

# Employment assignment



What do you think are some of the factors in the modern workplace that contribute to a theft of time? How can those factors be managed? Answer: Time theft at work occurs when an employee accepts pay from their employer for work that they have not actually done, or for time they have not actually put into their work. Therefore, if the employee is not truly doing the necessary amount of work during their shift, it is considered a theft of time from the company.

Some of the factors in the modern workplace that contribute to theft of time are the overwhelming amount of technological advancements; the absence of policies or employees, and the lack of enforcement and organization in the managerial department. The fact that most people carry a smart phone and/or a tablet with them at all times, makes it more difficult to eliminate theft of time in the workplace. In addition, there are other factors that influence theft of time such as over-extended break time, excessive personal time, and using the internet for personal usage or non-work related purposes.

During work, employees are allotted a specific amount of time for their breaks each day. However, if they frequently over-extend the amount of time they spend on their breaks, it then comes an issue about time theft. Certain companies offer some down time for their employees during their workday to address small personal matters. Nevertheless, this privilege is often abused when employees take too long on personal calls, or checking and sending no-work related emails. Consequently, the issue of the time theft arises. In addition, every company has a different policy when it comes to using cell phones and internet in the office.

But, if more time is spent on things such as social network sites, surfing the web or testing than actual work, this becomes an issue of time theft. These factors can be managed through clearly outlining the company's policies to all employees. This can be done through a meeting, or a workplace memo, and emphasizing the policies during the hiring process for new employees.

Managers can also assess the amount of time for employees' breaks to ensure proper break times are being given. Perhaps, a biometrics system will also aid in the detection of employees logging in and out for breaks.

Depending on the business, it may be necessary for managers to allow employees some personal time during work. But to avoid any type of abuse from this privilege, employers should schedule meetings with these employees to discuss the issue. Furthermore, written warnings should be given, if necessary, to control the situation. Last, it is important to monitor internet usage, have a policy regarding cell phones and texting. Companies can acquire software to monitor employees using the internet to ensure that they are not abusing their privileges.

If companies feel that cell phones are a distraction in the workplace, then they should inform employees not to use their cell phones while at work. They should be using their phones during their breaks throughout the work day. The most important rule for this is to keep employees informed at all times about company's policies to ensure employees' productivity.

2. What does the word Whistleblower mean (legally speaking)? Give an example of whistleblowing. Answer: Whistleblowing is the act of providing information to law enforcement or regulatory agencies about a business that is engaged in suspected illegal or improper activities (EI, 2013).

Employees may also notify management about a co-worker's unlawful activities. To protect the public interest and encourage employees' disclosure of illegal or unethical activities, Congress passed the Whistler's Protection Act in 1989, which allows employees to file a complaint against an employer if they believe an employer is retaliating against them for disclosing improper activities (El, 2013). Example: The most common example that I have seen is the discrepancy in the financial department of some companies.

If the bookkeeper of a company is asked by the superiors to alter calculations of the business to disguise actual expenses and earnings, he or she will be collaborating with an illegal activity. However, if the employee of the company decides to tell someone outside the company about the illegal activity, a government or law enforcement agency, that employee will most likely be protected under the law. But, if the employee just complains to someone inside the company, that is not weightlessness, and the employee is not protected by the whistler's laws. 3. Retaliation" has become one of the most often cited reasons for employees filing charges with the EEOC against their employers. Please define "retaliation" in the legal, employment sense – and explain when it is illegal. What can an employee do when they feel they have been retaliated against and for what reasons does retaliation rise to the level of an EEOC lawsuit? Answer: Retaliation occurs when an employer, employment agency, or labor organization takes an adverse action against a covered individual because he or she engaged in a protected activity ("Facts about retaliation,").

An adverse action is an action taken to try to keep someone from opposing a discriminatory practice, or from participating in an employment discrimination proceeding (" Facts about retaliation,"). Covered individuals are people who have opposed unlawful practices, participated in proceedings, or requested accommodations related to employment discrimination based on race, color, sex, religion, national origin, age, or disability. Individuals who have a close association with someone who has engaged in such protected activity are also covered individuals (" Facts about retaliation,').

Protected activity includes: opposition to practice believed to be unlawful discrimination, participation in an employment discrimination proceeding, and it can also include requesting a reasonable accommodation based on religion or disability (" Facts about retaliation,"). Retaliation is illegal when employers fire, demote, harass, or otherwise retaliate against people, applicants, or employees because they have filed a charge of discrimination against, because they have complained to their employer about discrimination on the job, or because they participated in an employment discrimination proceeding.

