

P.p1 two different  
types of dismissal,  
with and



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0px; text-indent: 36. 0px; font: 12. 0px ' Times New Roman'; -webkit-text-stroke: #000000; min-height: 15. 0px}span. s1 {font-kerning: none}With our private lives, no longer being so private employers have the right to discipline and/or terminate employees if their conduct outside of work is damaging to that of the company they work for, especially if in a very public high power job, and that could negatively affect the place they work for.

Since the hiring process dictates a background check why shouldn't they be held in the same respects and due diligence as when they are hired, while they embody the company's integrity and namesake even more so? The reality is that employers are legally allowed to dismiss subordinates for conduct outside of the workplace with clauses in signed contracts at the beginning of employment, list of enforced company expectations and guidelines, and other considerations of law like dismissal with or without cause. We are all front runners of the companies we work for. With there being two different types of dismissal, with and without cause. Being an employer in Canada you can legally terminate an employee without cause, provided there is adequate notice, or pay in lieu and you have to provide notice to the said employee, but not what the reasons for said termination, otherwise, that would be looked upon as just cause if there was said the reason. Termination pay for the amount of time and position they held at the

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company may also be awarded, at the discretion of the employer. However dismissed with cause terminations require none of the stated above, no notice, no severance, or termination pay of any kind, but with that being said there must be a paper trail of events that lead up to such events, or an event severe enough it justifies termination. Though the law gives no room for misinterpretation, each case is just that, their own and may be handled differently than the employer, or ex-employee may see.

In the event this leads to a court case everything has to be included into account such as the warnings/notices's, how long the employee has been employed at the company in question, when regarding to off duty conduct there are five broad items they must consider: was the conduct of employee harm the companies reputation, was the employees behaviour lead to inability to work with anyone else in the employers business, was this a serious breach of the criminal code, and does it this injure the reputation of the company and or its employees by association, does it limit the company or said employee for carrying out its ordinary business affairs efficiently. Other things they look at is the position ( if its a high power position, or lower level position), if they are a fiduciary or not, any mitigating factors, and even the reaction to the allegations of breaking the contract or company policies of said employee are all taken into account in these court proceedings. With that being said in this day in age everything you do, say, and post reflects back to you whether you're on the job or not. Everything you do is monitored such as the white supremacists who were publicly identified on Twitter at the events unfolding in Charlottesville, lost their jobs. How comfortable are you working with nazis in your office? These outside work behaviours are

detrimental to the companies these men work for of course they must be fired, in this particular case, not all employees are completely vulnerable for example in Canada the law recognizes that employers do have the right in certain circumstances for placing disciplinary actions upon an employee including termination at said company. More and more of this proceeds to happen especially when your name is literally attached to everything you post, Instagram, or tweet like the Toronto firemen who were terminated for tweeting sexist things. As city employees they have to follow their city's social media guidelines, which is only used while off duty, you don't see many firemen running into a burning building whilst tweeting now do you.

The guidelines consist of " employees should not engage in harassment, personal attacks or abuse toward individuals or organizations," and " not use language that is discriminatory, hateful, or violent towards identifiable groups or that incites others to discriminate, practise hate or violence." With the law changing as much as our generation does, its seems imperative that companies start installing guidelines and code of conduct to prevent dismissal without cause costs, and to inform every employee when they sign their entrance contract what is expected of them, and the behaviour that is acceptable and unacceptable deemed towards the companies and the repercussions that may emit if these company guidelines are broken. When inducted to my company I currently work for I was to understand what was expected of me in my outside conduct and from that statement you may think I work in an office setting where my presence on social media and off duty conduct is important to said company that I am very curteious and respectful, although that is true with respects to outside conduct I get paid

minimum wage at a large corporate company italian restaurant, and if thats being installed to the workers at the bottom of the company floor than why shouldn't it be instated to higher paying jobs and employees, it seems to be common sense really, its the rule we all grew up hearing " don't do/post anything you wouldn't want your grandma to see". Most people I've asked myself on a slow shift agreed with what they do in their spare time shouldn't be judged by the person they work for, while I only agree with what they do in that said spare time is not defamatory to the company you work for, or can be seen as In the most recent public revelation with a drunken argument between a Dallas assistant district attorney and her Uber driver has resulted in her losing her job due to some of her off duty conduct that the then Uber driver, Shaun Platt ended her ride due to the drunken berage that Jody Warner had spouted at him, she refused to leave and they waited for the police which Uber drivers are encouraged to do in that situation, she threatened him and called him foul names, after the police arrived and diffused the situation, and escorted the then Dallas assistant district attorney home, Platt then posted his verbal abuse online and it instantly went viral and Warner was fired almost as quickly. With cases like this its easy to say " that's not me" but its exactly that it is you and people in her high position job acting like this outside of the courtroom can affect the way they look at cases or if they get fair ones, to quote the victim Shaun Platt " I defiantly think someone in that position representing our local government she swore an oath to uphold the law and I don't believe someone in that position could be this manipulative and get away with it." In another case involving a Canadian bank teller, it was discovered beyond her knowledge that her then-roommate was a convicted bank robber, even in this case she did nothing

wrong, it was potentially a huge threat to the bank, and its customers which out balanced her further employment at this company for any longer.

