

PHRi Functional Area 06

EMPLOYEE AND LABOR RELATIONS

International Human Resource Certification Institute

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Professional in Human Resources – International (PHRi) Workbook

Module Six: Employee Relations and Risk Management

2024 Edition

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Introduction

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Access to the learning system is valid for twelve (12) months from the date of purchase, covering two test windows. Take the pre-test, review, and post-test as many times as possible within 12 months. Access to these practice exams is for your use, and your account should not be shared with others. Your use of the online practice exams indicates your agreement with these terms.

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Part One: Employee Relations

1. Employee Relations and HR Practices

The Chartered Institute of Personnel and Development (CIPD) defines employee relations as the dynamic relationship between employers and employees within an organization. This includes both informal and formal collaborations, practices, policies, and strategies that shape the employment relationship. It involves conflict management, negotiations, communication, and efforts to create a positive work environment.

Employee Relations (ER) is centered around managing and enhancing the interactions between employers and employees. This includes fostering a workplace environment that promotes satisfactory productivity, motivation, and morale. ER aims to solidify the connections between employers and their workforce, thereby enriching the overall work atmosphere. Establishing strong, positive relationships within an organization is crucial for creating a harmonious and productive work climate.

At its core, ER focuses on averting and resolving issues involving individuals which stem from or impact their roles in the workplace. It deals extensively with the nuances of employer-employee dynamics, paying special attention to both individual and collective interactions. This field of human resources gives particular importance to the relationship dynamics between managers and their team members, ensuring these connections are healthy and productive.

1.1. The Facets of Employee Relations

Employee relations can be seen either as specific policies and programs within an organization or as a designated team focused on fostering employer-employee relationships. Essentially, employee relations encompass the various facets of the employer-employee relationship, including contractual, practical, and emotional elements. It's vital for overall organizational performance, as effective management of employee relations leads to enhanced wellbeing and productivity of employees.

- Establishing a relationship of mutual respect, trust, and appreciation between employees and employers.
- Creating a positive company culture and a conducive work environment.
- Acting as advocates for employees, addressing their concerns, and resolving conflicts.

Typically falling under the Human Resources department, employee relations can be

part of the general responsibilities of an HR professional or handled by a dedicated manager or team.

Human Resources is a comprehensive function managing all aspects of an organization's workforce and work environment. This includes recruitment, training, development, compensation, benefits, and health and safety.

Employee relations is a focused area that considers the entire employee experience to sustain and improve the organization's interactions with its employees and their relationships with each other. For instance, when considering an organization's work environment:

- HR focuses on logistical aspects, ensuring that workspaces are safe and well-equipped.
- ER concentrates on the engagement and experience of employees within that environment, understanding their interaction with their work and each other.

1.2. The Importance of Employee Relations for Employers

Maintaining strong employee-employer and peer-to-peer relationships is essential in any organization, as employees are its driving force. Effective management of employee relationships yields several key benefits.

1.2.1. Enhanced Workplace Communication

Encouraging relationships between employers and employees leads to open communication throughout the organization. This open dialogue helps employees understand expectations, goals, objectives, and the value of their contributions, fostering a clearer and more cohesive work environment.

1.2.2. Reduced Workplace Conflict

Better relationships between management and staff create a climate conducive to dialogue and honest conversations, helping to resolve issues proactively. In cases of disputes, established communication channels ensure that employees are heard, allowing for swift and effective conflict resolution.

1.2.3. Increased Employee Morale and Loyalty

Treating employees as valued partners fosters respect and appreciation. This positive connection boosts job satisfaction and productivity, leading to a workplace with high morale and employee dedication.

1.2.4. Enhanced Employer Reputation

Valued employees often become advocates for their workplace, improving the company's reputation among potential employees, customers, investors, and other stakeholders. This can lead to broader business opportunities and an enhanced public image.

1.2.5. Lower Employee Turnover

Good employee-employer relations make staff focus on the positive aspects of their job, reducing restlessness and the likelihood of seeking other opportunities. This results in longer retention of productive employees and reduced turnover.

1.2.6. Boosted Organizational Performance

Content and motivated employees are key to overall organizational performance. When employees feel connected and valued, they are more productive and motivated to contribute to the business's long-term success.

1.3. The Importance of Employee Relations for Employees

Employee relations play a pivotal role in various aspects of a workplace, impacting everything from an employee's well-being to their career advancement opportunities.

1.3.1. Impact on Job Satisfaction and Well-being

The International Journal of Economics, Business and Management Research highlights that strong relationships with co-workers, managers, and the organization lead to greater job satisfaction. This satisfaction fosters a sense of respect and motivation, enhancing an employee's overall well-being and commitment to their work.

1.3.2. Influence on Career Evolution and Advancement

When employees feel supported by their managers and company, they are more likely to seek and embrace training and advancement opportunities. This not only benefits the individual's career growth but also contributes positively to the organization's development.

1.3.3. Creation of a Positive Work Environment

A positive atmosphere in the workplace boosts a sense of job security. This security, in turn, elevates commitment and engagement among employees, leading to a more productive and harmonious office environment.

1.3.4. Enhancement of Focus and Productivity

According to the Management Study Guide, healthy coworker relationships result in better focus, fewer disagreements, and increased productivity. A comfortable and supportive environment among colleagues enhances overall workplace efficiency.

1.3.5. Promotion of Employee Involvement in Decision-Making

Good employee relations empower workers, giving them a sense of ownership over their work. This leads to greater involvement in the company's decision-making processes, aligning employees' interests with the organization's objectives.

1.3. The Pillars of Employee Relations

Employee relations are crucial for securing employee commitment to an organization's goals and objectives. The foundational concepts, or pillars, that support and maintain a positive employer-employee relationship are critical for fostering a culture of good employee relations, which in turn can significantly improve business outcomes and elevate employee morale and well-being.



Employee Relations as the dynamic relationship between employers and employees within an organization. This encompasses the informal and formal collaborations, practices, policies, and strategies that shape the employment relationship. It involves conflict management, negotiations, communication, and efforts to create a positive work environment.

Source: Murambinda (2023)

1.4.1 Effective Communication

Effective communication is at the heart of positive employee relations. It is essential for management, staff, and various teams within a company to engage in open and transparent dialogue. This enables employees to share their concerns, ideas, and feedback, thereby building trust, alignment, and a sense of community among the workforce. Research has shown that effective communication not only enhances

harmonious employee relations but also reduces instances of strikes and lockouts. Studies, including a published statistics paper, have found that about 70% of business leaders attribute increased team productivity to effective communication.

1.4.2. Conflict Resolution

Conflict is inevitable in any workplace, but its management and resolution significantly impact employee relations. A robust conflict resolution process is vital for addressing disputes or grievances that may arise among employees or between employees and management. Fair and impartial resolution methods help prevent conflicts from escalating and negatively affecting the workplace. Research indicates that the best conflict resolution involves cooperation or compromise, fostering a collaborative effort to find optimal solutions rather than creating winners or losers.

