

Short notes on:

EMPLOYEE'S FAILURE TO REPORT FOR DUTY

Introduction

It is common practice that when an employee fails to report for duty, they should at least notify the employer timeously to make alternatives arrangement. Suppose the employee ignores this rule as prescribed in most employer's Code of conduct or HR Policy. In that case, the employer may convene a disciplinary inquiry and find the employee guilty of absenteeism.

Our Employment Laws call for employment relationships built on trust, the parties' rights, and fair labour relations. Yet experience shows our collective inability to embrace these norms. Not only do employees have to come to work, but they have to go to work on time as prescribed by the very basis of the employment contract.

Prejudice suffered by the employer

Some employees are under the impression that a mere one day of absence without reporting to the employer is acceptable and would not justify dismissal. Depending on the circumstances, that is not always the case. Employees should take into cognizance the amount of inconvenience their conduct would affect the employer.

When hours are lost due to absenteeism from work, it can be financially crippling for a company that is obligated to remunerate Employees while simultaneously not making any revenue during those days of absence.

Some grounds to justify absenteeism

Currently, the issue of absenteeism without reporting has been exacerbated by COVID-19, and employers have felt the impact more acutely. There can be a host of reasons for absenteeism; however, the employee must justify the absence. In most circumstances, absenteeism may be due to personal problems - sick spouse, sick kids, urgent financial crisis, death in the family or death of a close relative, or some other domestic crisis that requires the employee to stay at home to handle it.

Under such circumstances, absenteeism may be acceptable, but it does not imply the employee is absolved from notifying his/her employer of his/her absence. The employer may be notified by telephone by the employee or friends or family, by a message delivered by another colleague, etc.

Conclusion

Employees must be made aware that the failure to report for duty is serious misconduct, which may, depending on the facts of the case, warrant dismissal. It is insignificant whether the employee is absent for one day or three without reporting. What matters is a severe effect on the employer who may have serious financial and production challenges.

Contact SchoemanLaw Inc. for your Labour/Employment related inquiries.