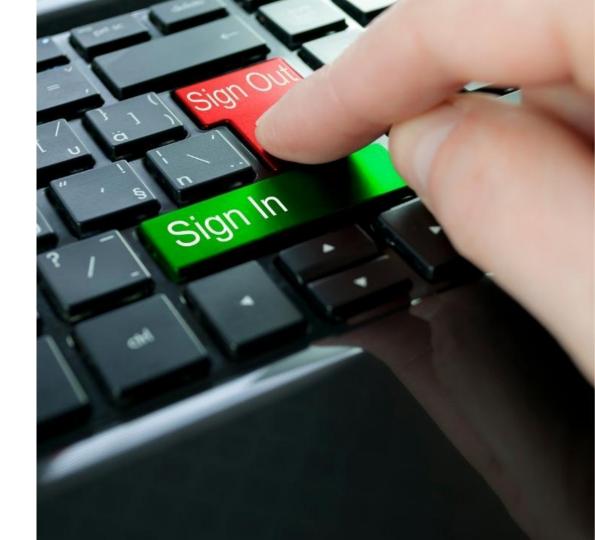
Spring FORWARD legal updates ____

Managing Quietly Quitting Employees



Presented by:

Lisa Stam and Evaleen Hellinga





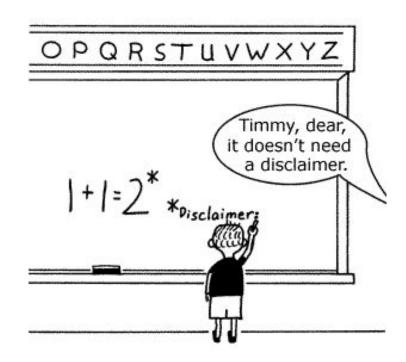
Spring LAW

Land Acknowledgement

We acknowledge that we are on the **traditional** territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and that this territory is now home to many diverse First Nations, Inuit and Métis peoples.

s w

Timmy doesn't need a disclaimer but we do...



Legal Disclaimers

We're lawyers and know that legal disclaimers are never fun to read, but sometimes necessary to have. To clarify the legal scope and intent of our webinars, here are our general legal disclaimers that apply to all SpringLaw videos, webinars and content on our YouTube channel:

- 1) The content of this webinar should not be relied upon as legal advice. If you require legal advice, please contact one of SpringLaw's lawyers, or you may wish to consult with the <u>Law Society of Ontario</u> for a listing of lawyers in Ontario.
- 2) Attending, accessing or viewing any SpringLaw webinars does not create a lawyer-client relationship with anyone at SpringLaw. That will only happen after you formally sign a Legal Services Agreement with us.
- 3) You should apply your own judgement in making any use of any content from our webinars, including the use of the information as the basis for any conclusions. Every case and set of facts is different and unique to you our videos are informational only.
- The law changes quickly in Canada. We do not guarantee that the content of our recorded webinar videos is accurate, complete or up-to-date given how quickly the law can change. SpringLaw assumes no obligation to update the content. We assume no responsibility for errors or omissions in the content or other documents that are referenced by or linked to in our videos. The content of this webinar may be changed without notice to you.

Please contact us at <u>info@springlaw.ca</u> if you have any questions about any of our content or your legal matter generally.

Presentation Roadmap

- Quiet Quitting
- Identifying Quiet Quitters
- Managing Quiet Quitters

Quiet Quitting



What is Quiet Quitting?

- Refusing to go "above and beyond"?
- Or refusing to work hard?
- Disconnect + communication gaps + stress =
 \$@#% show in the workplace right now

Why the Perfect Storm?

- Post-COVID lockdown recoveries
- Mental health awareness
- Relentless 24/7 phone & tech access
- Online digital economy providing options beyond hourly wages - re-valuing of labour generally
- Great Resignation v Quiet Quitting
- Impact of remote/hybrid workplaces

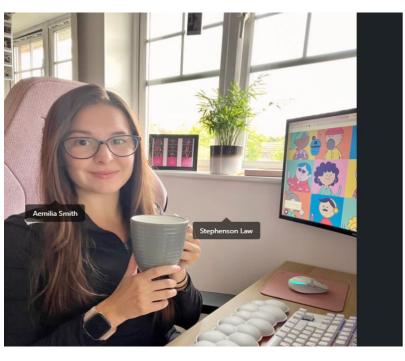
The Original Quiet Quitter

- Zaid Khan, posted July 25
- Video has had millions of views and the #quietquitting has exploded

"You're not quitting your job. You're quitting the idea of going above and beyond at work...and the hustle culture mentality that work has to be your life"



A Self-Identified Quiet Quitter

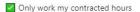




Aemilia Smith • 3rd+ Social Media Manager at Stephens... + Follow X



All of these reasons were why I decided to set myself boundaries.