1.4.3. Employee Engagement

Investopedia defines employee engagement as a worker's enthusiasm and dedication to their job. This pillar concentrates on strategies and programs to keep workers interested and invested in their roles. It involves enabling employees to enhance their skills, participate in decision-making processes, recognizing and rewarding their contributions, and fostering an organizational culture that aligns with their values and goals. Research has consistently shown that organizations with high employee engagement tend to be more profitable and successful. For instance, a blog on employee engagement statistics revealed that highly engaged companies are 21% more profitable. Additionally, a Gallup study found that engaged employees are less likely to seek new job opportunities, thereby increasing retention rates.

1.4.4. Policy Adherence

Positive employee relations are heavily dependent on a company's adherence to labor laws and regulations. This pillar involves fair and equitable treatment of employees, compliance with legal standards regarding wages, benefits, working conditions, and anti-discrimination policies, and promoting diversity and inclusion to create a fair and welcoming work environment. Effective employee relations practices include establishing clear policies against intolerable behaviors, providing confidential reporting mechanisms, and implementing processes for investigating and addressing these issues. Proper compliance and enforcement not only help avoid legal problems but also maintain the integrity of the employee relations investigation process.

1.5. The Practices of Employee Relations

Employee relations issues can be avoided if organizations respect employees' rights

and fulfill their expectations. ER should be a key focus in all aspects of operations and the employee journey. Here are examples of different kinds of employee relations matters.



Source: AIHR.com

1.5.1. Workplace Conflict Management

Conflict in the workplace is inevitable, but its management is key to maintaining a positive work environment. Formal procedures for conflict resolution and training for managers and ER professionals can prevent escalation. A good example is Acme Corp, which has a structured approach to handling disputes, offering training for managers in conflict resolution and ensuring issues are resolved constructively.

1.5.2. Employee Onboarding

Effective onboarding is crucial for setting a positive tone in the employer-employee relationship. A comprehensive onboarding program introduces new hires to the company culture, expectations, and their specific roles. It should include interactive training, introductions to key team members, and a clear outline of job responsibilities. For instance, Google's onboarding program is renowned for its effectiveness, including mentorship and integrating new hires into the company culture, which helps them feel part of the team and understand their role in the company's success.

1.5.3. Labor and Industrial Relations

The relationship between employers and unions revolves around negotiations, collective bargaining, and dispute resolution. Open communication is essential for understanding and addressing the concerns of unionized employees. General Motors, for example, has a history of effective collective bargaining and open dialogue with unions, fostering fair working conditions.

1.5.4. Workplace Health and Safety

Ensuring employees' safety is crucial. This includes implementing safety standards and creating a supportive, stress-free work environment. Bechtel, a construction company, emphasizes safety through training, standards compliance, and open communication about health and safety issues.

1.5.5. Absenteeism

Regular unplanned absences can disrupt workflows and indicate underlying issues such as burnout, health problems, or dissatisfaction. Addressing absenteeism involves understanding its root causes and implementing support systems or changing work procedures. Johnson & Johnson, for example, reduces absenteeism through their wellness programs, addressing both physical and mental health needs of employees.

1.5.6. Insubordination

Insubordination can undermine a leader's authority and create team conflicts. Addressing it involves setting clear expectations, providing communication training for managers, and establishing a conflict resolution framework. At XYZ Inc., a culture of mutual respect and teamwork is promoted to prevent and manage insubordination issues.

1.5.7. Employee Misconduct

Tackling employee misconduct is vital for maintaining a respectful and safe work environment. This includes having clear policies against misconduct, a confidential reporting system, and thorough investigation procedures. Delta Airlines, for instance, enforces strict policies and procedures to handle employee misconduct, emphasizing a safe and respectful work culture.

1.5.8. Employee Wellbeing

Investing in employees' wellbeing shows that their health and happiness matter to the organization. This can include flexible working arrangements, mental health support, and recreational benefits. Microsoft, for example, offers a range of wellbeing programs, promoting a balanced and healthy lifestyle for its employees.

2. Labor Union

As an HR professional, being adept at handling the complexities of labor unions is essential. This involves a deep understanding of the laws, historical context, and practices related to unions to avoid legal complications, strikes, and ethical breaches. Here we delve into the nature of unions, their history, HR responsibilities, and strategies for effectively collaborating with them.

2.1. What is a Labor Unions?

Labor unions, or trade unions, are organizations formed by workers uniting to leverage collective strength for workplace improvements. These improvements can range from better wages and hours to enhanced policies on Paid Time Off (PTO) and other work-related issues. Unions are particularly prevalent in sectors like government, transportation, and utilities.

Unions operate on the principle of collective bargaining, where a united group has more influence than individuals acting alone. They are democratically structured, with leaders elected by members. Union members pay dues, which are used for operational costs and salaries of union staff. In return, the union advocates for fair wages and favorable working conditions for its members.

In a unionized workplace, the union is the only one that can negotiate contracts for employees, not the employers. The company can operate as long as it follows the rules of the collective agreement. The union is officially recognized as the only one who can negotiate for employees under this agreement. In such workplaces, things like seniority, potential and current labor disputes, and pay are usually based on how long someone has worked there, not on their performance. This is different from workplaces without a union.

The HR department often serves as the primary liaison between the company and the union. Effective handling of this relationship involves negotiating and maintaining the Collective Bargaining Agreement (CBA). This agreement outlines employment terms for a set period and requires mutual consent for any changes. Negotiating a CBA can be a multistage process, requiring tact and understanding from HR professionals.

2.2. Key Focus Areas of Unions

2.2.1. Wages: Unions negotiate to ensure fair compensation for their members.

2.2.2. Benefits: They work to secure comprehensive benefits, including healthcare and retirement plans.

2.2.3. Workplace Safety: A prime concern is creating a safe working environment.

2.2.4. Workplace Conditions: Unions strive for optimal working conditions that respect the workers' needs and well-being.

2.2.5. Scheduling: They aim for fair and manageable work schedules.

2.2.6. Vacations and Sick Days: Unions negotiate for adequate leave policies, ensuring sufficient rest and recovery time for employees.

2.3. HR in Working with Labor Unions

As an HR professional, interacting and negotiating with labor unions forms a significant part of your role. This detailed guide covers key responsibilities and approaches.

2.3.1. Establish and Uphold a Union Contract

Contract Negotiation: The core of the union-company relationship revolves around negotiating a contract that outlines policies and procedures. This contract typically includes specifics on pay raises, holiday and vacation pay, internal job postings, grievance procedures, working hours, breaks, benefits, and compliance with anti-discrimination laws.

Contract Specificity and Timeframe: Clarity and specificity in the contract help avoid ambiguities. It should also specify the duration of its validity. Post-expiration, renegotiation is necessary.

No-Strike Clause: Including a no-strike clause ensures employees cannot strike during the contract period. Strikes usually occur when a contract has expired, and negotiations for renewal are stalled.

Legal Consultation: Engaging a labor law specialist or attorney is advisable for contract negotiations. Once signed, both parties are obliged to adhere to the contract terms.

