

NJORD in Estonia explains: An employer has the right to suspend a problematic employee!

It's not a rare case that an enjoyable work atmosphere is disrupted by an employee, who, for one reason or another, frustrates their co-workers. And yet, there may not be any grounds for terminating the employment contract.

To restore a peaceful workplace environment, it's sometimes necessary to suspend the problematic employee. Then again, it is the employer's obligation to ensure work for all employees. The Employment Act does not give specific directions to deal with a situation like that... but... the court has found that in certain situations the employer has the right to suspend the employee.

Recently a court decision was finalized where the parties argued over the same matter. The employer decided to suspend the employee (asked the employee not to come in) while paying a salary for the time of suspension. Since the employee regarded employers decision as unlawful, court had to make the final judgement.

The court found that these kind of situations are not regulated by law, but all things considered, especially the fact that the employee did not suffer any monetary damages during that time, such conduct of the employer was in fact allowed (justified).

Need more information about ways to suspend a problematic employee? Contact NJORD's lawyers Katrin Sarap or Triinu Hiob.



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