

WeirFoulds Employment Law Hot Takes: Employees Getting Coldplayed

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WeirFoulds Employment Law Hot Takes is our new series where we address the buzzy, quirky, and sometimes infamous moments making headlines and unpack what they mean for employers.

Our goal? To spotlight the trends, test the edges of workplace issues, and serve up quick, insightful commentary that blends legal know-how with a bit of personality. Whether it's a high-profile case, a cultural phenomenon, or a workplace story gone viral, we'll share the employment law angles you may not have considered, served hot, fresh, and always thought-provoking.

In today's online world, what employees do outside of work can have a direct impact on their job. Recent high-profile incidents have shown that off-duty deceitful or embarrassing behavior, especially when caught on camera, can lead to serious professional consequences. In the now infamous "Coldplay Jumbotron incident", the CEO of Astronomer was caught on the "kiss cam" with the company's head of HR. The clip went viral, and both employees resigned from the company. The incident led to the term "Getting Coldplayed" to mean getting caught on screen in a way they never expected. In another example, a football fan called in sick to work and went viral for his facial expressions caught on the Jumbotron at a football game. The employer saw the clip and the employee got Coldplayed.

These events remind employers that off-duty conduct can have consequences for the company and for its employees. Even if the employee is not "caught on camera", courts and arbitrators have recognized that, in certain situations, off-duty behavior can justify disciplinary action up to and including termination for cause.

In the age of social media and stadium Jumbotrons, the line between personal and professional lives is thinner than ever. A well-crafted policy helps everyone know where that line is and what happens if it's crossed. Employers should have legal counsel assist with creating a policy or adding a section to their code of conduct regarding off-duty conduct of employees.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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