

Your 30-day checklist

1

Day 0

Final pay, severance and healthcare explained clearly, in writing

2

Within 24 hours

Talk to the team that stays: what changed, what didn't

3

Day 7

Check in with each person who left. Offer references and help naming transferable skills

4

Day 30

Check in again, and ask the team how they're really doing

YOUR COMPASSION CHECKPOINT

Decide the business reason.
Document it.
Then draw the list.

In that order. It protects the business, and it honors the people.

TAKE THIS HOME

Your free 30-day layoff checklist

Every step from today's session on one page: before, the day itself, and the 30 days after. Grab a copy on your way out.

Website

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Stay in touch

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YOUR QUESTIONS

Let's talk

The goal isn't to make layoffs painless. It's to make sure the people still on your team can trust you afterward.