Firing Employees for Bad-Mouthing the Company

SITUATION

ABC Auto Body is a f**** joke! Nobody should spend their money there because they're a bunch of f**** crooks out to hose you."

An ABC Auto Body employee makes the above remarks about the company she works for in 4 different fora:

A. To a co-worker over drinks in a crowded bar.

B. On her Facebook page.

C. On her private blog.

D. On Twitter.

QUESTION

Which, if any, of the above communications is/are grounds for discipline?

ANSWER

While all 4 are private communications made after work, B, C and D are worthy of discipline because of the potential harm they pose to ABC Auto Body's reputation.

EXPLANATION

Venting about one's employer away from work is a time-honoured and generally harmless practice. But it becomes subject to discipline when the employee crosses the line from simply blowing off steam to inflicting potential damage to the company's business or reputation. When is that line crossed? Answer: Often it depends not so much on what the employee says but where he/she says it. And, as illustrated by this Quiz, social media has made it much easier for employees to cross the line. Thus,

while the employee's remark is a direct and vicious jab at ABC Auto Body, it only becomes actionable only when it's made on social media or another public forum accessible to ABC's clientele. Accordingly:

A isn't discipline-worthy because bad mouthing the company to a co-worker is more about bonding than deliberately trying to undermine the company's business. This is true even if the employee makes the remarks in a crowded bar or other public place where they might be overheard.

B is discipline-worthy because it's well established that employee communications about their companies aren't privacy-protected when they're made on Facebook and other social media sites that are accessible to the public.

C is discipline-worthy because personal blogs, too, have a wider audience than one-on-one verbal communications. True, blogs are generally less accessible than network sites like Facebook. Still, blog postings can inflict harm on business reputation, especially if the blog has a large number of followers.

D is discipline-worthy for the same reason that C is.

Click here for more on employee discipline for social media posts.