

BUSINESS, SOCIETY & ETHICS

The Virtues of Employment at Will

As you read the material for our next class, keep the questions below in mind. To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages. Keep in mind that there are two basic kinds of information that you need to look for in the reading:

1. What are the main points or conclusions that an author accepts with respect to a particular issue?
2. What are the reasons, important considerations, and evidence that lead the author to accept that conclusion?

For our purposes, *it is information of the second sort that will be our primary concern* since our most basic task is to *evaluate the reasons and evidence* that are offered to support accepting one possible conclusion about an issue, rather than another.

Although I strongly suggest that you write out brief answers to these questions, you do not have to turn in written responses. You do, however, need to be prepared to speak intelligently about these issues at our next class meeting.

Reading

- Richard A. Epstein, "In Defense of the Contract at Will".

Questions

1. What is meant by contract at will? (Following more current terminology, I will call this "employment at will" during class.)
2. Epstein provides two arguments in favor of contract at will. The first argument is about the intrinsic fairness of contract at will. What is his defense of this claim?
3. Epstein's second argument is that contract at will provides instrumental benefits to *both* employers and employees. What benefits does contract at will give employers? What benefits does it give employees?