Role of HR: While senior management typically handles these negotiations, HR's role is crucial in facilitating and implementing the contract's terms.

2.3.2. Handle Grievances and Disciplinary Actions

Union Contract Guidelines: The union contract often dictates procedures for managing grievances and disciplinary actions, possibly requiring a union representative's presence during these processes.

Processing Grievances: Employees may raise grievances internally or through the union. HR must work collaboratively with the union to address and resolve these

issues.

Legal Escalation: In some cases, unresolved grievances might escalate to legal proceedings, with the union representing the employee.

2.3.3. Deduct Union Dues

Union Membership Fees: Union membership typically involves monthly dues, which HR may need to deduct from members' paychecks.

Payroll Management: Ensure payroll systems accurately reflect these deductions and communicate clearly on employees' pay stubs.

2.3.4. Maintain a Positive Union Relationship

Union Representatives: Unions assign representatives to manage affairs, who could be regular employees or full-time union staff.

Professional Conduct: Cultivating a professional and respectful relationship with the union is vital. Understanding and empathizing with both sides of any issue can lead to more effective problem-solving.

Collaborative Approach: Seeing the union as a partner rather than an adversary is essential. Once established, unions are a permanent part of the workplace landscape, and a cooperative relationship is beneficial for both parties.

2.4. Effective Union Collaboration

Here are detailed tips for HR representatives working with or in the presence of a labor union:

2.4.1. Proactively Address Potential Unionization by Ensuring Fair Treatment

One of the best strategies to prevent unionization is by ensuring employees feel fairly treated and valued. Unions often arise from dissatisfaction and perceived unfairness, so maintaining open communication, fair policies, and genuine concern for employee welfare can mitigate the drive for unionization. If you notice early signs of union interest, like flyer distribution or social media organization, it's crucial to understand employees' concerns. Organize formal meetings where employees can voice their issues and consider implementing feasible changes to improve conditions. Remember, unions require a 30% employee vote to apply to the National Labor Relations Board, so addressing issues early can prevent it from reaching this stage.

2.4.2. Maintain Neutrality Regarding Union Membership

When faced with questions about union membership, HR must remain neutral. Advising employees on whether to join a union can lead to legal complications. Instead, inform them that joining a union is their legal right and direct them to union representatives for more detailed information. This neutral stance ensures the company doesn't become a target for legal action due to perceived bias.

2.4.3. Diligent Documentation

HR's role in documenting grievances, investigations, and other relevant interactions is crucial, especially when unions are involved. Maintain accurate, comprehensive records to protect the company's interests. All documents concerning union members might be subject to review, so never dispose of or alter important records. Effective record-keeping is paramount in safeguarding the company, particularly when dealing with legal matters.

2.4.4. Adhere Strictly to the Union Contract

Most issues with unions can be avoided by strictly following the terms of the union contract. Cutting corners or attempting to circumvent the agreement can lead to significant legal issues and damage the company's reputation. Both the company and the union must commit to honoring the contract to ensure a smooth, conflict-free relationship.

2.4.5. Recognize the Influence and Complexity of Unions

Never underestimate the scale and sophistication of established unions. They often possess extensive resources, including legal teams, health plans, and significant political influence. Engaging in conflict with a well-established union might inadvertently involve local politicians and the media, so approach union-company relations with caution and respect.

2.4.6. Familiarize Yourself with Local Regulations

Laws and attitudes toward unions vary significantly by state. Understanding the specific regulations and prevailing attitudes in your state is crucial for effectively navigating union relations. Ignorance of these laws can lead to severe repercussions for the company, so ensure you're well-informed and compliant.

2.5. Union Workers Vs. Nonunion Workplace

Labor unions consist of employees joining forces to negotiate with their employers. Typically, a representative is chosen to negotiate for the union members.

This authority allows them to negotiate for improved salaries, benefits, and safer

working conditions, with the knowledge that if an agreement isn't reached, the union members may go on strike.

In contrast, in a nonunion workplace, the employees haven't united to negotiate with management and owners. This leaves the company's leadership with the power to determine salary, sick leave, and health benefits primarily by themselves.

Union workers and nonunion workers differ in several ways:

2.5.1. Representation: Union workers are part of a labor union that negotiates on their behalf, while nonunion workers represent themselves.

2.5.2 Wages and Benefits: Union workers generally receive higher wages, more healthcare benefits, and more sick leave. Nonunion workers, on the other hand, usually have lower pay, fewer sick days, and limited or no access to healthcare benefits.

2.5.3. Negotiation Power: In a unionized workplace, the union negotiates for better pay, benefits, and workplace conditions. In a nonunion workplace, the company has the right to decide salary, benefits, and workplace rules.

2.5.4. Job Security: Union workers are typically under contract, providing them with greater job security. Most nonunion workers are employed at will.

2.5.5. Workplace Policies: In union workplaces, policies are decided collectively, while in nonunion workplaces, the company owner or management decides the policies.

3. Employee Grievance

Grievance is a complaint made by an employee to their employer about an aspect of their work that they find unfair or unjust. The employer is then required to take further action to address the issue. Employee grievance arises when an employee feels dissatisfied with aspects of their work environment or management practices. This dissatisfaction could stem from various factors, such as an unsafe working environment, unclear job responsibilities, inadequate compensation, or lack of respect. Essentially, a grievance occurs when there's a disparity between an employee's expectations and what they experience or receive in the workplace.

The legitimacy of employee grievances can vary; some may be well-founded, while others might not be. Regardless of their justification, it's crucial for the leadership and HR team to address these grievances effectively. Unresolved grievances can significantly impact an employee's motivation and performance and can deteriorate the overall work environment. If neglected, these issues can escalate into larger disputes within the

organization, potentially demotivating other employees and affecting the company's morale and productivity.

3.1. Types of Grievances

Grievances in the workplace vary, but some of the most common types include issues related to pay and benefits, bullying, working conditions, and workload.

3.1.1. Pay and Benefits Grievances:

Employees often express dissatisfaction with their salary or benefits package. Common concerns include desiring a higher salary, wanting pay parity with colleagues in similar roles, or seeking compensation for expenses like commuting.

Example: At ABC Corp, an employee approached HR to discuss a perceived pay disparity. HR conducted a thorough review, comparing the employee's salary with industry standards and similar roles within the company. They also ensured all employees received updated information on the company's salary review policy.

Employers should have clear policies regarding salary and benefits reviews, ensuring transparency and fairness in compensation matters.

3.1.2. Bullying Grievances

Workplace bullying or harassment should never be tolerated. Implementing a zero-tolerance policy towards such behaviors is crucial.

Example: XYZ Ltd faced a bullying complaint. They immediately activated their anti-harassment policy, which included a detailed investigation followed by appropriate disciplinary actions, ensuring a safe and respectful work environment.

Regularly updating and communicating anti-harassment and bullying policies to all employees is essential for maintaining a healthy workplace culture.

3.1.3. Working Conditions Grievances:

Employees may raise concerns about their physical work environment, such as cleanliness, desk etiquette, bathroom conditions, and general health and safety issues.