Only do the tasks that were on my job description (so I'm not killing myself doing 5 when I'm only getting paid for 1)

Only work with my colleagues and not against them.

And you know what... when another job opportunity came up, I took it and ran 🔊

I think it's so wrong that people who are setting clear boundaries for their own mental health are now being called lazy, being spoke about as if they do not care about their job, and now being branded guiet guitters.

Let's be truthful here - you wouldn't have quiet quitters if your workplace wasn't so toxic 🦓

It's 2022, you can be committed to your job without having to sacrifice your personal life.

#quietquitting #toxicworkplace #worklifebalance #mentalhealth #settingboundaries

I was a quiet quitter and I have zero shame for it Let me give you some background on how toxic the work environment was:

1 was overworked: Sometimes starting at 8:30am and having to stay at work until 6:30/7pm, which resulted in zero personal life (pretty much destroying any friendships and my relationship)

l was being under paid for my value and efforts in the business: No matter how many KPI's I hit early, they would refuse any sort of recognition or follow through on KPI-based pay increases.

They were constantly pitting employees against each other: "Friendly competition" isn't so friendly when the competition is "who can create the better campaign" or "who can come up with the better idea" when a team should be working together on these thinas.

■The consistent firing threats: The CEO threatened to fire people if the business progression didn't change, but wouldn't ever take the time to listen to why things weren't working or what area of the business was struggling.

What are the Employee's Rights?

- Overtime pay
- Clarity and specifics on what they're compensated for
- Side gigs that don't interfere with work

What are the Employer's Rights?

- Full attention during designated work hours
- Requirement to meet specified benchmarks of the role
- Okay to seek & reward enthusiasm, hard work, extra effort - as long as the "extra" is "extra" not core requirements



Identifying Quiet Quitters

Identifying the Issue

- It won't be George Costanza obvious
- Read the room on social & "extra" meeting attendance
- Coordinate with front line managers to gage atmosphere

Self-Audit

- Are your management styles aligned with modern expectations?
 - berating employees for poor work, rewarding employees with super long (possibly inefficient) hours, pitting employees against each other, expecting responses after hours
- ☐ Have you transitioned to remote/hybrid appropriate management?
- □ Are you doing regular performance and career development reviews to gauge employee engagement?
- ☐ Is there extra attrition in a corner of your business?
- □ Are workloads increasing but pay and headcount decreasing?

Tips

- Clarity on after-hours expectations
- Review 1:1 and group meeting obligations
 - Are they meaningful?
 - Are they preventing focused work time that leads to resentful after-hours work?
- Clarity on what is "work" and what are the optional extracurricular activities
- Acknowledge impact of inflation right now
- Make work more meaningful (ie not just perky fun)
- ASK your employees!

Managing Quiet Quitters



Progressive Discipline to Reduce Legal Risks

- Employees no longer expected to be grateful for a job BUT they do need to meet the job's expectations to stay employed
- Once missed benchmarks are identified, get employee on a PIP with written explanation and clear expectations & timelines
- If deliberate insubordinate behaviour, warnings/discipline
- Don't jump to conclusions or terminations engage in a conversation first
- Stay aware of labour market for the role

Exits

- If an employee quits (quietly or not), no termination pay entitlements
- If employee approaches employer to quit, no termination pay entitlements
- If employer fires employee for just not being "enough", employee gets termination pay
- If extreme misconduct, maybe just cause. Maybe.

TakeAways

- Quiet Quitting is not new, but is a big awareness campaign
- The court of public opinion is powerful right now
- But yes, you can still fire bad employees

Questions?

To learn more about our team: springlaw.ca/team/

To connect with our legal team:

- Marnie Baizley mbaizley@springlaw.ca
- Matt Chapman mchapman@springlaw.ca
- Jessyca Greenwood jgreenwood@springlaw.ca
- Evaleen Hellinga ehellinga@springlaw.ca
- Danielle Murray dmurray@springlaw.ca
- Hilary Page hpage@springlaw.ca
- Emily Siu esiu@springlaw.ca
- Lisa Stam lstam@springlaw.ca
- Gaya Murti gmurti@springlaw.ca
- Lindsay Koruna <u>lkoruna@springlaw.ca</u>

Sign up for future **SpringForward Legal Updates**: springlaw.ca/employers/springforward-legal-updates/

Sign up for our monthly **Newsletter:** www.springlaw.ca



THANK YOU!