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CASE STUDY: Employee Rights and Responsibilities



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Introduction

Nowadays, the relationships between coworkers and employees of the contracting companies became complicated. People spend much time together and often fell in love. Such romantic interrelationships can cause numerous problems to the couple and cause suspicions and rumors. Moreover, they can result in different lawsuits against their companies. The current work will consider one of the cases of romantic feelings revelation between the head of the purchasing office and the head of the supply company. The emphasis would be made on the possible actions of the head of County's Department of Administration, who obtained the information concerning these relationships from the employee who observed them. The discussion of the case is extremely important for obtaining the understanding of what actions and precautions should be made in order to protect the observer, the company, and to safeguard the rights of workers regarding the nonintervention in their private life.



Methodology



The current work represents the assessment of the case study taken from the book *Personnel management in government agencies and nonprofit organizations* (2008). The information used for the analysis of the case and development of the appropriate solution was searched on the Internet. The major issue is connected with finding the data concerning the protection of the private life of the company's employees. The analysis of the discussed case is represented by the answers on the questions provided in the coherent and understandable manner.

What Do You Say Immediately to Jan?

First of all, the head of the Country's Department of Administration should assure Jan that the matter will be taken under personal control. In any case, some measures would be developed and taken for the elimination of any harm to the Administration and to her career. The employee should feel that her concerns are heard and appropriate measures would be taken from the side of top management.

Jan would be assured that this case would be thoroughly considered and discussed with Terry. Moreover, the head of the Department should assure that Jan is saying truth during the conversation, due to the fact that, as it is noted in the case, Jan had problems with the performance of her responsibilities. She may feel that Terry was highly concerned about her credibility and she may lose her working place. Hence, Jan can make false denunciation for the misrepresentation of



Terry. Moreover, Jan would be asked additional questions concerning the details of her observations, such as the specific time, clothing details, availability of other observers or people who can prove her words. As a result, specific and detailed answers on these questions would help assure that Jan's words are truthful.

What Are Your Options is Dealing with Terry and What Are Your Plans in Resolving the Situation?

As the head of the Country's Department of Administration, I have several options to deal with Teddy. The first option is dismissal. Terry could be informed that his relationships as the boss of the purchasing office with Kim, the owner of the major office supply company, may cause numerous suspicions and rumors. Moreover, his company's decision to work with Kim's company could be questioned. Hence, Terry should be dismissed in order to eliminate the negative consequences.

The second option is to put Terry aside from the part of his work connected with the Kim's company. It can be explained by the fact that the company intends to eliminate any rumors and suspicions. At the same time, it will help Terry save his position. The last option is to remain everything unchanged.

The additional attention should be paid to the negotiations with Terry concerning his relationships with Kim. The company may express its concerns and try to prohibit their relationships. In addition, the company may just give Terry the warning that he should not make any preferences to Kim's company during his work, but in his free time he

could be in relationships with Kim. He can be proposed to sign the special love contract (or consensual relationships agreement) with Kim. This document represents some form of a “relationship agreement that permits employees to disclose office romances while insulating employers from liability” (Guerin, 2016). Such contract eliminates the possibility of setting sexual claims of harassment and promotes professional behavior. Terry should be explained that his relationships can be detected by other employees of the company. Hence, the disclosure of the relationships and signing up love agreement can be the reasonable step. The contract would help eliminate suspicions and protect the company from any legal and public issues in the future.

What Legal Rights and Protections, If Any, Does Terry Have?

“Employees of governmental and public entities have a constitutional right to privacy that protects them from most employer monitoring of, or even inquiring about, their off-the-job conduct” (Guerin, 2016). Their privacy outside the workplace are protected by the thirty states and the District of Columbia (Chen and Sambur, 1999). It should be noted that even in those states which did not develop special statutes and regulations concerning this matter, it is considered to be illegal for an employer to pose limits on off-the-job relationships. For example, Wal-Mart last lawsuit that was set with the attempts to forbid dating among coworkers (Poull and Lindback, 2004). Such explanations directly concern the described relationships between Kim and Terry as they were observed after work (Dresang, 2008).

