

# Legal determinations for change in employment status

Business



## Module 11 Written Assignment Legal Determinations for Change in

Employment Status Employment status is ed to change from time to time.

The reasons for these changes could be driven by the impetus of the employee himself or the discretion of the employer. For either of them there are a number of determining factors behind the change in employment.

These changes have legal implications that come with them. The implications are as a result of employment clause factors like labor laws or company employment policy and employment terms and conditions. In light of this, this paper is a discussion of legal determinations for change in employment status.

Changes in the employment status take place in the workplaces every day.

The changes could be either progressive or regressive. The factors that lead to such changes include age, ability, economic conditions, discipline and duration of duty. These factors directly lead to changes that include, but are not limited to; promotions, pay increments and decrements, transfers and layoffs. These changes are guided by legal statutes and it is only wise that employees learn and keep the legal implications that come with the employment status changes. There have been numerous misinformed changes in employment status for many due to lack of information on entitlements provided by the law (C. C. H. Incorporated)

As human resources officer, I am prone to these changes too. The three most probable are confirmation of employment, transfers and promotion. These status changes reflect loosely the chronology of employment for a diligent human resource officer. They are hierarchal, with improvements along the ranks during the time one works for a company or is in the professional field.

Confirmation of employment is a change that is guaranteed at present as the transfers and promotions are bound to take course with time (Holland and Burnet, 63)

The confirmation of employment is the first change in employment status for almost all the employees in the formal sector. Most companies have got a probation period provided for in their terms and conditions. The period is used to monitor the progress of new hires and also serve as a learning moment for them. During this period, guided by the terms and company policy, the employment is on contract basis and sometimes the employees receive half their salaries. The period spans between three to seven months depending on the company and its policies. After this period, an employee is confirmed and hired on permanent basis. This should be the first employment status change for anybody (Holland and Burnet, 63).

The second status change in employment is the transfers. Companies will transfer staff due to shortages, expansion or resource redistribution. A transfer necessitates revision of the contract since it brings with it new challenges. The status change could be an increment in salary or allowance. At times, a transfer will also include a promotion. This is the next status change (Holland and Burnet, 65)

Promotion is given on basis of merit mostly. The merit counters could be performance, duration of service, recommendation and acquired skills and education. At other times it is awarded due to necessity. In the instance that a position falls vacant abruptly, this is bound to happen. The employment status change puts an employee at a new professional level hence necessitates new terms.

In conclusion, there are company policies that detail the employment status changes within the company. These policies are instrumental in drafting the employment contracts. As such, employees should be keen to know their rights and privileges and to claim them too (Internal Revenue Service)

#### References

C. C. H. Incorporated, Pension and Employees Benefit Code, C. C. H. Incorporated, 2004

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Government Printing Office, 2002

#### References

Three Scholarly Resources (from the United States please)