Example: A small software company received complaints about the temperature in the workspace. They responded by investing in air conditioning for summer and efficient heating for winter, significantly improving employee comfort and productivity.

Regular workplace risk assessments can identify potential hazards, and proactive measures, such as ensuring cleanliness and appropriate facilities, are vital.

3.1.4. Workload Grievances

Issues related to increased workload, especially without corresponding compensation or recognition, can lead to dissatisfaction. This could stem from staff reductions or additional responsibilities without support.

Example: At a retail firm, an employee was burdened with extra duties following a colleague's departure. The employee's dissatisfaction was addressed by HR through workload adjustment and a discussion about possible compensation changes.

Employers must be prepared to address employees' concerns about increased workload, considering possible compensation adjustments or role recognition.

3.2. Handling Employee Grievance

Dealing with a workplace grievance effectively is crucial for maintaining a harmonious work environment. Here are five key steps, with examples, to manage such grievances:

3.2.1. Initiate the Grievance Procedure

Every company is required to have a written grievance procedure. This should guide employees on how to raise issues, detailing the process and timelines. Initially, an informal discussion may resolve the issue, but if not, the employee should submit a formal grievance in writing.

Example: At TechCorp, an employee dissatisfied with their workload followed the company's grievance procedure by first discussing it informally with their manager. When this didn't resolve the issue, they submitted a formal written grievance.

3.2.2. Investigate the Grievance

Investigation may be necessary, particularly if it involves other staff members. Notify all involved parties and gather their input or evidence before scheduling a grievance hearing.

Example: In a case of alleged harassment at HealthMed, HR conducted interviews with the involved parties and reviewed email correspondence as part of their investigation before the grievance hearing.

3.3.3. Hold a Grievance Hearing

Conduct a formal meeting where the employee can present their grievance and evidence. All relevant parties should attend, and the employee has the right to bring a colleague or union representative. Record the meeting proceedings for transparency.

Example: During a grievance hearing at RetailWorld, an employee, accompanied by a union rep, presented evidence of unequal treatment. The meeting was recorded, and notes were later shared with all attendees.

3.3.4. Make Your Decision and Inform the Employee

After the hearing, decide whether to uphold, partially uphold, or reject the grievance. Communicate your decision in writing to the employee, explaining the reasoning and outlining any actions to be taken.

Example: Following a grievance about promotion practices, FinancePlus' HR decided to partly uphold the complaint, leading to a review of their promotion criteria. They informed the employee in writing about this decision and the steps to be taken.

3.3.5. Take Further Action (If Necessary)

If the employee appeals the decision, follow the outlined appeals process. Ideally, someone not involved in the initial hearing should oversee the appeal. Communicate the outcome of the appeal in writing.

Example: At DesignCo, an employee appealed the decision of their initial grievance. A senior manager who wasn't involved in the first meeting held the appeal hearing. The employee was informed in writing about the outcome and the rationale behind it.

In any workplace grievance scenario, the objective is to resolve the conflict effectively and ensure all parties feel heard and fairly treated. These steps, along with clear communication and a fair process, can help HR professionals manage grievances and maintain a positive work environment.

3.3. Grievance Responsibilities

The following table shows the typical division of responsibilities between the HR unit and line managers for handling grievances. These responsibilities vary considerably from one organization to another, even between unionized firms. But the HR unit usually has more general responsibilities. Managers must accept the grievance procedure as a possible constraint on some of their decisions. Management should recognize that a grievance is a behavioral expression of some underlying problem. This statement does not mean that every grievance is a symptom of something radically wrong. Employees do file grievances over petty matters as well as over

important concerns, and management must be able to differentiate between the two. However, to ignore a repeated problem by taking a legalistic approach to grievance resolution is to miss much of what the grievance procedure can do for management.

HR Department	Managers
Assists in designing the grievance procedure	Operate within provisions of the grievance procedure
Monitors trends in grievance rates for the organization	Attempt to resolve grievances where possible "closest to the problem"
May assist in preparing grievance cases for arbitration	Document grievance cases for the grievance procedure
May have responsibility for settling grievances	Engage in grievance prevention efforts

4. Alternative Dispute Resolution (ADR)

A dispute is a more formalized conflict that usually involves a larger group of employees or the entire workforce. Disputes often arise when there is a disagreement between employees and employers over employment rights that cannot be resolved informally. Alternative Dispute Resolution (ADR) in the workplace is essentially a way of solving disagreements between employees and employers without going to court. This approach is akin to having a diverse set of tools, each tailored to address specific types of workplace issues effectively. ADR stands out for being less formal, less intimidating, and generally faster than traditional legal procedures, making it an attractive option for resolving workplace grievances.

While ADR is highly effective, it's not universally applicable to all types of conflicts. It's particularly well-suited for disputes where maintaining or improving the relationship between the involved parties is a priority. ADR is less appropriate in situations where legal issues are involved, or there are significant power imbalances between the disputing parties. In such cases, formal legal action or intervention might be necessary.

4.1. The benefits of ADR

The benefits of implementing Alternative Dispute Resolution (ADR) in the workplace are numerous and can significantly contribute to a more effective, harmonious, and productive work environment.

4.1.1. Efficiency and Speed

One of the most notable benefits of ADR is its efficiency. Traditional legal proceedings can be time-consuming, often stretching over months or even years. ADR processes like mediation or arbitration can resolve disputes much more quickly, sometimes in just a few sessions. This swift resolution allows businesses to minimize the disruption conflicts can cause in the workplace and swiftly return to normal operations.

4.1.2. Cost-Effectiveness

Legal disputes can be expensive, involving court fees, attorney fees, and other related costs. ADR methods, by contrast, are generally more cost-effective. They reduce the need for extensive legal representation and other court-related expenses, making them a financially sensible choice for both employers and employees.

4.1.3. Confidentiality

ADR proceedings are typically private and confidential. Unlike court cases, which are public record, the details of ADR negotiations or settlements remain between the involved parties. This confidentiality can be particularly beneficial in a workplace setting, where privacy can help maintain professional reputations and prevent the escalation of tensions.

4.1.4. Preservation of Relationships

Perhaps one of the most significant advantages of ADR in the workplace is its focus on preserving and sometimes even improving professional relationships. Methods like mediation encourage open communication and mutual understanding, helping parties to see each other's perspectives and work collaboratively towards a solution. This approach can foster a more positive work environment, enhance teamwork, and improve overall morale.

4.1.5. Control and Flexibility

ADR offers more control and flexibility to the disputing parties compared to the court system. In ADR, the parties involved have a greater say in the process and can often tailor the proceedings to their specific needs, including choosing a neutral third party to guide the process and deciding on the best time and place for sessions. This flexibility can lead to more satisfactory outcomes for all involved.

4.1.6. Improved Compliance and Implementation

Resolutions reached through ADR are often more likely to be complied with voluntarily by both parties. This is partly because the disputing parties have actively

participated in negotiating the outcome, leading to a greater sense of ownership and commitment to the agreed-upon solution.

