



FIRST 24-HOUR BRIEFING

First 24 Hours After a Tech Layoff: 9 Moves Before You Sign

You do not need to decide your future in the first hour after a layoff. You need to slow down, capture the package, map every clock, and know which questions belong with HR, an employment attorney, an immigration attorney, or a tax professional.

9

FIRST MOVES

7+

DEADLINE CLOCKS

4

TECH-SPECIFIC TRAPS

0

LEGAL ADVICE

Scope: US-based tech workers. This guide does not tell you whether to sign, reject, or negotiate a severance agreement. It gives you a safer first response, a deadline map, tech-specific triage areas, and attorney-ready questions before you make promises.

FIRST RESPONSE

Send only “received, reviewing.”

Until you understand the agreement, deadline, and trade, do not sign, click accept, or imply acceptance. [S1]

OPERATING RULE

Separate facts from advice.

Use HR for dates and process. Use licensed professionals for legal, immigration, tax, equity, or financial advice. [S1][S4][S5][S6]

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The 9 moves before you sign

1 Do not sign today.

Send only “received, reviewing” until you understand the agreement, deadline, and trade. [S1]

2 Get the packet.

Ask for the agreement, severance letter, benefits/equity docs, property-return instructions, and signing/revocation process. [S1]

3 Create one folder.

Save separation docs, offer letter, equity docs, PTO/final-pay info, bonus/commission plans, COBRA/benefits notices, and HR emails you are allowed to keep. [S1][S2][S7]

4 Calendar every clock.

Signing, revocation, benefits, COBRA/Marketplace, equity exercise, property return, immigration, and WARN-related dates can differ. [S1][S2][S3][S4][S5][S7][S9]

5 Ask factual HR questions.

Get dates, owners, payment mechanics, benefits end date, equity treatment, PTO/final wages, references, and return-property process in writing. [S1][S2][S7]

6 Triage equity.

Identify RSUs/options/ESPP, vested vs. unvested awards, vest dates, exercise windows, withholding, and whether tax/equity-plan review is needed. [S6][S7]

7 Compare coverage.

COBRA and Marketplace coverage can differ on premiums, timing, providers, medications, family coverage, and start dates. [S2][S3]

8 Visa-dependent?

Escalate same day. Contact licensed immigration counsel and ask HR for the exact termination date used for immigration/payroll. [S4][S5]

9 Keep GitHub clean.

Do not publish company code, customer data, credentials, roadmaps, screenshots, or confidential docs as portfolio proof. [S8]

Deadline map

Separate clocks prevent one urgent item from hiding another. Confirm each clock in writing before you make promises.

CLOCK	CONFIRM WITH	SOURCE PROMPT
Signing deadline	HR / agreement	EEOC says workers should check deadlines when offered severance. [S1]
Revocation period	Agreement / attorney	ADEA waiver rules can include revocation/review periods depending on facts. [S1]
Last employed / payroll date	HR	Agreements commonly include termination-date terms. [S1]
Severance payment date	HR / agreement	Agreements commonly include payment terms. [S1]
Benefits end date	HR / benefits admin	COBRA applies when group health coverage would otherwise end after qualifying events such as job loss. [S2]
Marketplace SEP deadline	HealthCare.gov / state exchange	HealthCare.gov says apply within 60 days of losing job-based coverage for the Special Enrollment Period. [S3]
COBRA election / first payment	COBRA notice / benefits admin	COBRA may require paying the entire premium up to 102% of plan cost. [S2]
Equity vest / option exercise	Equity portal / plan docs	Plan and grant documents can define vesting and post-termination exercise windows. [S7]
H-1B / visa clock	Immigration attorney	USCIS/eCFR describe up-to-60-day rules for several work-authorized nonimmigrant classes. [S4][S5]

RED FLAG

Age-40+ waiver questions, group layoff disclosures, unpaid wages/commission/bonus, restrictive covenants, discrimination/retaliation/leave/accommodation issues, meaningful equity, visa dependency, or pressure to sign immediately. [S1][S4][S5][S6][S7]

RESPONSE RULE

If a deadline is unclear, do not debate terms first. Ask for the deadline, revocation period, payment mechanics, benefits end date, and document owner in writing. [S1][S2][S7]

Tech-specific triage

EQUITY

RSUs, options, vesting, exercise window

- What is my last vesting date?
- What terminates at separation?
- What is the exact exercise deadline?
- Are awards ISOs, NSOs, ESPP shares, RSUs, or another type?
- What tax forms/withholding apply?
- Should I talk to a tax professional before exercising meaningful options?

Use plan/grant docs and tax review before major option decisions. [S6][S7]

H-1B / VISA

Escalate same day.

USCIS says laid-off H-1B workers may have up to 60 consecutive days or until authorized validity ends, whichever is shorter, to find employment, change status, or depart. eCFR says DHS may eliminate or shorten the period and work is not allowed during that period unless otherwise authorized. [S4][S5]

Case-specific warning: Do not act on this guidance without speaking to a licensed immigration attorney.