Though the courts have the high standards of proof, it's even higher in regards to off-duty contact, but often in contracts the employee signs, company regulations will determine that your private life that's not so private due to electronic advances and social media, the place we work is often front and centre in the abyss that is our online versions of ourselves. On the other side of this famed argument, are the individuals that believe what you do in your time off work is just that your time, even President Harry S Truman on FBI Director J. Edgar Hoover exclaimed " one time they brought me a lot of stuff about his personal life, and I told them I didn't give a damn about that. That wasn't my business. It was while he was at work that was my business." but that was nearly 72 years ago, times have changed, and so has the technology. For a more recent quote showing the changing times and how the slightest of a click of a status, tweet or Instagram from one person can affect an entire company, " Social media has just broken those walls down further and maybe brought the outside world further into the workplace.

" Jon Hyman (Partner, Meyers Roman Friedberg and Lewis). With social media quickly making a group of delinquents go viral for saying the infamous offensive quote on a live reporters newscast at Toronto's FC game, it didn't take long for the very thing that gave them their 15 seconds of fame, to completely and utterly backfire. When Twitter users were able to find out the names of the disrespectful hooligans it was determined one was Shawn Simoes, an employee at Hydro One which is a government-owned company <https://assignbuster.com/pp1-two-different-types-of-dismissal-with-and/>

that handles almost all transmission of electricity in Ontario, with local customers reaching nearly 1.4 million. Hydro One gave Mr Simoes a quick termination as Affairs director Daffyd Roderick told The Toronto Star “ Respect for all people is engrained in the Code of Conduct and in our Core Values and we are committed to a work environment where discrimination or harassment of any type is met with zero tolerance”.

This is just blatant disrespect, and with this as proof zero disrespect for himself, why would he have respect or any pride in any of the work he commits to this company, which the director in this case saw. Its cases like these that we constantly see rise to press sources and going viral, but it's not just one or two cases, its multiple and there's a reason its something employees need to understand that nothing is really scared anymore. Even if you don't post it yourself every corner you turn there's someone with a phone that can record whatever you're doing, appropriate or not. There are 96 people to every 100 that have cell phones, not to mention security cameras that outnumber the people in the world by 14 people for every 1 camera in the world, which is outstanding, with every single thing you do is being recorded or the possibility of being recorded why wouldn't the leaders of the company you work for want your professionalism to surpass just the hours you're in the office, or are paid for, its more than that. Your job pays for your lifestyle, but its also the life you have to live and permit by depending on the job you seek. Without your job how else are you going to pay the common necessities? So why wouldn't you treat your employer and company that pays those things for you with the respect and decency they so deserve.

These laws are also not just subjected to you it creates a safer work environment since your fellow employees are held to the same respects. Another high profile case in Canada is the Court of Appeal ruled an education institution had the right to access a laptop of that to a teacher who was given this by the school, later it was found there were sensitive pictures he obtained of an underaged student. The teachers right to privacy was waved due to the written policy the school had, this also allowed them to search said laptop as well legally could search anything ranging from cell phones, or tablets distributed by them and should expect no reasonable privacy on that device whether they take it home or not. Without this policy in place who knows what else could have happened to other students/potential victims. The bottom line is that employers have the right to discipline and/or terminate employees if their conduct outside of work is damaging to that of the company they work for, especially if in a very public high power job, and that could negatively affect the place they work for.

Since the hiring process dictates a background check why shouldn't they be held in the same respects and due diligence as when they were hired, while they embody the companies integrity and namesake even more so? The reality is that employers are legally allowed to dismiss subordinates for conduct outside of the workplace with clauses in signed contracts at the beginning of employment, list of enforced company expectations and guidelines, and other considerations of law like dismissal without cause, and why shouldn't they? Every single thing you do can easily reflect back on them in the span of the time it takes you to press enter on a tweet or say something derogatory whether it's to an Uber driver or a live news reporter



in front of thousands and thousands of people, if you were a business owner with employees wouldn't you expect them to uphold the namesake of your company with respect and dignity, and this is why there are company guidelines and policies as well as laws in place to stop the deception that you're allowed to do whatever you'd like during your off duty time from work, since it's not only yourself they are considering its everyone you interact with and work alongside with, how comfortable are you working with a racist or pedophile, its not only about protecting the companies name its also about protecting its employees and yourself, hence why these laws are in place.