

## HR Summary

### Chapter 4:

**1. Explain the intent of the Privacy Act, the Drug-Free Workplace Act, the Fair Credit Reporting Act, and their effects on HRM.** The Privacy Act of 1974 was intended to require government agencies to make available to employee's information contained in their personnel files. Subsequent state laws have afforded the same ability to nongovernment agencies. HRM must ensure that policies exist and are disseminated to employees regarding access to their personnel files. The Drug-Free Workplace Act of 1988 required government agencies, individuals with federal contracts, and organizations with federal contracts over \$100,000 to take various steps to ensure that their workplace is drug free.

**2.Explain employer concerns about social media use and the components of an effective social media policy.** Social media such as Facebook, LinkedIn, Twitter, Myspace, and YouTube provide opportunities for employees to share their positive or negative feelings about employment on a global scale, endangering reputations and jobs. Productivity also suffers when employees use social media during work hours. Effective social media policies include information on how the employer monitors Internet use, warnings that there is no privacy when using the Internet at work, reminding employees to be respectful online, explaining legal repercussions of online defamation of character, privacy settings, and how company photos, names, and logos can be used.

**3.Describe the provisions of the Worker Adjustment and Retraining Notification Act.** The Worker Adjustment and Retraining Notification Act of 1988 requires employers with one hundred or more employees contemplating closing a facility or laying off fifty or more workers to provide sixty days advance notice of the action.

**4.Identify the pros and cons of employee drug testing.** Drug testing is a contemporary issue facing many organizations. The problems associated with substance abuse in our society, and our organizations specifically, lead companies to test employees. The costs of abuse in terms of lost productivity and the like support such action. On the other hand, is the issue of privacy. Does the company truly have the right to know what employees do on their own time? Additionally, drug test validity as well as proper procedures are

often cited as reasons for not testing.

**5. Discuss the benefits of using honesty tests in hiring.** Honesty testing in hiring has been used to capture the information unavailable from a polygraph in screening applicants. Many companies use these question-and-answer tests to obtain information on one's potential to steal from the company, as well as to determine whether an employee has stolen before. Validity of honesty tests has some support from research, and their use as an additional selection device appears reasonable.

**6. Explain legal and ethical issues involved in monitoring employees.** Employers have extensive rights to monitor employees in the workplace including use of phones, e-mail, and Internet. Technology available to track employee actions is increasing, including sophisticated computer use tracking, RFID, and GPS technology. Employee monitoring can save money and increase productivity for employers, however, employees often feel that their right to privacy is being violated. Concern over new technology that may track employees beyond the workplace is growing.

**7. Discuss the implications of the employment-at-will doctrine and identify the five exceptions to the doctrine.** The employment-at-will doctrine permits employers to fire employees for any reason, justified or not. Although based on nineteenth-century common law, exceptions to employment-at-will have curtailed employers' use of the doctrine. The five exceptions to the employment-at-will doctrine are: contractual relationships; statutory considerations; public policy violations; implied employment contracts; and breach of good faith by the employer.

**8. Define discipline and the contingency factors that determine the severity of discipline.** Discipline is a condition in the organization when employees conduct themselves in accordance with the organization's rules and standards of acceptable behavior. Whether to impose discipline and with what severity should reflect factors such as problem seriousness, problem duration, problem frequency and nature, the employee's work history, extenuating circumstances, degree of orientation, history of the organization's discipline practices, implications for other employees, and management backing.

**9. Describe the general guidelines for administering discipline.** General guidelines in administering discipline include making disciplinary actions corrective, making disciplinary actions progressive, and following the hot-

stove rule—be immediate, provide ample warning, be consistent, and be impersonal.

**10. Explain the elements of the hot-stove rule and their application to discipline in the workplace.** The hot-stove rule consists of four elements: immediate response, advance warning, consistent action, and impersonal application. If employee disciplinary actions meet all of these elements every time discipline is applied, discipline will be seen as consistent, fair, and predictable. Employees will begin to regulate their own behavior out of their own self-interest.

**11. Identify important procedures to follow when firing an employee.** Review all facts; meet the employee in a private setting with witnesses; state the termination clearly; let the employee retain their dignity; pay salary and severance; ask the employee to sign an agreement not to sue; explain any benefits, such as insurance, that they have a right to; have the employee leave immediately; revoke their access by changing passwords and taking keys; and inform other employees of the termination.

## Glossary

**discipline** A condition in the organization when employees conduct themselves in accordance with the organization's rules and standards of acceptable behavior.

**dismissal** A disciplinary action that results in the termination of an employee.

**drug testing** The process of testing applicants/employees to determine if they are using illicit.

**Drug-Free Workplace Act** Requires specific government-related groups to ensure that their workplace is drug free.

**employment-at-will doctrine** Nineteenth-century common law that permitted employers to discipline or discharge employees at their discretion.

**Fair Credit Reporting Act** Requires an organization to notify job candidates of its intent to check into their credit.

**honesty test** A specialized question-and-answer test designed to assess one's honesty.

**Hot-stove rule** Discipline, like the consequences of touching a hot stove, should be immediate, provide ample warning, be consistent, and be impersonal.

**implied employment contract** Any organizational guarantee or promise about job security.

**Polygraph Protection Act** Prohibits the use of lie detectors in screening all job applicants.

**Privacy Act** Requires federal government agencies to make information in an individual's personnel file available to him or her.

**progressive discipline** A system of improving employee behavior that consists of warnings and punishments that gradually become more severe.

**social media** Websites and mobile applications that facilitate interactive communication.

**suspension** A period of time off from work as a result of a disciplinary process.

**whistle-blowing** A situation in which an employee notifies authorities of wrongdoing in an organization.

**Worker Adjustment and Retraining Notification (WARN) Act** Specifies employers' notification requirements when closing down a plant or laying off large numbers of workers.

**workplace romance** A personal relationship that develops at work.

**written verbal warning** Temporary record that a verbal reprimand has been given to an employee.

**written warning** First formal step of the disciplinary process.