

Answer this question
in 2 pages

Business



How does the employment -at-will doctrine affect the hiring and firing process at a work organization? The overall effect of the “ at-will” doctrine of employment is felt in a number of ways; both within an organization – as well as outside it. For instance, an organization that employs the “ at will” doctrine is ultimately removed from providing a rational for why an employee might be dismissed. At the same time, this constricts the ability of the employee to determine whether or not they were relieved of their responsibility (fired) for cause or whether or not it was done merely out of spite or another devious reason that the employer might wish to keep secret. The further ability of the legal system to attempt to correct inequalities and illegalities that are exhibited within such a system are also severely constrained; as ultimately it is the employer that holds all the power to dismiss and fire an employee based on no reason given.

Interestingly, there has been a great deal of study into the impacts of the “ at-will” doctrine on the firing process and how this negatively or positively promotes the interests of the organization. However, there has been relatively little research done as to how this impacts upon the employee and whether or not they choose a specific company or region in which to work. Ultimately, it is the view of this student that the “ at-will” doctrine, in application, provides for a decreased sense of employee security; and likely encourages them to look for other more secure opportunities elsewhere. Has this doctrine been eroded over the last 30 years or so years and if so, what has caused the erosion?

The doctrine has ultimately been a road partially abuse is so here’s the reason for this has to do with the litigation and societal understanding that individual employers are attempting to game to sit benefiting from it.

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However, as more and more stringent legal controls have been established and the “ at will” doctrine has been adopted by more and more states, the ultimate situation which is being affected is one in which the utility options available. Essentially, business has attempted to move towards states that represent the “ at- will” doctrine; in the hopes that this will be able to maximize the overall level of profitability and success that they might otherwise achieve elsewhere. As a result of this dynamic shift, firms are of course interested in seeking to promote profitability; leveraging loopholes in the legal framework and interpretation of employment law as a means of promoting their own interest. Necessarily illegal or wrong, it has had a negative impact upon the overall right that the employee can necessarily claim and whether or not these stakeholders are able to leverage the law as a function of protecting issues relating to equality, discrimination, and unfair termination practices. Unfortunately, the current rate of states moving towards adoption of the at-will doctrine, it is unlikely that the changes will be noted in the future.