

## HOW AND WHEN TO FIRE AN EMPLOYEE LEGALLY



In today's world, employment comes at a premium, so employees should make sure they are on their best behavior when in the workplace. Employees cannot afford to lose their jobs today because they not only will be losing their salary but also their benefits if fired by their employer. On the other side of things, an employer is always wondering how to fire an employee without suffering legal backlashes from the employee or the employee's lawyer. When an employer is ready to fire an employee, the company should be ready to do so while covering all of their legal assets. Today's world features plenty of employment lawsuits, with a good chunk of them being won by the fired employee. We will outline the best reasons for firing an employee in this article. The first reason to fire an employee is if he or she has been found to be incompetent at their job. This includes not being able to complete reasonable tasks related to their job description. Give the employee warnings at various points so he or she knows that they are not getting the job done correctly. Document as much about the employee and his or her actions as possible so that you have incidents to reference if needed. Another reason is if the employee is harassing other employees in the office. This problem not only breaks company HR policies but also the law. This is something you can fire an employee for and almost never face an employment lawsuit from the employee. Make sure you document every case of abuse that the employee takes part in so that you can reference it when the time comes. Most companies employ an absenteeism policy that outlines what a company should do when an employee fails to show up for their job for at least three days in a row. Should this happen and you do not have a policy, you could assume that the employee has decided to abandon his or her job, and can legally terminate the employee from your company. Having a violent employee can cause a lot of problems and lawsuits if you do not act against this person quickly. Having a violent employee in the workplace can cause a lot of stress for your other employees and can put their lives at risk for eight or more hours per day. Violence is an excellent reason why you can legally fire an employee, especially if you catch him or her acting out violently on security cameras. Employees who abuse drugs or alcohol while on the job can be terminated if the abuse is rampant and affects the employee's job output. The employee can also be terminated if the drug and alcohol abuse causes violence within the office towards others. The theft of confidential information, supplies, money or other items from the office is another major reason to legally fire an employee. Make sure you have clear and concise evidence that can convict the employee in a possible trial so that you do not lose a potential lawsuit.