The law forbids retaliation when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment. Any employee who feels that he or she has been subjected to discrimination may file a charge with the EEOC. Once a charge is filed, the EEOC follows various steps to address the allegation of discrimination. The United States Code

requires that EEOC attempt to informally resolve a hearer where there is reasonable cause to believe that discrimination has taken place.

After informing both parties of the outcome, the EEOC investigator will work with the employee to resolve the charge and find a suitable solution.

Appropriate solutions are those that will put the employee in the same position he or she would have been in if the discrimination had not happened. For instance, if a person was terminated from his or her job for discriminatory reasons, a suitable solution would be reinstatement to his or her position with back pay. Both parties must agree to the settlement; when agreement is reached, a contract is signed.

If both parties do not agree to the settlement, the case is referred to the EEOC attorneys for legal action against the employer. Consequently, a lawsuit will most likely take place (Williams). 4. During the course of a day, employee Jennifer Insanities (an accountant) constantly opens and updates her Faceable account on her pad, checks on her lottery ticket numbers, calls and talks to her mother for 30 minutes, her children for 10 minutes (she makes sure they get home safely every day) and her husband every afternoon for 15 minutes to see if he or she is making dinner that night.

Her employer, Bullyboy Thornier listens to each of her phone calls to make sure that she isn't talking to his wife, one of her good friends, about his actions at work. (He is always hitting on the salesgirls, in a good-natured way. ) Bullyboy ends up being fired for sexual harassment when one of the salesgirls complains. Snifter's new boss, Tracy, notices that Jennifer is doing

a ton of personal work during company time. There is no written policy about this issue at the company. To date, Snifter's work is exemplary.

She always has everything done in a timely manner and her books balance at the end of every day. What should Tracy do about this situation? Answer: It is difficult to approach this situation since Tracy is Snifter's new boss, and the fact that Snifter's work is always complete and on time. But there are a few options for Tracy to address this situation. First, there should be a written policy addressing this issue. In the policy, Tracy can limit the time spent on personal phone calls, or ban cell phone usage in the workplace altogether, unless there is an emergency.

In addition, she can clarify that employees' personal business can be done during lunch hour and small breaks. If anyone fails to comply with the policy, they will receive a warning. Tracy could also invest on software to monitor internet usage among employees. All of this information can be told through a memo or a meeting. Tracy's last option could be to cut back on Jennifer hours so there isn't a time theft of almost two hours. Jennifer is basically getting paid for those two hours to take care of personal matters.

If she is completing all of her work in a six hour period, then Tracy could have her do something else or send her home early. 5. Last month, Steven Smith was hired as the secretary for lawyer Wayne Wright, who has a drinking problem. Wayne's last secretary quit when Wayne tried to get her to go out with him on a date. So far, Steven and Wayne have gotten along peachy. Steven is subpoenaed to testify in the harassment lawsuit of Wayne's former secretary, and says (under oath) that Wayne has treated him great,

but that Wayne also admitted he had asked the secretary out on dates regularly and grabbed her inappropriately.

Steven is telling the truth. A few weeks later, Wayne and his firm lose the harassment case and have to pay the prior secretary back pay and reinstate her to her job as part of the damages in the case. The firm terminates Steven so that they can put the old secretary back in her job. Steven asks you what you think he should do. What do you say? Answer: This is a difficult situation because apparently, the company only has room for one secretary. Steven was hired after Wane's last secretary quit.

After the court ruled that the former secretary should be reinstated, Wayne Wright had no other choice, but to hire her again. So, this could be one side of the argument for the attorney to explain his side of the story, which would mean that Steven would not have much of a chance to get his job back. On the other hand, Steven could argue that he was retaliated against for participating in an employment discrimination proceeding. He would have to file a complaint with the EEOC in order for an investigation to take place.

They would be able to investigate the reason for his termination and determine if it was fair or if it was based on retaliation. If Steven truly believes that his termination was a wrongful one, he should file a complaint. Also, if Steven was hired based on the "at will" policy, the employer does not need a reason to terminate an employee. Nonetheless, if he signed a contract with specifications about the length of his employment, or a discharge procedure, Steven may file a lawsuit against his employer for a breach of contract.