

Slide 1

Chapter Fifteen: Employee Relations

Slide 2

Strategic Importance of Effective Employee Relations

- for competitive advantage, employees must be motivated and engaged in pursuing organizational goals
- establish programs to foster commitment
- ensure employees are treated ethically, fairly, and legally

Slide 3

Building Two-Way Communication

- suggestion programs
- employee opinion surveys
- top-down communication programs
- fair treatment programs

Slide 4

Fair Treatment Programs

- employer programs aimed at fair treatment of employees
- formal, highly publicized vehicles
- employees can appeal any eligible issue

Slide 5

Electronic Trespassing and Employee Privacy

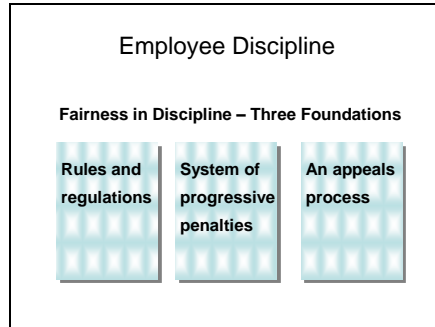
- employee right to privacy vs. employer right to know
- employers concerned with abuse of company property for possible illegal use
- electronic monitoring easy, inexpensive; legal if balanced with employee rights under privacy legislation (PIPEDA)

Slide 6

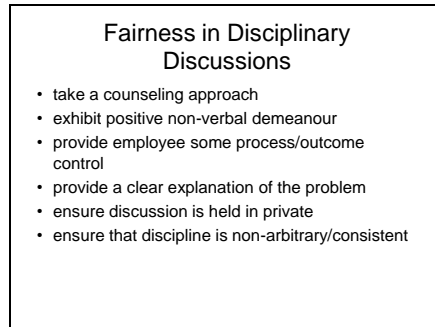
Electronic Monitoring Policy

- company email/Internet for business use only
- no improper/illegal use of computer system
- deleted messages may still be in the system
- violation of policy will result in discipline
- written acknowledgement of policy by employees

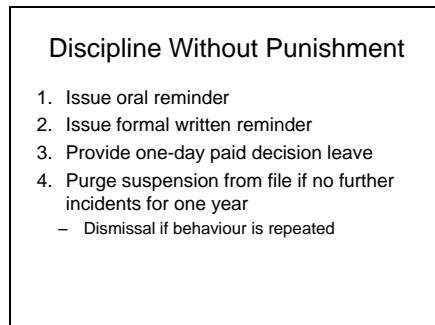
Slide 7



Slide 8



Slide 9



Slide 10

Managing Dismissals: Grounds for Dismissal

Unsatisfactory performance

- persistent failure to perform job duties

Misconduct

- insubordination, stealing, fighting

Lack of qualifications for the job

- after attempts to train have been made

Changed requirements of/elimination of the job

- if employee cannot be transferred

Slide 11

Managing Dismissals: Insubordination

- direct disregard for superior's authority
- refusal to obey orders
- deliberate defiance of company rules
- public criticism of superior
- blatant disregard for reasonable instructions
- contemptuous display of disrespect
- disregard for chain of command
- action to undermine superior

Slide 12

Managing Dismissals: Employment Contract

- in writing or implied
- employment for indefinite period unless otherwise stated
- termination requires *reasonable notice*
- termination for just cause does not require notice

Slide 13

Managing Dismissals: Wrongful Dismissal

- employee can allege *wrongful dismissal* if:
 - notice is not provided
 - notice is not considered reasonable

Slide 14

Managing Dismissals: Avoiding Wrongful Dismissal Suits

- avoid inducements to lure prospective employees
- use employment contracts with a termination clause
- document all disciplinary action
- do not allege cause unless it can be proven
- do not terminate on employee's birthday, holidays
- use termination letters in all cases
- schedule termination meeting in a private area
- have two managers at the termination meeting

Slide 15

Managing Dismissals: Constructive Dismissal

- unilateral changes in employment contract, unacceptable to employee
 - demotion
 - forced early retirement
 - forced transfer
 - reduction in pay/benefits
 - changes in job duties/responsibilities

Slide 16

Managing Dismissals: Dismissal Procedures

- provide warnings before termination (final warning in writing)
- prepare a checklist of company property to be accounted for
- change security codes and locks
- for mass dismissal, prepare news release
- decide beforehand how to inform coworkers

