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Chapter 5.1

Question 1

Employees act under the protected concerted activity applies when two or more come together to improve the terms and conditions of their engagement in the workplace (Roesch, 2017). In this case, all the employees fired did not discuss any of the issues among themselves first but just posted on Facebook. Therefore, these employees were not engaging in a protected concerted activity.

Question 2

If Moore was fired it would be a protected concerted activity. Because, before Cole's Facebook post, Moore had already discussed the issue with other co-workers during workdays, including Cole herself.

Question 3

Whether unionized or not, the use of social media policies to prevent other employees from damaging the reputation of a firm, ensure comments of employees are not taken as the company's and safeguard propriety particulars is warranted.

Question 4

The National Labor Relations Act should rule in favor of Cole being fired since she was the one engaging in a protected concerted activity together with Moore during and even after working days (Fiorentino & Tomkowicz, 2019). The other four colleagues never took part before the post was made. The only other participants who participated were Lydia Moore's colleagues but never commented on Facebook.

Chapter 5.5

Question 1

Leiner was supposed to be given a reason for discharge which makes it a matter within the jurisdiction of the National Labor Relations Act (Fiorentino & Tomkowicz, 2019). Simply stating that Leiner had failed to treat others with respect and courtesy is not enough to be dismissed. That projects that anger out of Leiner's email tones was the reason Marks had to dismiss Leiner.

Question 2

Leiner sending emails to every employee is a form of communication. Thus, his actions are protected concerted activity. Afterward, Dunn a co-worker responded after reading Leiner's long email.

Question 3

Being dismissed because of failing to do assigned work and treating others with courtesy and respect is not compelling enough. Therefore, the NLRB should rule in favor of Leiner. Simply assuming that Leiner's tone in his emails is unfriendly and disrespectful, in this case, proves that anger is the main reason Marks dismissed him (Fiorentino & Tomkowicz, 2019).

References

Fiorentino, S. R., & Tomkowicz, S. M. (2019). E-Petitions and Protected Concerted Activity:

The Millennial Response to Organized Labor?. *ABA Journal of Labor & Employment Law*, 34(1), 71-90.

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