

Demand Letter Recipient Checklist

For employers who have been served with a demand letter from a former employee

Step 1: Read the Letter Carefully

- What is the employee alleging?

- What are they demanding?

- What is your deadline to respond?

Step 2: Do Not Respond on Your Own

It's tempting to reply immediately, especially if you feel the claims are unfair. Resist that urge. Anything you say or write could be used against you later. Instead, consult an employment attorney who understands your local laws and can guide you through the process.

Step 3: Preserve Documentation

Start gathering and safeguarding all records related to the employee. This includes:

- | | |
|---|--|
| <input type="checkbox"/> Offer Letter | <input type="checkbox"/> HR Reports |
| <input type="checkbox"/> Employment Contract | <input type="checkbox"/> Performance Reviews |
| <input type="checkbox"/> Pay records | <input type="checkbox"/> Termination Documents |
| <input type="checkbox"/> Bonus plan(s) | <input type="checkbox"/> Relevant Communications |
| <input type="checkbox"/> Disciplinary Records | |

If your systems automatically delete data, override those settings to preserve everything related to this employee.

Step 4: Contact an Employment Lawyer

Employment law is extremely complex; you need a lawyer who specializes in this type of law and understands the state and local laws, rules, and regulations, and nearby courts to offer you the best advice.

- Washington State employers: www.rockelaw.com
- Non-Washington State employers: SuperLawyers, Chambers USA, Avvo, Justia, or your local bar association will have recommendations.

Step 5: Know Your Options

Depending on the situation, your lawyer may recommend one or more of the following:

- Dispute the claim
- Negotiate a settlement
- Take no action (yet)
- Prepare for litigation

Each path has implications; your attorney will help you choose the best one for your business.

Step 6: Strengthen Your Company's Legal Foundation

This is a good time to assess your broader employment practices. Ask yourself:

- Are your employment contracts legally sound?
- Does your employee handbook match your current needs, and is it compliant with federal, state, and local laws?
- Are your termination procedures aligned with federal, state, and local laws?
- Is your management team trained in respectful, lawful employment practices?

If you're unsure about any of these, we can help. Rocke Law exclusively practices employment law in Washington State and has a deep understanding of its intricacies and the latest changes. If your business is not in Washington State, we recommend finding a local employment attorney to counsel you.

Check out other free resources on our website!

**FREE RESOURCES
FOR EMPLOYERS**

