

Your guide to fireable offenses in the workplace



When an employee acts in a way that doesn't align with your company's values, workplace policies, mission, or goals, it might be time to let them go. These actions are considered fireable offenses. While what's considered a fireable offense can range from company to company, some acts are grounds for termination across the board regardless of the industry, company, or position wherever you go.

Know what they are to ensure you don't allow such offenses to continue in your workplace.

Sexually harassing employees

Sexual harassment, according to [RAINN](#), includes

"...unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature in the workplace or learning environment, according to the Equal Employment Opportunity Commission ([EEOC](#)). Sexual harassment does not always have to be specifically about sexual behavior or directed at a specific person. For example, negative comments about women as a group may be a form of sexual harassment. Although sexual harassment laws do not usually cover teasing or offhand comments, these behaviors can also be upsetting and have a negative emotional effect."

When an employee sexually harasses others, it should be immediately treated as a serious offense with clear

consequences for the behavior. Punishment may range from being required to attend additional sexual harassment training to being terminated.

Being absent excessively

An employee's presence at work is essential to performing well and helping the company achieve its goals overall. That's why excessive absences, including being tardy and leaving work early, can be a fireable offense. What makes this act worse is when the employee is absent, tardy, or late without giving advanced notice or providing a reasonable explanation for the inability to abide by the attendance policy.

Once policies have been clearly stated, and employees have been warned about their actions, continuing to display excessive absenteeism is cause for you to fire employees for it. If you choose to do so, be sure to document all absences and any warnings given.

Having a conflict of interest

When an employee benefits personally from their position in the company, a conflict of interest exists. While this doesn't always require job termination, it can negatively impact the company, depending on the circumstances.

A conflict of interest can come in several forms, including familial, romantic, financial, and confidential.

An example of a conflict of interest might be having a romantic relationship with a C-Suite member or being in a position to hire and choosing to primarily employ family members or friends over more qualified applicants and treat them differently within the company.

As you're made aware of a conflict of interest, it's your responsibility to determine whether it requires job termination or another solution.

Theft and misuse of company property

Unfortunately, employee theft and misuse of company property is a common occurrence, but one that's undoubtedly considered fireable.

This is especially true depending on the value of the stolen item. Taking a box of pens home might require a different consequence than stealing \$10,000 worth of tech goods.

The same is true with misuse of property. You might have a company policy that employees should do only work-related tasks on the computer. But if an employee checks their checking account balance, you will likely react differently than if they're caught watching adult websites on their company computer.

Either way, theft, and misuse of property are inappropriate and should be handled accordingly.

Discrimination

Discrimination of any kind — including race, gender, religion, and much more is inappropriate and shouldn't be accepted in the workplace. While some might display discriminatory actions due to ignorance and others purposefully, it's unacceptable either way. Co-workers and customers shouldn't be made to feel uncomfortable or disrespected due to an employee's ignorance or inability to behave appropriately.

When you witness workplace discrimination or receive reports of it, it's crucial to take action immediately — whether it's to fire the employee, require they attend training, or provide a formal written warning. Either way, discrimination is a serious fireable offense that you shouldn't take lightly.

Violence & harassment toward employees

Harassing and being violent toward employees, clients or customers should be considered unacceptable and is undoubtedly a fireable offense even if it's the first time. While verbal harassment and bullying are wrong by themselves, physical altercations are more severe and should be treated as such.

Another area of violence to consider is when employees bring weapons into the workplace. There should be a policy dictating whether weapons are allowed at work and the consequences if they are brought in.

Alcohol and drug intoxication during work hours

Employees showing up to work under the influence of drugs and/or alcohol often leads to decreased job performance, loss of productivity, hostility, and inappropriate acts during the day. If you notice an employee shows up under the influence, you want to refer to your company policy related to alcohol and drug intoxication during work hours.

Your process might look like documenting the questionable behavior leading you to believe they're under the influence, discussing it with the employee, and ordering an alcohol or drug test if necessary.

Based on the results, you can determine the best course of action moving forward.

With the legalization of marijuana, be sure to communicate expectations with staff so there's no confusion.

Social media misconduct

As social media has grown in prevalence, more employees find themselves in trouble with their job based on inappropriate social media actions that can negatively impact the company. Inappropriate acts may include using LinkedIn, Facebook, Instagram, and other platforms for shaming others, bullying, sharing confidential job information, and voicing discriminatory viewpoints based on religion, sex, race, and other factors.

A member of the human resources department will want to investigate immediately to determine whether the social media posts are inappropriate and decide from there what to do.

Depending on the level of misconduct, you might choose to fire them immediately or issue another consequence as a warning.

Employee insubordination

When an employee is regularly disobedient or disrespectful to management, it's considered insubordination. Insubordination might include disregarding the rules, regulations, deadlines, and expectations of the company, which negatively impacts the culture and decreases job performance. If this happens regularly, you might find that it's time for disciplinary action or to end their employment contract.

Destruction of company property

Employees should handle company property carefully, but when employees purposely damage property, it's grounds for termination. Not only does vandalism warrant concern based on the act alone, but it's a form of violence, and violent acts in the workplace are unacceptable. You want to be clear that this type of behavior is not allowed and comes with a consequence that can include termination.

Lying on a resume

If it's found that an employee lied on their resume or during the interview process, it's grounds for termination. When you discover this has taken place, it's up to you to decide whether you want to let the employee go or just let them know you've uncovered the truth and issue a different type of consequence.

Breaking client confidentiality

It's crucial to build and maintain trust with clients, so when employees put that trust at risk by breaking client confidentiality, it puts the company at risk. When privileged information is released to the public or those who shouldn't have access to it, it can lead to a bad reputation for the company and costly legal ramifications.

Falsifying company records

Employees might falsify company records to make themselves look better or in an attempt to cover up work they did incorrectly.

Whether they falsify sales records, time records, or documents in their personnel file, this is a serious offense that you shouldn't take lightly.

Poor job performance

Poor job performance is a common and broad fireable offense that doesn't require just cause on your part. However, before terminating the employee, you want to ensure you've done your part in communicating the displeasure with their performance. This includes documenting their performance, and if possible, you should develop a plan for improvement if you feel they have what it takes to do better with the proper support in place.

Ultimately, this isn't required, but it can save you the cost and time of finding someone to fill their position if you have to terminate them.

Use these fireable offenses as a learning opportunity

Sometimes an employee taking part in any of these offenses is simply due to their inability or lack of desire to behave appropriately on the job. In that case, there's nothing you can do about it.

You can use employees displaying the above behaviors as an opportunity to reflect on the deeper why of their actions. This might start with simply asking them why they did what they did, and if they are terminated, you can have a more formal exit interview about their experience with the company. On the other hand, it might highlight holes in your company policies or growth areas in your overall company culture and work environment.

Use this data to determine whether you can do something internally to prevent this type of behavior from happening in the future.

For example, do you have a good sexual harassment training program in place for new employees and a way to remind current employees of what's considered inappropriate behavior?

Is there open and safe communication between managers and employees, so they don't feel the need to falsify their records if they miss their sales goals for the month?

When you use these opportunities to improve the company as a whole, what was initially a negative action can unexpectedly become a positive one.