4.1.7. Expertise

In certain types of ADR like arbitration, the parties can choose an arbitrator with specific expertise relevant to their dispute. This specialized knowledge can be particularly advantageous in complex disputes where technical understanding is crucial.

4.2. Types of ADR

Given the variety of ADR methods, it's crucial to examine the specifics of the complaint and the desired outcomes of the involved parties when choosing the most appropriate resolution process.

4.2.1. Peer Review

Peer review involves a group of colleagues or equals in the workplace who evaluate or make decisions about a dispute involving one of their peers. It's like having a panel of coworkers who understand the work environment and can provide a balanced perspective.

In Maria's case of disputing her dismissal, a peer review process was initiated. A committee of Maria's colleagues was formed to review the circumstances of her dismissal. They examined the details of her performance, the procedures followed by the employer, and Maria's claims of unfair treatment. After careful consideration, the peer review committee provided their recommendations, which aimed to offer a balanced perspective on whether the dismissal was justified and what corrective actions, if any, were needed to resolve the issue fairly. This process allowed for a judgment by individuals who understood the workplace dynamics and could offer an insightful, peer-based perspective on the dispute.

4.2.2. Mediation

In mediation, a neutral third person (mediator) helps the conflicting parties talk things out and find a solution. The mediator doesn't make the decision but helps the parties communicate better.

In the case of Maria, who contested her unfair dismissal, mediation was employed to resolve the issue. A neutral mediator brought together Maria and her employer to discuss the situation. Through guided discussions, Maria expressed her concerns about the dismissal process, while her employer explained the reasons behind their

decision. The mediator facilitated understanding between both parties, leading to a mutually agreeable resolution, possibly involving a severance package and a reference letter, thus providing a collaborative solution to the dispute.

4.2.3. Conciliation

This is similar to mediation, but the conciliator plays a more active role in suggesting solutions and bringing the parties together. **Mediation** involves a neutral facilitator aiding disputing parties in reaching their own resolution through communication, while **conciliation** includes a more proactive role of the conciliator in suggesting solutions and actively guiding parties towards an agreement.

A conciliator was brought in to resolve Maria's grievance regarding her dismissal. This independent party met separately with Maria and her employer to understand each side's viewpoint. The conciliator then brought both parties together, suggesting potential compromises, such as a revised severance package or reinstatement under certain conditions. Through the conciliator's active facilitation, a mutually acceptable agreement was reached, avoiding further escalation of the dispute.

4.2.4. Arbitration

Here, a neutral person (arbitrator) listens to both sides and then makes a decision that usually has to be followed. It's more formal than mediation.

Maria and her employer turned to arbitration for resolution. During the arbitration process, a neutral arbitrator carefully listened to both sides: Maria argued her dismissal was unjust and a breach of her contract, while her employer defended the action based on performance concerns. After thoroughly reviewing the employment contract, performance records, and the circumstances of Maria's dismissal, the arbitrator made a binding decision on the validity of the dismissal and any applicable compensation for Maria.

4.2.5. Adjudication

This process involves a neutral adjudicator who makes a decision on the dispute, often legally binding, based on the evidence and arguments presented. **Arbitration** involves a neutral arbitrator making a binding decision after hearing both sides of a dispute, focusing on fairness and practicality, whereas **adjudication** is a more formal process where a legally appointed adjudicator decides based on specific laws and contractual obligations.

Maria's case was referred to an adjudicator, a neutral official appointed to make a binding decision on the matter. The adjudicator conducted a formal review, examining

the company's dismissal procedures, Maria's employment record, and the reasons provided for her dismissal. Based on this assessment, the adjudicator issued a decision on whether the dismissal was in line with company policy and employment law, and what, if any, compensation Maria was entitled to.

4.2.6. Ombudsman

An ombudsman is like a referee inside an organization or industry. They're a neutral party who investigates complaints, usually from consumers or employees, and tries to resolve them.

Maria decided to approach the company's ombudsman after feeling her dismissal grievance was not adequately addressed by HR. The ombudsman, acting as an independent entity within the company, conducted a thorough investigation into her claims. They reviewed HR's handling of the case, the circumstances leading to Maria's dismissal, and the company's policies. The ombudsman then provided recommendations to both Maria and the company, aiming to rectify any procedural shortcomings and ensure fair treatment.

4.3. The Continuum of ADR

The Continuum of Alternative Dispute Resolution (ADR) refers to a range of processes that vary in terms of formality, involvement of third parties, and the degree of control the disputing parties have over the outcome. This spectrum moves from less formal, party-driven processes to more structured, third-party-directed ones. The choice of process depends on the dispute's nature and the parties' attitudes and motivations. Here's a breakdown:

4.3.1. Facilitation

The most informal ADR process, where a facilitator helps improve the flow of information between parties. The facilitator does not suggest solutions or make decisions but helps parties communicate more effectively to resolve their dispute. Best for disputes where parties are willing to communicate but need assistance in doing so effectively.

4.3.2. Negotiation

A process where the parties involved in the dispute directly communicate with each other to reach a mutually acceptable solution without the intervention of third parties. Useful in almost all disputes, especially where parties want to maintain control over the outcome and preserve relationships.

4.3.3. Mediation

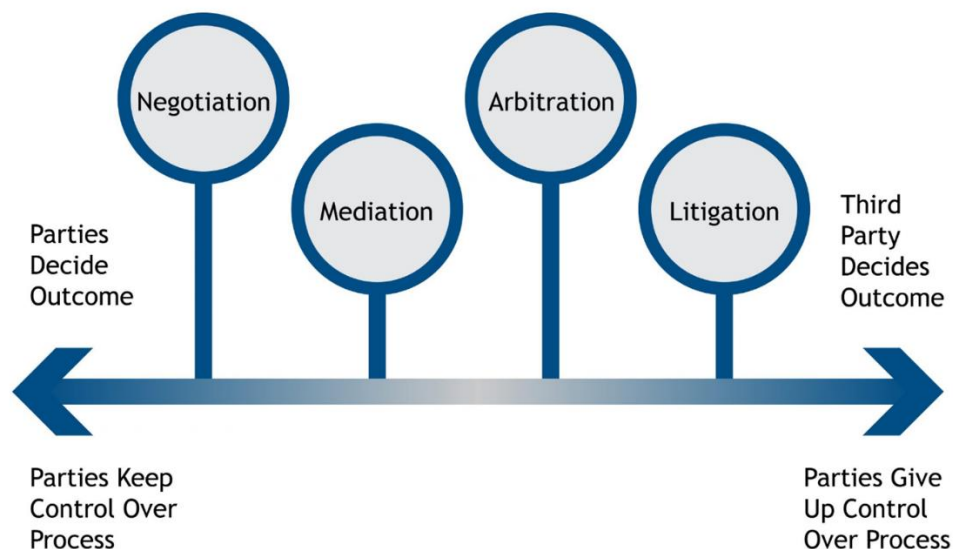
Involves a neutral third party, the mediator, who facilitates discussion and helps parties find a mutually satisfactory resolution. The mediator does not impose a decision. Effective when parties are open to dialogue but need assistance to reach an agreement.

