

I Was Just Put on a PIP - What Do I Do Now?

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Performance Improvement Plans - or PIPs - are intended to help employees understand any performance-related concerns or deficiencies and to give them an opportunity to work on and improve within a stated timeframe. When employees are placed on a PIP, the employer is sending a message that it is concerned about the employee's performance.

Sometimes the question is whether the employee's performance is the actual reason for the PIP, or if the PIP is being issued for another reason, such as discrimination or retaliation. This may be especially concerning if the PIP follows a workplace complaint, request for leave, accommodation request or other protected activity.

What should you do if you're put on a PIP?

You should review the PIP in detail to:

Determine if it is factually accurate.

For example, does it provide concrete examples of the performance concern the PIP seeks to correct? Are those examples true and accurate? If not, you might consider clarifying the information contained in the document.

Determine whether the goals or metrics are achievable.

For example, is it possible to accomplish the PIP parameters, or is the PIP intended to set you up to fail? If you have concerns, you might consider raising them now.

Determine if the timeframe to complete the PIP is reasonable.

For example, are the goals set forth in the PIP unachievable in the timeframe allowed? If so, you might consider requesting a revision of the goals and/or the timeframe.

Performance Improvement Plan FAQs

Can a PIP be retaliation?

A PIP may raise retaliation concerns if it is issued soon after an employee makes a protected complaint, requests a workplace accommodation, reports unlawful conduct or engages in another protected activity.

Should I respond to a PIP in writing?

In many situations, it can be helpful to respond in writing, especially if the PIP contains inaccurate statements, unrealistic expectations or missing context.

Can I be fired after being placed on a PIP?

Yes, a PIP may lead to termination. However, if the PIP or termination is connected to discrimination, retaliation or another unlawful reason, the employee may have legal rights.

When to call an attorney:

- The facts just don't add up.
- You're unsure how to respond to the PIP and need help.
- You complained about something at work and then received a PIP.
- You think the PIP was issued in retaliation.
- You think the PIP will result in your termination.

Often a New Jersey employment attorney can assist you in evaluating the PIP, its merits, and the broader situation happening at work, as well as ascertain whether your employer is engaging in any unlawful conduct and help develop a strategy moving forward for dealing with the PIP. The sooner an attorney is engaged concerning a PIP, the better equipped you will be to handle whatever happens next.

Speak With an Attorney About Your PIP

If you need help with your PIP or have concerns about your employment, reach out to please contact [Meghan Chrisner-Keefe](#) or any member of the [Wilentz Employee Rights Team](#) at Wilentz, Goldman & Spitzer, P.A. so we can evaluate your situation.

Practice

- Employment Law