

## Beware Of The Employee Walk Out: Non-Union Employees Terminated For Walking Off Job; NLRB Judge Reinstates With Backpay

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Earlier this week, an NLRB Judge handed out another tough lesson for a non-union employer. In this case, three employees at a Hyundai plant in Alabama walked off the job over a scheduling conflict. The company investigated the incident and terminated their employment on the basis that the employees had voluntarily resigned by leaving early. Following the employees filing ULPs, the Judge found that the company acted unlawfully. Specifically, the Judge found the employees “walked out of the plant at the same time for the same reason . . . [a] change in their working hours” thereby engaging in protected activity. The Judge further found that the employees’ supervisor knew the employees were unhappy with the schedule change and “understood why they left early” even though the workers did not provide the explicit reason on the day of the walk-out. Accordingly, the termination of the three employees was found to be unlawful. The Judge ordered the company to: (1) reinstate the employees to their previous positions; (2) make the employees whole through backpay; and (3) reimburse the employees for their job search costs. The full decision can be [hyundai decision](#).

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