

**Assignment 4: Avoiding Wrongful Employee Terminations****Due Week 10 and worth 200 points**

To be wrongfully terminated is to be fired for an illegal reason, which may involve violation of federal anti-discrimination laws or a contractual breach. The legal standards governing termination differ substantially depending on whether private-sector and nonunion employees or public-sector and unionized employees are being considered. As the company HR leader, you are accountable to the organization to ensure that all employee terminations are initiated and completed while maintaining strict adherence to current employment laws and EEOC guidelines.

Write a five to six (5-6) page paper in which you:

1. Address your understanding of the term constructive discharge (What is it?). Then, identify factors courts might focus on to determine if a claim of constructive discharge exists. How might the organization avoid claims of constructive discharge? HINT: <https://employment.findlaw.com/losing-a-job/constructive-dismissal-and-wrongful-termination.html>
2. Discuss the differences between "pure employment-at-will" and "employment-at-will with exceptions." Do you believe employment-at-will is fair? If not, what is an alternative?
3. Briefly describe what is the Montana Wrongful Discharge from Employment Act (WDEA). What do you see as benefits of this act to employees? Employers?
4. Identify and discuss a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally.
5. Go to <https://research.strayer.edu> to locate at least three (3) quality academic resources in this assignment. Note: Wikipedia and other websites do not qualify as academic resources.

Your assignment must follow these formatting requirements:

- Be typed, double spaced, using Times New Roman font (size 12), with one-inch margins on all sides; citations and references must follow APA or school-specific format. Check with your professor for any additional instructions.
- Include a cover page containing the title of the assignment, the student's name, the professor's name, the course title, and the date. The cover page and the reference page are not included in the required assignment page length.

The specific course learning outcomes associated with this assignment are:

- Develop policies that are compliant with employment laws.
- Examine methods to assist in avoiding wrongful terminations.
- Use technology and information resources to research issues in employment law.
- Write clearly and concisely about employment law using proper writing mechanics.

[Click here to view the rubric for this assignment.](#)

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Grid View

List View

	Unacceptable 0 - 69% F	Fair 70 - 79% C	Proficient 80 - 89% B	Exemplary 90 - 100% A
1. Address your understanding of the term constructive discharge (What is it?). Then, identify factors courts might focus on to determine if a claim of constructive discharge exists. How might the organization avoid claims of constructive discharge? 15%	0 (0.00%) - 20.7 (10.35%) Did not submit or incompletely addressed your understanding of the term constructive discharge (What is it?), and identified factors courts might focus on to determine if a claim of constructive discharge exists to include stating how might the organization avoid claims of constructive discharge.	21 (10.50%) - 23.7 (11.85%) Partially addressed your understanding of the term constructive discharge (What is it?), and identified factors courts might focus on to determine if a claim of constructive discharge exists to include stating how might the organization avoid claims of constructive discharge.	24 (12.00%) - 26.7 (13.35%) Satisfactorily addressed your understanding of the term constructive discharge (What is it?), and identified factors courts might focus on to determine if a claim of constructive discharge exists to include stating how might the organization avoid claims of constructive discharge.	27 (13.50%) - 30 (15.00%) Thoroughly addressed your understanding of the term constructive discharge (What is it?), and identified factors courts might focus on to determine if a claim of constructive discharge exists to include stating how might the organization avoid claims of constructive discharge.
2. Discuss the differences between "pure employment at-will" and "employment at-will with exceptions." Do you believe employment at-will is fair? If not, what is an alternative? 20%	0 (0.00%) - 27.6 (13.80%) Did not submit or incompletely discussed the differences between "pure employment at-will" and "employment at-will with exceptions" and offered your belief on whether employment at-will is fair. If not, did not submit or incompletely discussed an alternative.	28 (14.00%) - 31.6 (15.80%) Partially discussed the differences between "pure employment at-will" and "employment at-will with exceptions" and offered your belief on whether employment at-will is fair? If not, partially discussed an alternative.	32 (16.00%) - 35.6 (17.80%) Satisfactorily discussed the differences between "pure employment at-will" and "employment at-will with exceptions" and offered your belief on whether employment at-will is fair? If not, satisfactorily discussed an alternative.	36 (18.00%) - 40 (20.00%) Thoroughly discussed the differences between "pure employment at-will" and "employment at-will with exceptions" and offered your belief on whether employment at-will is fair? If not, thoroughly discussed an alternative.