4.3.4. Arbitration

A more formal process where an arbitrator hears both sides' arguments and evidence and then makes a binding decision. It's less formal than court proceedings but more so than the other ADR processes. Best suited for disputes where parties need a definitive resolution but prefer to avoid the formality and public nature of court proceedings.

4.3.5. Litigation

Litigation is a legal process where disputes are resolved in a courtroom setting. It is presided over by a judge, and in some cases, a jury, who are responsible for hearing the evidence, applying the law, and making a binding decision. It is often the most time-consuming and expensive means of dispute resolution. The complexities and procedural requirements of court cases can lead to extended timelines and significant legal fees. Litigation stands at the extreme end of the dispute resolution spectrum. Unlike ADR processes, which focus on negotiation, collaboration, and mutual agreement, litigation is adversarial by nature.



The Continuum of ADR allows parties to choose the process that best fits their specific dispute and desired outcome. This flexibility is a key advantage of ADR, as it provides

various paths to resolution that can accommodate different types of conflicts and party dynamics.

5. Diversity, Equity, and Inclusion (DEI) and Employer Relations

Diversity, Equity, and Inclusion (DEI) stands for diversity, equity, and inclusion, which are the principles and practices that ensure that all employees are treated fairly, respectfully, and have a sense of belonging in the organization. DEI are vital components in fostering positive employee relations in any organization.

5.1. Why is DEI Important for Employee Relations?

5.1.1. Enhanced Engagement and Productivity

Research has consistently shown that employees who feel their organization is committed to diversity and inclusion are more engaged. This engagement translates into higher productivity, better collaboration among team members, and a stronger commitment to the organization.

5.1.2. Trust and Inclusion

Studies indicate a direct link between an organization's diversity practices, the trust employees place in their organization, and their level of engagement. A high trust climate, coupled with effective diversity practices, significantly boosts employee engagement. Moreover, when employees perceive high levels of inclusion alongside diversity, this further strengthens their trust in the organization.

5.1.3. Sense of Belonging

Feeling that one belongs is crucial for employee satisfaction and retention. Despite investments in diversity and inclusion training, many employees still feel isolated. This disconnect suggests that efforts in DEI must go beyond mere inclusion and ensure that employees genuinely feel a sense of belonging.

5.2. How Can DEI Improve Employee Relations?

5.2.1. Building a Trusting and Open Environment

Implementing DEI practices can create a more open and trusting work environment. When employees see tangible actions being taken towards DEI, it builds trust in the organization.

5.2.2. Creating a Culture of Belonging

By focusing on belonging, organizations can ensure that employees not only are included but also feel that they are integral to the company. This feeling of belonging can lead to increased commitment and a stronger connection to the organization.

5.2.3. Enhancing Reputation

A strong focus on DEI can improve a company's reputation both internally and externally. This enhanced reputation can attract a more diverse talent pool and build a more inclusive brand image.

5.2.4. Encouraging Employee Engagement

When DEI is integrated into the core strategy of a company, it links directly to employee engagement. Recognizing the importance of DEI in relation to employee engagement is essential for HR professionals, especially in challenging economic times.

5.3. How to Promote DEI for Employee Relations

Implementing DEI effectively into your business strategy involves incorporating it into the core operations and ethos of your organization. Here are four practical tips, each with an example, to help integrate DEI seamlessly into business.

5.3.1. Invest in Diversity Initiatives

This could involve supporting businesses and suppliers from underrepresented communities, similar to Walmart's Supplier Inclusion Program. Another approach is to emphasize DEI education within the organization, like Salesforce.com's partnership with Trailhead, which offers courses and certifications in inclusive practices.

Salesforce's focus on DEI education and inclusive hiring has led to a significant increase in the diversity of its workforce.

5.3.2. Offer Bias Training Sessions

To combat stereotypes and unconscious biases, conducting training sessions like the Implicit Association Test (IAT) can be beneficial. This test, developed by esteemed universities, helps individuals recognize and address their implicit biases. Companies like Google offer workshops on this topic, engaging a significant portion of their workforce and demonstrating the effectiveness of such initiatives.

5.3.3. Promote Pay Equity

Addressing pay disparities is essential for DEI. For example, in response to the well-documented gender pay gap, organizations should commit to equitable compensation, regardless of gender. This aligns with the broader objectives of DEI, ensuring fairness and equity for all employees. For instance, Salesforce.com conducted an internal audit to identify and rectify any gender pay gaps within the company. They spent millions of dollars to adjust salaries and ensure equitable compensation across all genders, demonstrating their commitment to pay equity as a key aspect of DEI.

5.3.4. Prioritize Developing Talent from Underrepresented Groups

Focusing on the growth and development of talent from underrepresented groups can significantly impact workplace diversity and inclusion. Google, for instance, has taken initiatives such as funding research into the low enrollment of students from underrepresented groups in computer science and supporting STEM programs in these communities. Additionally, they have formed recruiting teams to collaborate with universities having large populations of underrepresented students, creating a pipeline program for talent development.

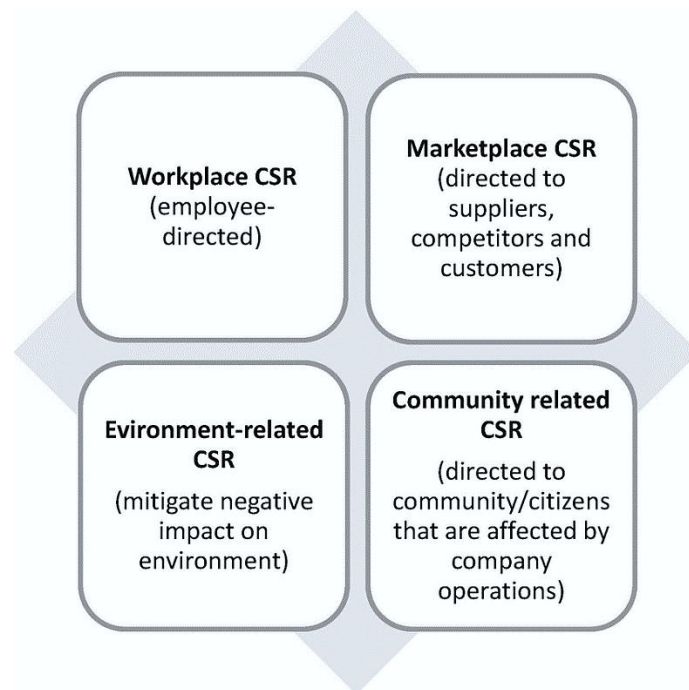
6. Corporate Social Responsibility and Employer Relations

Corporate Social Responsibility (CSR), as outlined by ISO 26000:2010, requires organizations to consider the societal and environmental impacts of their actions. This involves adhering to ethical, transparent, and compliant operations while focusing on sustainable development. CSR covers areas like environmental responsibility, community involvement, and fair practices, with the ISO26000:2010 identifying seven key areas, and the European Commission outlining four main components, including social, environmental, ethical, consumer, and human rights.