COBRA VS MARKETPLACE

Compare real coverage paths.

HealthCare.gov lists Marketplace coverage and COBRA as two main paths after losing job-based insurance. DOL says COBRA can continue group health coverage for limited periods and qualified individuals may pay up to 102% of plan cost. Compare premium, subsidy estimate, provider coverage, medication needs, family coverage, and start dates. [S2][S3]

GITHUB BOUNDARY

No company material.

GitHub warns sensitive data can remain accessible through clones, forks, cached views, pull requests, or other copies after cleanup. Build portfolio proof from public repos, sanitized case studies, and newly-created examples that do not reuse employer confidential material. [S8]

Copy/paste: factual HR email

Subject: Separation documents and review timeline

Hi [Name],

Thank you for sending the separation materials. I'm reviewing them carefully and want to make sure I understand the timeline and process before responding.

Could you please confirm:

1. the deadline to sign the agreement;
2. whether there is any revocation period after signing;
3. my last day of employment and last day on payroll;
4. the benefits end date and COBRA/continuation process;
5. who owns questions about equity, PTO, bonus/commission, references, and company property return;
6. whether questions should be submitted by email or another process?

I'll follow up after I review the materials.

Best,
[Your Name]

This email is fact-gathering, not legal interpretation. [S1]

Do not make it worse in the first 24 hours

- Do not sign, initial, click accept, or email "I accept" until you understand the deadline and trade. [S1]
- Do not download code, customer files, internal docs, roadmaps, credentials, or confidential material for your portfolio. [S8]
- Do not push company work to GitHub. [S8]
- Do not rely on another coworker's package; age-40+, group/program layoff, equity, and immigration facts can change the analysis. [S1][S4][S5][S6][S7]
- Do not treat HR as your lawyer, tax advisor, immigration lawyer, or financial advisor. Use HR for factual process questions. [S1][S4][S5][S6]

Attorney-ready questions

1. Does this agreement ask me to release claims or rights I should understand before signing? [S1]
2. If I am 40+ or part of a group layoff, does the waiver packet satisfy the review, revocation, and disclosure rules that apply to my facts? [S1]
3. Are restrictive covenants, confidentiality, non-disparagement, cooperation, no-rehire, arbitration, or clawback terms risky for my next role? [S1][S7]
4. Are final wages, PTO, bonus, commission, reimbursements, benefits, or equity being mixed into severance consideration? [S1][S7]

1. Do equity deadlines or option tax consequences require tax or equity-plan review before I sign? [S6][S7]
2. If I am visa-dependent, what should immigration counsel do before my work/status clock runs? [S4][S5]
3. If the layoff was large, does WARN or state layoff-notice law create questions to investigate? [S9]

Next step: If this guide helped you slow down, the paid **Don't Sign Yet Pack** adds the full deadline worksheet, HR scripts, severance/equity/benefits inventory, and attorney-prep packet. It still will not tell you whether to sign. [O1]

Source ledger

[S1] EEOC — Q&A: Understanding Waivers of Discrimination Claims in Employee Severance Agreements: [eeoc.gov/laws/guidance/qa-understanding-waivers-discrimination-claims-employee-severance-agreements](https://www.eeoc.gov/laws/guidance/qa-understanding-waivers-discrimination-claims-employee-severance-agreements)

[S3] HealthCare.gov — If you lose job-based health insurance: [healthcare.gov/have-job-based-coverage/if-you-lose-job-based-coverage/](https://www.healthcare.gov/have-job-based-coverage/if-you-lose-job-based-coverage/)

[S5] eCFR — 8 CFR § 214.1(l)(2): [ecfr.gov/current/title-8/part-214/section-214.1#p-214.1\(l\)\(2\)](https://www.ecfr.gov/current/title-8/part-214/section-214.1#p-214.1(l)(2))

[S7] SEC EDGAR — public employee stock option agreement example: [sec.gov/Archives/edgar/data/3972/000104746911005631/a2203967zex-10_16.htm](https://www.sec.gov/Archives/edgar/data/3972/000104746911005631/a2203967zex-10_16.htm)

[S9] DOL — WARN Act Compliance Assistance: [dol.gov/agencies/eta/layoffs/warn](https://www.dol.gov/agencies/eta/layoffs/warn)

[S2] DOL — Continuation of Health Coverage (COBRA): [dol.gov/general/topic/health-plans/cobra](https://www.dol.gov/general/topic/health-plans/cobra)

[S4] USCIS — H-1B Specialty Occupations: [uscis.gov/working-in-the-united-states/h-1b-specialty-occupations](https://www.uscis.gov/working-in-the-united-states/h-1b-specialty-occupations)

[S6] IRS — Topic No. 427, Stock Options: [irs.gov/taxtopics/tc427](https://www.irs.gov/taxtopics/tc427)

[S8] GitHub Docs — Removing sensitive data from a repository: docs.github.com/en/authentication/keeping-your-account-and-data-secure/removing-sensitive-data-from-a-repository

[O1] Internal approved product scope — Tech Layoff Center internal product standard (not a public source)