

HR Insights

Navigating "Watch Me Get Fired" Videos

An increasing number of employees are recording their termination meetings with HR representatives, managers and supervisors and posting them on various social media platforms, including TikTok, Instagram and Twitter. These videos, commonly called "Watch Me Get Fired" videos, have become a trend among workers in various industries, including fast-food employees, office workers and teachers. In some cases, these videos have gone viral, exposing businesses to heavy reputational backlash and sometimes legal consequences due to substandard termination practices. Despite the high stakes organizations face, some employers are still mishandling terminations.

This article provides an overview of viral termination videos and what employers can do about them.

"Watch Me Get Fired" Videos Explained

"Watch Me Get Fired" videos are where employees film themselves getting terminated or laid off. These videos often show private conversations between employees and supervisors, managers and HR representatives. Workers then post these videos to social media, publically giving light to a private moment that many individuals have attempted to hide in the past. Some videos receive millions of views.

This recent trend disrupts the traditional divide between employees' personal and professional lives and what they choose to post online. In many cases, remote work has allowed workers to feel emboldened to speak out about their employers online. These videos may also be driven, in part, by Generation Z and millennials' desire to share more of their lives on social media. "Watch Me Get Fired" videos demonstrate how younger generations turn to social media to speak out when they think they've been treated unfairly or when they want feedback or support.

For some employees, these videos help them to process difficult emotions that often accompany being let go from their jobs. For others, these videos can lead to new employment opportunities. However, "Watch Me Get Fired" videos can also bring negative consequences to the individual filming and sharing the video, including being stigmatized or having their severance withheld. These individuals may risk violating severance and other employment-related agreements. On the other hand, they may reveal an employer's illegal behavior when terminating employees, subjecting organizations to potential legal exposure and liability, especially since these videos can be used as evidence in a legal proceeding. Even when these videos do not result in legal action, they can cause an employer severe reputational harm.

Best Practices for Employers

Implementing certain practices and procedures can help employers limit their potential legal exposure and liability when addressing this recent trend. Employers should consider the following best practices to limit legal exposures and reputational consequences stemming from "Watch Me Get Fired" videos:

- **Limit legal pitfalls.** Before conducting termination meetings, employers should ensure they avoid saying anything that could increase the risk of or lead to legal liabilities. Training those involved in termination meetings to be aware of workers' rights and legal protections can help ensure these conversations are conducted appropriately and avoid prohibited conduct or behavior.
- **Be prepared.** Employers must consider that anything that happens in the workplace can easily be recorded and shared online. Thus, it's important to consider how a termination conversation will be perceived by the employee and, potentially, others. Thinking about the message and how it will impact employees can help ensure that such conversations are conducted in a professional manner. This may include developing talking points, anticipating what questions the employee will ask or determining what information is necessary to share with the individual.
- **Stay professional.** Recorded termination meetings that go poorly or are conducted in an unprofessional manner can damage an organization's reputation and brand. Lacking empathy, being unprepared or not involving a worker's direct manager can send the wrong message to the worker and general public, causing an employer to appear overly harsh or

insensitive. Individuals participating in termination meetings should conduct themselves professionally, whether the meeting is in-person or virtual.

- **Avoid false statements.** False statements can show bad faith and lead to legal troubles and reputational harm. Employers should avoid making statements during termination meetings, including promises of benefits or privileges to which an employee would not be entitled.
- **Establish workplace policies.** Employers can implement policies addressing audio, video and other recordings in the workplace. This may include a general prohibition against recording workplace meetings and conversations without the consent of all participants. Additionally, establishing a practice of asking employees at the beginning of termination meetings to confirm whether they're recording the conversation can be an effective way to avoid or minimize the potential legal or reputational harm from recorded termination meetings. Such workplace policies can provide employers with grounds to terminate individuals who violate them. However, in some circumstances, employees may have the right to make recordings at the workplace (e.g., engaging in protected concerted activity under the National Labor Relations Act). Therefore, employers should ensure that any workplace prohibitions against recordings are consistent with federal, state and local laws.
- **Use performance management.** Lack of performance management can lead to a negative termination experience or even surprise, which can often increase the odds of an individual taking legal action or cause reputational harm. This is especially true if an individual hasn't been made aware of their performance issues before the termination meeting. Conducting regular performance evaluations and proactive employee management can help lessen the surprise when an employee is terminated for performance issues. Employers should establish a transparent work culture where issues, concerns and goals are discussed openly and often. This can help employees recognize when they're not meeting expectations.

Summary

Employers should do their best to deliver termination messages in a compassionate and dignified manner. Conducting termination meetings as if the world were watching can help organizations reduce the risk that they'll find themselves on the negative end of a viral sensation. By establishing best practices for terminations, employers can improve their offboarding processes, strengthen their brands and limit legal risks.

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