CSR significantly influences employee relations by shaping workplace culture and morale. Engaging in CSR demonstrates a company's commitment beyond profits, encompassing sustainability, fair trade, and a respectful work environment. This commitment fosters employee pride and loyalty.

Employee engagement is directly impacted by CSR, as companies involving employees in CSR activities boost their sense of purpose and connection to the organization. Ethical

treatment and fair practices within CSR ensure a just work environment, building trust and respect essential for strong employee relations. Additionally, transparent communication about CSR initiatives promotes an open culture and aligns employees' personal values with organizational goals, enhancing their understanding of their role in achieving CSR objectives.



Source: Bustamante (2021)

Supporters of Corporate Social Responsibility (CSR) argue that it positively affects business performance, particularly in the long term. This is attributed to its favorable impact on company reputation, innovation, market access, and employee motivation and commitment. CSR's potential to attract and retain employees has been a subject of extensive discussion and analysis. It is suggested that today's job seekers increasingly prioritize meaningful work and a good work-life balance. Theoretical frameworks like signaling theory, person-organization-fit, expectancy-value (Valence), and social identity theory help explain CSR's positive impact on employer attractiveness.

6.1. Signaling

Signaling theory is based on the premise that when there's a lack of balanced information between two parties, one party can send a piece of significant information to the other. This information then acts as a cue or signal, hinting at other, possibly unknown aspects.

In the realm of CSR, when companies publicly demonstrate responsible behavior in the market, potential job seekers may interpret these actions as indicators of the company's broader commitment to workplace responsibility. This suggests that visible, responsible actions by a company can signal to potential employees about its overall ethical stance and practices.

6.2. Person-organization-fit

The concept of person-organization fit suggests that an organization becomes more attractive to potential employees when it aligns well with their needs or shares similar characteristics with them. This alignment can enhance the perceived compatibility, leading to greater trust and a stronger sense of identification with the organization. CSR plays a dual role in improving this fit. Firstly, if CSR initiatives address employee-centric issues like fairness, anti-discrimination, and good employment conditions, they positively impact the satisfaction of employees' and job seekers' needs. Secondly, CSR can increase the alignment of values – if the values promoted by a company's CSR efforts resonate with those held by its employees or potential job seekers, this shared value system further strengthens the person-organization fit.

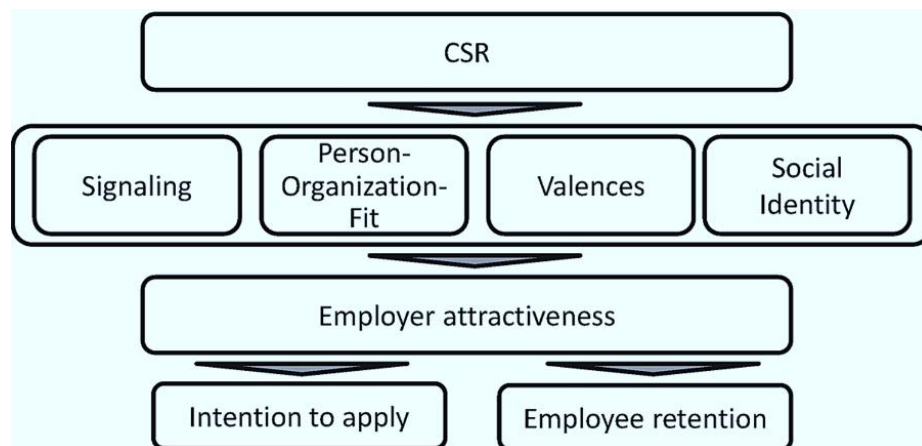
6.3. Valence

This line of reasoning aligns with the expectancy-value (“valence”) framework, which suggests that an individual's values and needs shape how attractive or unattractive they find potential actions and their outcomes. This framework posits that people's expectations about these outcomes influence the decisions they make in various situations. Therefore, if a person's values align positively with a company's CSR attributes, these attributes could enhance the company's appeal as an employer. Essentially, the more a company's CSR efforts resonate with an individual's personal values, the more attractive that company becomes as a potential workplace.

6.4. Social identity

Social identity theory suggests that individuals partly define their identity based on their membership in various social groups or organizations, such as family, friends, companies, or associations. This theory involves a process of social categorization, helping individuals find their place in society. An individual's self-concept is formed by combining their social identity with their personal identity. People naturally aim to enhance their self-esteem

and, as a result, are drawn to groups that are viewed positively. Consequently, a company that is seen in a positive light, perhaps due to its notable CSR activities, is likely to be more attractive to job seekers compared to other companies. This is because being associated with such a company can positively impact an individual's social identity.

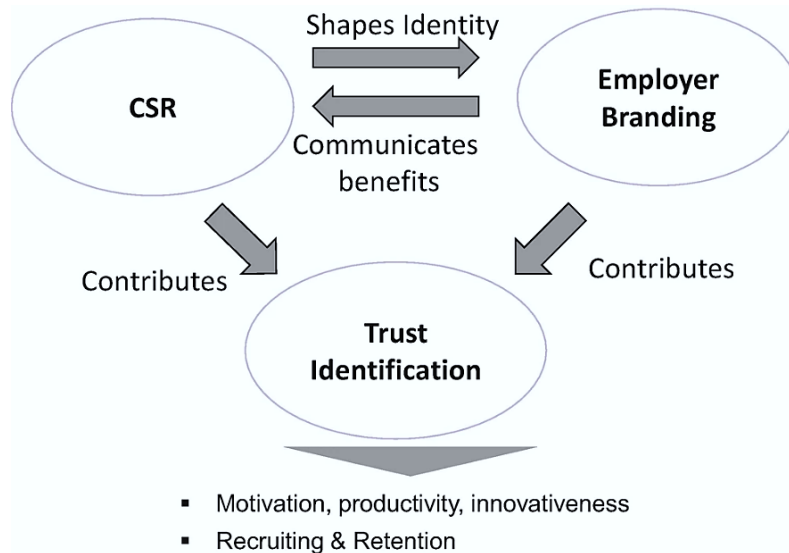


Source: Bustamante (2021)

These four theoretical frameworks collectively explain how a company's commitment to CSR can lead to enhanced employer attractiveness. Employer attractiveness significantly impacts a potential job candidate's intention to apply and the retention of existing employees. For potential candidates, a company's attractiveness signals a positive and engaging work environment, inclusive of benefits, growth opportunities, and a strong company culture, which are key factors in their decision to apply. For existing employees, the appeal of their employer is crucial to their job satisfaction and loyalty. An attractive employer often indicates a workplace where employees feel valued, with competitive benefits and a healthy work-life balance. Additionally, alignment with the company's values and mission fosters a deeper sense of connection and purpose, encouraging employees to stay. Furthermore, opportunities for professional development and career progression offered by an attractive employer can be a powerful motivator for both potential and current employees, making the company not only a desirable place to start a career but also to continue one. Overall, the attractiveness of an employer is a pivotal element in attracting and retaining talent, underpinning the overall health and success of an organization.

