

Unconscionable Behaviour of Employers

It is mystifying why the value of employees to employers is sometimes taken for granted. In fairness to employers, their main interest is for employees to get the job done. It would seem that the value of employees is cemented in the expectation that employees will at all times work to yield high levels of productivity and to execute the job with the greatest efficiency. Given that employees are paid to do a job, the premise of the contention of employers does have some substance. Where the expectations of employers are limited to the fact that workers receive a wage or salary for the work they do, and where there is the failure to take on board that workers ought to be treated fairly and with dignity and respect, this can best be described as a lack of vision and a sense of purpose.

As the COVID 19 Pandemic overtook the world and workplaces, many employers suddenly recognized the value they attached to the commitment and dedication of their workers. As if to give workers a sense of importance, many employers jumped on the band wagon to classify their employees as front line workers. If this wasn't a matter of convenience, then what is? In a time of a pandemic when persons are running scared, workers whose importance to their employers was previously seen as negligible, suddenly took on a new face and meaning. The conclusion can be drawn that the perception employers had of these employees was based on the fact that they were considered to be low level workers. It is to be underscored that in the prevailing climate, the most vulnerable workers have now become the most valuable workers; with their services in high demand.

In the time of the COVID 19 Pandemic, the security guards become important frontline operators who are tasked with checking the temperature of and the spraying of hands with an alcohol based substance of individuals who are entering a place of business. They are persons who are now employed in business places to clean counters and seats on routine basis. It is surprising to know that these persons have been given job titles, such as 'In-house Ambassador' and 'Stewards.'

Unconscionable Behaviour of Employers: Dennis de Peiza: Labour & Employee Relations Consultant Regional Management Services Inc.: 22 January, 2021

The impression presented by employers would tend to give the impression that vulnerable workers will now be more favourably treated. This is very laughable as it is well known that they continue to work under the existing conditions of service, while they remain on the frontline exposed to a high level of risks. There is no change to their minimal rate of pay and in some instances workers are expected to provide their own protective wear. Needless to say, employers are required by law to provide safety equipment. In the case of mask wearing, there are some employers who would provide a small quantity of masks to employees, and thereafter employees are expected to provide their own. This behaviour as exhibited, is not what is expected of a caring employer. It would appear that employers who behave in such a manner, do so highly conscious that there is an existing surplus of labour at their disposal. With this being the case, they could easily find replacement labour when employees raise objections to their behaviour and actions. Unscrupulous employers would go as far as paying lower rates of pay, demanding that workers work for extended hours without paying for overtime.

If it is that employers value their employees, the expectation is that they will at all times respect the basic rights of employees. When it comes to overtime work, the law requires overtime payment for work done in excess of a forty (40) work week. A work week is defined as a five days for a week of eight (8) hours work per day. The variation of the work week applies where there is an agreement to work twelve (12) hours per day, for a maximum of four (4) days per week. It must be understood that overtime is not compulsory. Time and a half pay applies after normal working hours. Where it is an off day for an employee, double time pay applies for work done on public holidays, Saturdays and Sundays.

Given that any acts by employers intended to violate the rights of workers or to infringe on their safety and wellbeing are inconsiderate, the appeal to employers to be fair in their conduct and to respect the norms and values of the society, is justified.