

[YOUR PERSONAL ADVISER: CAREER]

How to get fair deal when boss asks me to quit without cause?

Q I have been the general manager of my company for 20 years. Recently, my boss asked me to resign, although I have always met my key performance indicators. He claimed that I had not met his other criteria, which he had not communicated to me previously.

Should I resign? I know I can no longer stay since the boss wants me to go. If I resign, will I get compensation? Should I ask the boss to retrench me instead, and ask for a retrenchment package? If he agrees, how do I ensure the package is fair to me? If the boss refuses, how am I protected? Where can I seek help?

A It is unfortunate that you were told to leave after so many years of service as the general manager of your company.

However, it would not be advisable for you to resign without having a firm offer from another company.

Should you be unable to find another job quickly after your resignation, your financial commitments and responsibilities could become an even heavier burden. Moreover, if you resign, your employer does not need to provide compensation.

Key performance indicators (KPIs) are usually communicated to employees in black and white. While additional criteria put forth by your boss, even verbal ones, are important, they should not lead to a forced resignation.

There was an obvious lack of communication that has led to this unpleasant situation. First, you should speak openly with your boss about his decision.

If matters remain unresolved, seek clarification from your human resource department. Perhaps you can talk with someone who holds a higher post than your boss. If all else fails, refer to your employment contract and check the termination and retrenchment clauses.

Your employer must have a very strong

and valid reason before he can terminate your services. Your documented KPIs are your strongest defence against any unfair termination.

On the other hand, should you be retrenched, your employer would have to compensate you by providing retrenchment benefits. You would need to negotiate the benefits with your employer unless they are clearly stated in your employment contract.

The general rule of thumb is half a month's pay to one month's pay for every year of service after you have put in three consecutive years of service. In addition, you might want to request the services of an outplacement agency to assist you with a job search.

If you cannot reach a compromise, you can lodge a complaint with the Ministry of Manpower (MOM) or request mediation from a MOM officer.

Be sure to provide full details of your situation when presenting your case to the officer – such as the KPIs communicated to you, whether they were met and the reason given when you were asked to leave.

However, turning to MOM should be your last resort. That you have been with your company for 20 years means you have been valued as an employee.

If you were told to leave for reasons related to restructuring or scheduled retirement, for instance, these should have been communicated to you in an appropriate manner.



Patrick Chan
Executive Director
GSI Executive Search
The GMP Group

Advice provided in this column is not meant as a substitute for comprehensive professional advice. E-mail questions to lorna@sph.com.sg