Software Company Legal Case Study

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Cases And Their Respective Solutions

Coleman is an employee of Software Inc., which is in Delaware. The company mainly deals with selling security equipment to businesses. The nature of the job does not allow Coleman to be at home most of the day, as he is always busy meeting clients who need the services of the company. He is the one with the duty of ensuring the security equipment the company supplies to other businesses works well. Most of the days, Coleman is on the road, ensuring that clients get the products they need. He is also always travelling with new clients. He has been an employee of the company for 17 years. Their stay in the company is a fact that makes him a trusted personnel in the company.

Coleman wants to buy a gift for their wife and goes to the shop, where he sees a ring he cannot afford. Instead of trying to bargain or working hard so that he can provide it next time for the wife, he goes ahead and steals it. It gets his company into a case where the jewellery store sues Software Inc. for the value of the ring that was taken by Coleman. The company is right to sue Software Inc. because, at the time, he stole the ring while on a business trip to represent the company (Smith, 1994). Looking at the case, Software Inc. is supposed to pay the full value of the ring because it is their employee who stole it. At the time he stole, he was representing the company in the region of Colorado. If he had gone to Colorado on his missions, then the charges would have been made against him and not the company. The fact that it was as a result of the company that he found himself in the region makes the company directly responsible for the loss of the ring in the jewellery shop. In this case, I would make a judgment that Software Inc. makes a payment for the exact value of the ring to the jewellery shop (Denis, 2002).

There is another case involving Coleman and Software Inc. in which he has sued the company for terminating his contract wrongfully. The rule in the company is that one cannot be fired without an interview. He has to be questioned about what led to the situation. Both the company and Coleman agree that he was sent away without giving him an opportunity to explain the circumstances that led to the occurrences. The company might be right by firing him, but the company handbook has to be followed. The rule in the company handbook is that one cannot be dismissed before they provide their view on the reason why they are being fired. It is essential to question the employee because one cannot be fired by merely looking at one side of the story. It can be interpreted as an unfair dismissal of the employee. In this case, I would order that the company reinstate the employee and interview them before deciding on whether to dismiss him or not (Adolf, 1997. The decision to reject the employee lies with the company, but the rules provided by the company have to be followed.

Jimmy Poor-Man's Bar has also sued Software Inc. In this case, we are dealing with a situation in which property has been destroyed as a result of Coleman's actions. Coleman was invited to the bar by a client who felt uneasy holding a meeting at his premises. John (the client) called Coleman to the bar to talk about a business involving Software Inc., but not on Coleman's behalf. In case a company employee commits any crime or destroys property, the first step taken by the offended person is to inform the company of the offender about the incident. The offended person should then go ahead and sue the company for the destruction of property. The company is responsible for such damages because they were representing the company at that particular time. As a judge, I will order Software Inc. to pay for the damages caused by the bar. They will have to pay the bar the amount equivalent to damages. The law in this section will be about the destruction of property (Adolf, 1997).

Jimmy's mom has sued Software for the death of her son. The son died after being hit by a fireball that was lit by Coleman. It might not be easy to link the company directly to the death of the son, but indirectly, they will have to pay for the death of Jimmy. The fire was caused by Jimmy, an employee of Software Inc., and at the time all these occurred, Coleman was representing the company on official business. The concept in this part is related to the loss of death. The company will have to compensate Jimmy's mom. It would also be advisable for Jimmy's mother to go ahead and sue Coleman so that he can bear full responsibility. This is a case of murder, and it requires that an open person will have to take the full burden. The company will have to pay the fines related to the death of Jimmy. On the other hand, Coleman will have to be persecuted for the same. Murder is mainly punishable by the long-term imprisonment of the offender (Joseph, 1979). The company will pay for the loss, but Jimmy will also be persecuted in case he is sued by Jimmy's mom.

John had also sued the company as a result of the injuries he sustained when he met Coleman. They got into an argument, and Coleman punched him in the face. During this time, he was representing the company. He went to apologize on behalf of the company and himself. It is a situation that directly links the company to the occurrences in the company. John will win the suit because Coleman was representing the company at that given time.

If I were the CEO of Software Inc., I would have to come up with new guidelines to be used when employing people. I would ensure that part of the process includes looking at the behaviour of the employee before offering them a contract. It will be essential to look at their behaviour to avoid such instances. Coleman might have been a violent person, and this was not seen when he was employed. I will also ensure that within the company handbook, amendments are made to ensure employees can take responsibility for their behaviour when working (Joseph, 1979). To make employees more responsible, I will ensure that the guide gives the court the ability to use the Constitution when making judgments instead of using the company laws.

In conclusion, the incidents that took place led to a lawsuit. The cases are directly linked to the company because Coleman was representing the company. If he was not on official duty, it would not be easy to connect the company directly to the lawsuits. The company will compensate for the damages caused. The legal concept here is employee terms and what they mean to the legal framework. The company is directly involved in all the acts that the employee does when he or she is on official duty (Denis, 2002). The company will have to pay for the damages since it is clear that the employee did everything at that time while representing them.

References

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