Slide 17

Managing Dismissals: Termination Interviews

Step 6. Identify next step for employee

Step 5. Review severance package

Step 4. Listen

Step 3. Describe the situation

Step 2. Get to the point

Step 1. Plan the interview carefully

Slide 18

Managing Dismissals: Outplacement Counseling

- training and counseling for a terminated employee
- includes self-appraisal and job search skills

Slide 19

Managing Separations: Bumping/Layoff Procedures

- seniority usually used to decide layoffs
- can also use merit or ability
- seniority based on original employment date (not date started in current job)
- employee with more seniority can bump less senior employee in another job (if the more senior employee is qualified)

Slide 20

Managing Separations: Alternatives to Layoffs

- voluntary reduction in pay plan
- voluntary time off
- contingent employees
- Work Sharing Program (HRSDC)

Slide 21

Downsizing in a Merger/Acquisition

- avoid appearance of power/domination
- avoid win/lose behaviour
- remain businesslike/professional at all times
- maintain positive regard for acquired company
- treat acquired group with care and dignity

Slide 22

Managing Retirement

- as Baby Boomers retire, it is expected that:
 - longstanding trend to early retirement will change
 - late retirement will be promoted to help ease labour shortage
 - joint retirement issues for dual-career couples will increase
 - flexibility in retirement arrangements will increase dramatically

Slide 23

Managing Retirement:
Pre-retirement Counseling

Lifestyle goals
Financial planning
Relationship issues
Health issues

Slide 24

FIGURE 15.1 Survey Dos and Don'ts

Do	Don't
Create an effective team (two to 10 members) with representatives from corporate HR, corporate communication and business/finance employees.	Assess your study goals when employees are getting a bonus or raise but ones (call cutbacks) when handing out surveys.
Identify communication strategy and timing needs.	Promise to listen and then don't.
Determine final project objectives: scope, timeline, deliverables, success measures, outcomes.	Say you will act on the findings and then don't.
Define key audiences (internal and external).	Promise anonymity or confidentiality and then break that promise.
Identify core survey content, as well as content, business-specific content.	Make the survey too long, complicated and irrelevant.
Finalize the method of survey administration.	Forget to add the due date and where to return the completed survey.
Randomize the survey according to pre-determined information needs. Do you want the entire population or a sample?	Think you know how to analyze the data because you have mastered multiplication tables.
Have a communication plan: pre-survey, mid-survey and post-survey. Collect key messages and distribution channels.	Search the data until you find that really little (often you know you found it you only looked hard enough).
Once the survey closes, determine the level of analysis required (simple descriptive statistics, predictive modeling, correlations).	Release what is comments without ignoring what is to do about any included names of employees, managers and leaders. You can't ignore, distribute comments, or release what is comments without ignoring what is to do about any included names of employees, managers and leaders.

Source: J. Dugan, "The Survey That Goes Wrong," Corporate HR Executive, March 10, 2003, p. 50.
Reprinted by permission of Corporate HR Executive, Copyright, The Corporate Press, 2003 Toronto, Ont.
Copyright © 2008 Pearson Education Canada

- Make sure that the evidence supports the charge of employee wrongdoing. In our words: "The employee's evidence did not support the charge of employee wrongdoing." The reason attorneys can so effectively defend their clients is that they can find evidence that the employee did not do anything wrong.
- Ensure that the employee's due process rights are protected. Attorneys normally ensure due process and representation for employees. This means that the union has basic forms of employee due process procedures. For example, the union will defend employees from discipline, and will not deny the employee an opportunity to be heard.
- Adequately warn the employee of the disciplinary consequences for a or her charged misconduct.
- Ensure that the rule that allegedly was violated is "reasonably related" to the efficient and safe operation of the particular work environment (since employees are usually allowed by arbitrators to ignore rules that are not related to safety or efficiency).
- Management must fairly and adequately investigate the matter before issuing discipline.
- Ensure that the investigation produced substantial evidence of misconduct.
- Apply rules, codes, or provisions of collective bargaining agreements consistently.
- Ensure that the penalty is reasonably related to the misconduct and to the employee's past work history.
- Maintain the employee's right to counsel. All union employees have the right to bring a union representative when they are called to an arbitration that they reasonably believe might result in disciplinary action.
- Do not rule the employee guilty without a guilty. Disciplinary employees in private (unless they request counsel).
- Do not rule the burden of proof on the employer. In our words: "The employer is always considered innocent until proven guilty."
- Call the facts. Do not base disciplinary decisions on hearsay evidence or on general impressions.
- Do not act while angry. Very few people can be objective and sensible when they are angry.

Slide 28

[illegible]

Slide 29

[illegible]