

REPEAT OFFENDERS

WHEN STOPPING CRIME GOES AWRY

Ted Rogers Leadership Centre

You are a banquet manager for a downtown Toronto hotel. You hear through the grapevine a rumour that several of the banquet employees are stealing liquor and dealing drugs to guests and other employees. You become more vigilant and are able, with your iPhone, to video several exchanges of money for drugs in the employee locker room and unearth caches of hidden liquor, which had been charged illicitly to banquet clients with open bars. You take your evidence to your manager. Ultimately, the participating banquet employees are criminally charged and fired.

Eighteen months later, a court rules that your video evidence violates the privacy rights of the individuals involved, having been taken in the locker room where individuals have a reasonable expectation to a right of privacy. When criminal charges are dropped against the employees, the union grieves their dismissal and an arbitrator rules that they need to be reinstated as employees. Ironically, the union contract specifies that all reported performance issues must be wiped from an employee's record after eighteen months if they have not reoffended! With some apprehension, you are anticipating their return to work in banquets. How do you take control of the situation?

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