The additional attention should be paid to the fact that Kim and Terry

are not coworkers. Their relationships represent the conflict of work interests as Terry takes the management position in the purchasing office and Kim is the head of the supply company. Hence, their interpersonal relationships can endanger the integrity of the bidding process. However, such relationships cannot be prohibited by the company. Terry is protected from the relationship ban by the right to privacy stated in the Human Rights Act 1998 (Poull and Lindback, 2004).

What Will You Do to Respond to Jan's Fears that She is Vulnerable to Relation by Terry?

Jan should be assured that her report concerning the observed relationships between Terry and Kim would not affect her work and her performance would be assessed without any prejudice. It can be reached by the additional conversation with Terry and explaining him that any employee of the company could observe his attitude to Kim, and it should not influence Jan and her work. Any tensions concerning the professionalism and credibility of Jan should be considered more thoroughly with the engagement of the additional personnel for the elimination of any biased attitude. The development and realization of the plan of close supervision of Jan's performance should also be performed with the engagement of human resource manager or some other company's representatives.

With Whom, If Anyone, You will Share This Situation?

As per personal understanding, this situations should be thoroughly discussed with Terry and Kim. They should understand that their

relationships and their secrecy could cause suspicions and tensions inside the company. Thus, it would be better to disclose such relationships and to sign special consensual relationship agreement noted above. Moreover, this situation should be shared with the representatives of legal department. They should provide consultations concerning the development of the agreement for elimination of any threat to the company. Moreover, the human resource manager should be acknowledged concerning the existing tensions between Jan and Terry and the possibility of their sharpening due to the disclosure of relationships between Terry and Kim.

Do You Think It Would Be Good to Promulgate Some General or Guidelines in Response to This Situation?

As per personal understanding, the given situation should form the background for the promulgation of the special guidelines concerning the close relationships between the coworkers and between employees of the company and employees of the contracting organizations. The guidelines should be based on the understanding that working romances are inevitable part of the company's life because people spend the major part of their lives at work and they closely interact with each other. At the same time, such relationships cannot be banned or prohibited by the company, because they concern private lives of employees that are protected by the law. Hence, it would be reasonable to promulgate that all the employees can do anything they want in their off-the-job time, if their actions do not harm the image of the company. At the same time, they should be provided with clear understanding that all their relationships can impact both their and the company's

performance. Thus, they should display due prudence. The intimate relationships between coworkers should not be expressed during the on-the-job period. Moreover, it is proposed to oblige the employees to inform the human resource manager concerning their relationships with other coworkers and representatives of the contracting companies. The couple also would be obliged to sign the special consensual relationships agreement discussed above for the elimination of the responsibility of the company. The given recommendations are based on the understanding that openness about the existing relationships would alert the behavior that may be connected to favoritism, promote the appropriate workforce behavior, and eliminate suspicions, rumors and gossips.

One more guideline that should be promulgated would relate to the minimization of the possibility of sexual harassment at the workplace and the immediate informing about such cases. Even if the harassment did not occur, one employee may claim to have been pressured for the relationships with the other employee after the failure of the workplace romance. Hence, the development of the above-mentioned agreement would decrease the number of such claims as it would provide the compelling evidence that both employees entered the relationships voluntary.

Do the Gender of Terry and of Kim Make any Difference to How You Proceed?

The gender of Terry and of Kim does not play any role in the proceeding of the discussed case. All the people (either employees of the company

or not) irrespective of their gender should be treated equally and have equal rights regarding nonintervention into their private life during the off-the-job period.

Conclusion



Thus, the current work provides the assessment of the case concerning the disclosure of the intimate relationships between the head of the purchasing office and the head of the supply company of the county. The observer and the reporter of the matter should be assured that the appropriate actions would be taken and the person would be protected from any prepossession caused by the disclosure of these relationships. The employees who have the intimate relationships should be negotiated and proposed to perform unsolicited disclosure of their relationships for the further elimination of any rumors and suspicions. Moreover, they would be proposed to develop and sign the special consensual relationships agreement for the minimization of any responsibility of employer in this matter. The additional attention should be paid to the fact that such relationships between the coworkers or representatives of the contracting companies cannot be prohibited by the company. It is caused by the fact that such limitations are illegal as they confine the private life of workers. At the same time, the company may develop the regulations, which may oblige the workers to inform the human resource manager about such cases for making necessary precautions and protecting the company from any similar issues in the future.