Unit VIII Article Critique

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**Introduction**

The problem presented in this paper is the implications attached to a poorly followed termination procedure. The authors have highlighted numerous issues that revolve around the problem of poorly followed termination procedure. Additionally, the authors have devised a plan that employers could follow to avoid legal rigmaroles of a poorly followed termination procedure.

**Discussion**

It is the most dreadful experience for any employee to be discharged from their duties at any instance of time. Sudden termination from employment can have deleterious emotional consequences (Walsh, 2015). The authors have suggested that abrupt termination from employment can make the employees lurch towards depression. Authors have rightly pointed out that the employees that faced stress and anxiety after being discharged of the services and employment, more often than not, tend to move into the courts against the employers. Certainly, the authors have pointed out that a poorly followed termination process can bear negative consequences for the employers apart from the emotional complications for the employee. The authors have used the following evidence to support their argument. The authors have presented before the readers about the ruling of a famous case that the Supreme Court of California gave; Tameny v. Richfield. This ruling empowered employees that suffered from anxiety and depression due to termination of the employment have every right to move to the courts against the employer. Furthermore, the authors also pointed out that the employers have no legal right to retaliate against the employees that have brought them into the court of law. Title VII of the Civil Rights Act of 1964 prevents employers to take legal action against the employee. Certainly, I hold the same view as of the authors because I too have a feeling that any employee terminated suddenly from the services must move before the courts and seek justification from the employers.

According to the authors, the employers, just as they follow proper hiring processes before making hiring decisions, should follow a proper mechanism while terminating the services of an employee (Van Bogaert & Gross-Schaefer, 2005). According to the authors, apart from following a proper and well-devised mechanism for employment termination, the employer must have a valid reason to discharge an employee from the services. For instance, consider an employee move into the court against the employers after witnessing biased and discriminatory practices (Dau-Schmidt et.al, 2017). After two days, the employers discharge the very same employee from the services on a vague reason (Dau-Schmidt et.al, 2017). If the employee feels that the reason is entirely vague and proper termination procedure was not followed by the employers, the employee can take the employers to the court. There are numerous risks attached to this practice as well. Apart from being sued by the employee, ending the employee-employer relationship abruptly can result in the company losing its trade secrets. Moreover, the reputation of a company can get damaged to an extreme extent. Additionally, the processes and procedures that go into hiring a new employee incur huge costs on the employers.

The employment-at-will doctrine empowers employers to discharge employees without furnishing a solid reason (Gertz, 2017). Moreover, there are certainly other factors that influence termination decisions. The employment-at-will gives employers the power to reduce the wages of the employees (Gertz, 2017). Furthermore, the employment-at-will doctrine enables employers to modify employment-benefits at any given stage of time (Gertz, 2017). Although the employment-at-will enables the employer to discharge employees at any given time, it also prevents the employers from making terminating decisions that are discriminatory on any grounds.

**Conclusion**

The authors have rightly argued that unthoughtful termination makes employees lurch towards depression and anxiety (Van Bogaert & Gross-Schaefer, 2005). Certainly, employees have enshrined rights in several acts and laws to move against employers into the courts. Although the employment-at-will doctrine enables the employer to terminate employees without any reason, it also prevents the employers from making terminating decisions that are discriminatory on any grounds.

**References**

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