

Articles + Publications | June 4, 2025

Water Cooler Talk: Performance Review Tips From 'Severance'

WRITTEN BY

Emily E. Schifter | Tracey E. Diamond

This article was originally published on June 4, 2025 on Law360 and is republished here with permission.

This article is part of a monthly column that connects popular culture to hot-button labor and employment law issues. In this installment, we discuss how the performance review process in the hit television series "Severance" offers lessons about how to conduct employee evaluations and demonstrates a few mistakes to avoid.

Imagine walking into your performance review and being handed a lunch menu, just in case the meeting runs over four hours. That's business as usual at Lumon Industries, the fictional biotechnology company at the heart of the Apple TV + series "Severance."

While most of us don't clock in with our at-work memories surgically divided from the memories of our personal lives, the show's eerie depiction of performance reviews can hit close to home.

Effective performance reviews are crucial for professional development, productivity and risk management. But should performance evaluations in the real world look anything like the "Severance"-style review process, complete with "atonements and approbations"? Of course not.

Nevertheless, the show instructs us on how following best practices when conducting performance reviews can mitigate the risk of adverse litigation outcomes.

Split Brains and Shared Perspectives

"Severance" is a science fiction and psychological thriller created by Dan Erickson and produced by Ben Stiller.

The show follows an employee named Mark S., who works for Lumon. Mark's work is so classified that he has agreed to undergo a medical procedure literally severing his brain, meaning that he has no memory of his personal life when he is at work, and no memory of his workday when he is not at work.

Mark's "innie," or at-work persona, is supervised by Seth Milchick, Lumon's perpetually smiling middle manager. In the scene at issue, Mr. Milchick is sitting for his monthly performance evaluation with Mr. Drummond, a Lumon executive.

The review hilariously focuses on Mr. Milchick's propensity to use "too many big words," that he attaches paper clips from back to front and his failed "kindness reforms," culminating in a "calamitous ORTBO," or an outdoor retreat and team building occurrence.

The performance review prizes form over function and instills fear and resentment, rather than providing instruction and motivation. It has the look and feel of a confession.

In real life, effective reviews should focus on the essential functions of the job and the employee's performance of those functions over the entire review period. The review should also set expectations and empower employees to meet them.

What is the goal of a performance review? It is threefold: accountability, growth and trajectory.

To ensure accountability, ask whether the employee met their stated goals, such as reaching certain sales targets, successful project outcomes or administrative responsibilities. To foster an employee's growth, reflect on which strengths they can build on and where they need support. Lastly, in relation to trajectory, consider what is next for the employee in the organization.

Performance reviews should not be once-a-year events where employees are not regularly given feedback in real time, nor should they be overly frequent.

In Lumon's case, Mr. Milchick was expected to submit to performance reviews monthly, which is a bit much.

Further, they should not be two- to six-hour events, even if lunch is served. Instead, try a two-touchpoint structure: mid-year and end-of-year reviews, paired with regular informal check-ins, and keep them under an hour.

To avoid recency bias, where only the latest performance matters, encourage year-round goal tracking, self-evaluations and peer feedback. The process should be designed to capture trends, not one-off blips.

Not Just What You Did, But How You Did It

Splitting evaluations into two categories — what the employee accomplished and how they did it — can also be beneficial. An employee may be hitting all their goals, but if they are breaking glass and bulldozing colleagues to get there, that is a problem.

In other words, conduct matters, as do soft skills. Creating a culture where feedback includes both successes and areas for growth helps destignatize development.

Even Mr. Drummond managed to include a positive attribution, stating that "despite his many and profound failings ... a man of such vigor as Mr. Milchick makes for an excellent ballast on which the employees can anchor their days." But that comment is too vague for Mr. Milchick to work off of.

Be clear as to what is going well and the areas where improvement is needed, with specific examples of each.

The Importance of Documentation

In "Severance," Mr. Milchick is given a glossy, multipage confidential employee assessment file detailing his many failings. While that document certainly went overboard, performance reviews should be supported by clear and contemporaneous documentation.

From an employment perspective, relying solely on at-will employment status is insufficient, particularly when the employee falls within a protected category or when there is potential for a reverse discrimination claim. In such cases, the employer must be able to demonstrate a legitimate, nondiscriminatory business reason for the termination.

If the employee's performance is the stated reason, it must be well-documented over time, not just in the period immediately preceding the termination, and it must be consistent. This type of documentation is essential to ensure legal compliance and to defend against potential claims.

Documentation is especially important if tensions rise during the evaluation meeting. While it is not advised to allow an evaluation to get heated, if the employee becomes argumentative, it is especially important to follow up the discussion with a summary email. This creates documentation of the discussion, which is not only valuable for legal reasons but also to ensure clarity.

A written summary, ideally in clear bullet points, gives an employee the chance to review expectations when they are calmer, reducing the likelihood of misunderstandings, regardless of whether they agree with the feedback.

Complaints From Co-Workers

In "Severance," part of Mr. Milchick's negative review appears to be influenced by an anonymous complaint, likely from his younger colleague, Miss Huang, who may have her own agenda. This scenario highlights a real-world challenge: how to handle peer feedback, especially when it comes in the form of a complaint.

While anonymity can help employees feel safe about coming forward, it should not be a substitute for due diligence. Managers need to look for patterns and themes, rather than act on one-off accusations. If multiple people share similar concerns, that consistency carries more weight.

Further, when negative feedback is delivered to an employee, it must be supported by clear and concrete examples. This helps ensure fairness and avoids turning performance reviews into a battleground for office politics.

Takeaways for Employers

So, what can human resources leaders and employment counsel learn from "Severance"?

First, clarity is critical. It is important to set measurable and realistic goals at the outset, so that everyone is on the same page as to the expectations.

Second, check in often. Formal reviews are important, but ongoing feedback builds trust.

Third, be sure to focus on the essential issues. Mr. Milchick's review should have been centered on his deficiencies in managing his team, not on his inability to properly use a paper clip.

Fourth, document everything. This is important not just for legal protection, but to help managers recall employees' performance beyond the last month.

Finally, balance metrics with meaning. Hard numbers matter, but so does how someone shows up — with curiosity, respect and collaboration.

And maybe skip the atonement tally and the preordered lunch.

RELATED INDUSTRIES + PRACTICES

• Labor + Employment