	Unacceptable 0 - 69% F	Fair 70 - 79% C	Proficient 80 - 89% B	Exemplary 90 - 100% A
3. Briefly describe what is the Montana Wrongful Discharge from Employment Act (WDEA). What do you see as benefits of this act to employees? Employers? 20%	0 (0.00%) - 27.6 (13.80%) Did not submit or incompletely briefly described what is the Montana Wrongful Discharge from Employment Act (WDEA) and what you see as benefits of this act to employees and employers.	28 (14.00%) - 31.6 (15.80%) Partially described what is the Montana Wrongful Discharge from Employment Act (WDEA) and what you see as benefits of this act to employees and employers.	32 (16.00%) - 35.6 (17.80%) Satisfactorily described what is the Montana Wrongful Discharge from Employment Act (WDEA) and what you see as benefits of this act to employees and employers.	36 (18.00%) - 40 (20.00%) Thoroughly described what is the Montana Wrongful Discharge from Employment Act (WDEA) and what you see as benefits of this act to employees and employers.
4. Identify and discuss a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally. 20%	0 (0.00%) - 27.6 (13.80%) Did not submit or incompletely identified and discussed a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally.	28 (14.00%) - 31.6 (15.80%) Partially identified and discussed a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally.	32 (16.00%) - 35.6 (17.80%) Satisfactorily identified and discussed a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally.	36 (18.00%) - 40 (20.00%) Thoroughly identified and discussed a minimum of three (3) actions organizations may want to consider as they seek to handle employee terminations legally.
HRM510-A4-5 5. 3 references 5%	0 (0.00%) - 6.9 (3.45%) No references provided.	7 (3.50%) - 7.9 (3.95%) Does not meet the required number of references; some or all references poor quality choices.	8 (4.00%) - 8.9 (4.45%) Meets number of required references; all references high quality choices.	9 (4.50%) - 10 (5.00%) Exceeds number of required references; all references high quality choices.
HRM510-A4-6 6. Writing Mechanics, Grammar, and Formatting 5%	0 (0.00%) - 6.9 (3.45%) Serious and persistent errors in grammar, spelling, punctuation, or formatting.	7 (3.50%) - 7.9 (3.95%) Partially free of errors in grammar, spelling, punctuation, or formatting.	8 (4.00%) - 8.9 (4.45%) Mostly free of errors in grammar, spelling, punctuation, or formatting.	9 (4.50%) - 10 (5.00%) Error free or almost error free grammar, spelling, punctuation, or formatting.
HRM510-A4-7 7. Appropriate use of APA in-	0 (0.00%) - 6.9 (3.45%) Lack of in-text	7 (3.50%) - 7.9 (3.95%) In-text citations	8 (4.00%) - 8.9 (4.45%) Most in-text	9 (4.50%) - 10 (5.00%) In-text citations

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text citations and reference	citations and / or lack of reference section.	and references are provided, but they are only partially formatted correctly in APA style.	citations and references are provided, and they are generally formatted correctly in APA style.	and references are error free or almost error free and consistently formatted correctly in APA style.
HRM510-A4-8 8. Information Literacy / Integration of Sources 5%	0 (0.00%) - 6.9 (3.45%) Serious errors in the integration of sources, such as intentional or accidental plagiarism, or failure to use in- text citations.	7 (3.50%) - 7.9 (3.95%) Sources are partially integrated using effective techniques of quoting, paraphrasing, and summarizing.	8 (4.00%) - 8.9 (4.45%) Sources are mostly integrated using effective techniques of quoting, paraphrasing, and summarizing.	9 (4.50%) - 10 (5.00%) Sources are consistently integrated using effective techniques of quoting, paraphrasing, and summarizing.
HRM510-A4-9 9. Clarity and Coherence of Writing 5%	0 (0.00%) - 6.9 (3.45%) Information is confusing to the reader and fails to include reasons and evidence that logically support ideas.	7 (3.50%) - 7.9 (3.95%) Information is partially clear with minimal reasons and evidence that logically support ideas.	8 (4.00%) - 8.9 (4.45%) Information is mostly clear and generally supported with reasons and evidence that logically support ideas.	9 (4.50%) - 10 (5.00%) Information is provided in a clear, coherent, and consistent manner with reasons and evidence that logically support ideas.

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