

We Have Rights!

What does it mean to be an “at will” employer?



At Will Employment

➔ Employer is free to discharge individuals for good cause, bad cause, or no cause at all*

....as well as Employee is equally free to quit.

*Except when it violates:

- Public Policy
- Implied Contract

Public Policy Exceptions include:

- Anti-discrimination statutes protecting: race, color, religion, gender, national origin, age, disability, veteran status
- Refusal to commit illegal acts
- Taking Family or Medical Leave, if eligible
- Retaliation

Common “at risk” areas:

- Wage and Hour violations
- Discrimination
- Harassment
- Retaliation

Best Practices

- Be professional and respectful
- Performance is both “what” and “how”. What = results. How = behaviors as they impact the job
- “A day’s wages for a day’s work”
- When you hire adults, treat them as such
- Documentation – because it is much easier to demonstrate “the reason” an employee didn’t work out than having to defend against all the possible reasons