

# Importance of laws in employment essays examples

[Business](#), [Employee](#)



## **Importance of Laws in Employment**

Employment does not only allow us to pay our bills, but is the fundamental outlet in which we express ourselves to the broader community. It defines our daily schedules and also shapes our futures. Anyone who has ever been laid off or spent years without work knows how bad it feels losing work or having nothing to do. There is a lot that goes on in workplaces that can have serious effects on the lives of workers and hence making it necessary to have employment law in place.

The broad definition of employment law is the negotiated relationship between employer and employees. Employment law is designed in such a way to ensure that employees work under a union contract; they are not victims of discrimination in regard to sex, religion, race, age, disability, or even sexual orientation and also have a right to go to court or any other body to resolve any issue that is work related. Under the employment law, it is an obligation of each and every employer to ensure that all these rights of employees are catered for and that they are given an equal fair hearing. An employment contract provides job security and offers other important protections to employees including against discrimination, fair and equal remuneration, health and safety, equal opportunity for hire, fair work load among many others. Employment laws cover the rights of employers as well in ensuring that they hire qualified and competitive staff to ensure the maximum productivity of the business for profits, ensure the employees show up on time and perform as required of them. All this ensures the employees venture remains competitive in the market place. Compliance with these labor laws ensures that there are few legal cases and business

instabilities as result of strikes by the employees. Contraventions with these labor laws always have detrimental effects to both the business and the economy of a given country as well. Employment laws have a crucial role to the health of an economy of a given country. Longer periods of economic growths and booms reflect healthy businesses with satisfied employees and employers.

Regulations are carried out either through the voluntary means or legal means. Voluntary means include the agreements and other decisions derived from collective bargaining, arbitration, discipline handling, mediations among many others. The legal means would include the signed treaties, international standards and the various laws covering employment relationship including the common law, statutory law, law of contract among many others. Regulation is necessary in that it influences the functions of management in how they exercise powers, manage conflicts of interests and how they control and organize workforces. For a long time employment relationship has been characterized with a power imbalance in favor of employees, but with regulation in place this power is regulated ensuring that the employees are not exploited at work by agreements on pay and working conditions and processing of grievances. Legislation also helps in setting the minimum working conditions and also set limits on the actions an employer can take against the employees, for example disciplinary action. Regulation also asserts certain principles like the ones that influence the nature and quality of decisions like fairness, equal treatment and those that mould the regulatory process itself like disciplinary actions.

The employer and employee are the subjects of the employment laws and

hence it is mandatory for both of them to have a sound and equal understanding of this law. In most cases, employees and employers alike do not know what the employment law contains and this always confusion to both. Employees find themselves being overworked and working under poor conditions but most of the time they do nothing about it, but it is important they realize this is wrong and take legal action. Employers also need to have a grasp of this law before hiring or recruiting employees and provide the best working conditions. Failure to comply with these laws usually attracts heavy fines that may affect their businesses.

Validity in employee selection refers to the degree to which a measure accurately predicts job performance. Validity is used to measure work behavior, job performance, job products and outcome. With regards to employment, three types of test validity are used which include: Content validity which ensures that the test covers significant aspects of the job. They are sometimes called job samples. Applicants are required to perform certain aspects of the job and hence it is able to note their competence and efficiency. Construct validity tests measure the degree to which an applicant possesses psychological traits commonly referred to as constructs which include intelligence, leadership ability, and communication ability among others. These constructs form part of the job specifications on a job description. Criterion-related validity focuses on the relationship between a predictor and a measure of work behavior or performance. Performance measures would include error rates, production rates, length of service, and tardiness among others.

Different types of employment tests exist which employees can use for hiring

purposes and sound decision making with regard to new staff. They are many in number and include the biographical data which focuses on areas like education, work experiences, training, and interests among others. Biographical data measure leadership skills, specific job knowledge and skills. Another employment test is the Interview, which is the most widely used. Interviews usually focus on interpersonal skills, communication skills, team work skills and knowledge on the job. Assessment centers are also used to measure specific job qualities including interpersonal skills, communication skills, planning and organizing and analytical skills among many others. Cognitive ability tests that are gaining popularity focus on abilities to learn quickly, logic, reasoning, problem solving and other mental abilities related to the job. They test a person's aptitude and ability to solve a problem on the job. Integrity tests that focus on an individual's attitudes and experiences related to honesty, trustworthiness, reliability and pro-social behavior. Other employment tests include the personality tests, job knowledge tests, physical ability tests and the works samples and simulation tests.

All employers are required by the employment law to test for eligibility to work for all their new employees. An employment eligibility verification form must be completed by the employee and kept by the employer. It is a legal requirement for employees to provide original copies of their documents for verification. Failure to comply with this eligibility test, the employers may be sued for non-compliance which might have serious legal ramifications.

Performance appraisal being the process by which management examine and evaluate an employee's work behavior or performance and compare it

with the preset standards, document the comparisons and uses the results to provide feedback to the employee to show where improvements are needed and the reason behind them. They are used to determine who needs to be promoted, trained, demoted or fired. Performance appraisals become central issues of disputes especially when the employment relationships have been established. The nature of the employment relationship as well as the nature of employment decision must be revisited to determine the potential for performance appraisals before any decisions are made. This would avoid legal suits with regard to issues like discrimination on basis of gender, race, disability among many others and contraventions with certain acts like the Fair Labor Standards Act (FLSA) and the Family and Medical Leave Act (FMLA).