Moreover, CSR plays a key role in employer branding. CSR activities contribute to enhancing a company's attractiveness by building trust (signaling), fostering a sense of

organizational identification, and increasing the appeal of working for the company, such as through offering favorable working conditions. Integrating CSR into a company's branding strategy strengthens the employer brand by aligning with the essential branding functions of trust and identification. This alignment not only enhances the company's reputation but also solidifies its standing as an employer of choice.



Source: Bustamante (2021)

Part Two: Employee Policies

1. HR Policies and Procedures

HR policies are structured guidelines that outline how various employment-related matters should be managed in the workplace. Each policy typically focuses on a specific topic, detailing its scope, applicable employees (such as part-time, full-time, exempt, or non-exempt staff), and general expectations for both managers and employees. These policies also designate who is responsible for overseeing their implementation.

Included in these policies are procedures for reporting issues and the consequences of violating them. Some HR policies may be accompanied by additional procedures or standards that offer more detailed instructions on expectations and policy management. The specifics of HR policies can vary widely depending on the company and industry. They are often found in an organization's employee handbook, standard operating procedures, and on the company intranet.

The significance of HR policies and procedures lies in their ability to provide clear and detailed guidance to employees on compliance requirements and how to address various employment issues. It's crucial for these policies to cover a wide range of employment topics and ensure issues are resolved swiftly and effectively.

For instance, a policy breach identified in one month should not be left unaddressed until several months later. While some investigations may require time, it's important to resolve the issue and take necessary actions promptly. This approach upholds company policy and minimizes misunderstandings between employees and managers, while also reducing legal risks.

Furthermore, it's essential for HR to ensure that all employees are informed about, and if necessary, trained in these policies. Employees are expected to adhere to all company policies, but they must first be made aware of these guidelines.

Companies might also undergo periodic audits of their HR policies by external agencies to verify compliance. In cases where an employee raises a claim related to employment, such as discrimination or harassment, the investigating agency may request copies of relevant company policies.

The intent of these policies is not to be punitive but to define and support the company's HR strategic vision. Key functions of HR policies and procedures include:

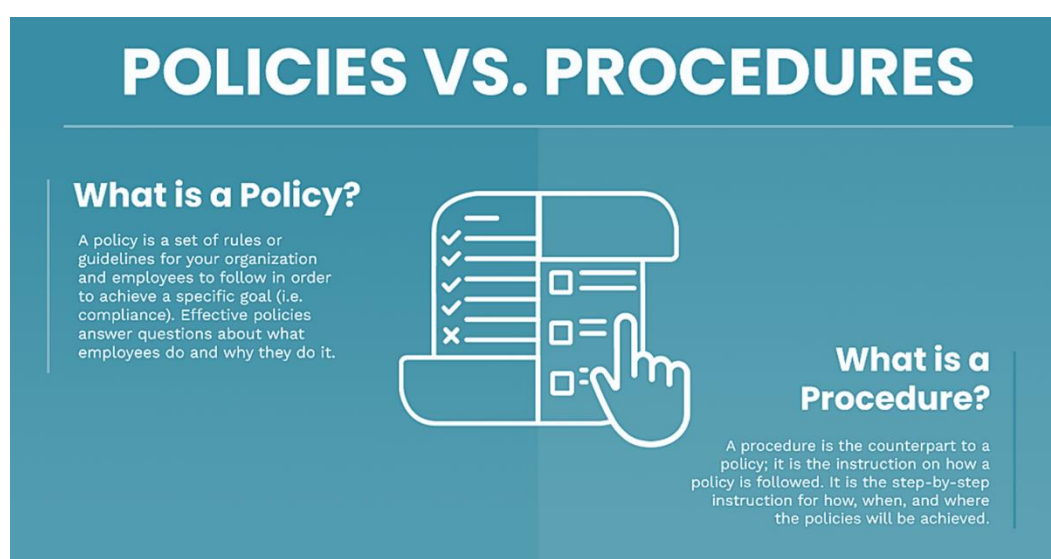
- Documenting, communicating, and administering company-wide standards.

- Ensuring timely and sensitive handling of policy issues or inquiries.
- Providing guidance, fairness, transparency, and consistency in employment decisions.
- Ensuring compliance with relevant laws and regulations and offering protection against employment claims.
- Addressing employee complaints and grievances and outlining how employees can report issues.

HR policies and procedures are both essential elements of an organization, but they serve different purposes:

HR Policies: These are guidelines set by the organization to direct employee behavior and decision-making in the workplace. Policies reflect the mission of the organization and provide a framework for consistent decision-making and standards of behavior. They are flexible and can be modified based on operational changes.

HR Procedures: These are step-by-step instructions that employees should follow to implement the policies. Procedures are more rigid and detail the exact steps to be taken to comply with the policies. They reflect the practical applicability of the policies.



Source: Lane (2023)

In essence, policies provide the “what” and the “why,” while procedures provide the “how”. Policies set the guidelines and principles that govern decision-making, while procedures provide the steps required to implement those policies. It’s important to note that both are created by top-level management for middle and low-level management.

Many observers have pointed out that even the best policies will falter if the business

owners or managers who are charged with administering those policies are careless or incompetent in doing so. But for those businesses that are able to administer their HR policies and procedures in an intelligent and consistent manner, benefits can accrue in several areas:

1.1. Communication with employees

A well written and thoughtfully presented human resource policy manual can establish the tone that a new business person wishes to maintain within his or her business. Such a policy also serves to disseminating information about what employees may expect from the company as well as what the employer expects from the employees regarding work performance and behavior while on the job.

1.2. Communication with managers and supervisors

Formal policies can be helpful to managers and other supervisory personnel faced with hiring, promotion, and reward decisions concerning people who work under them.

1.3. Time Savings

Prudent and comprehensive human resource management policies can save companies significant amounts of management time that can then be spent on other business activities, such as new product development, competitive analysis, marketing campaigns, etc.

1.4. Curbing litigation

Members of the legal and business communities agree that organizations can do a lot to cut off legal threats from disgruntled current or ex-employees simply by creating—and applying—a fair and comprehensive set of personnel policies.

2. HR Policy Development

Workplace is unique and therefore HR professionals may need to develop policies very specific to the organization and type of work, for which there are no templates or benchmarks. Typically, policy development will follow the following steps:

2.1. Step 1: Establish need for a policy

In its simplest form, a policy is a written record of a workplace rule. It is time to develop a policy when:

- There is legislation that expressly requires an organization has a policy in place
- There is legislation that does not expressly require an organization have a policy, but

the regulations and steps to be followed are tightly defined and a policy will help to ensure the organization is in compliance

- There is inconsistency in how employees behave or managers make decisions that is negatively impacting the work environment or accomplishment of business
- There is significant confusion about certain areas of the business or how things are done and the organization would benefit from a policy
- Making the decision to develop a new policy should not be taken lightly:

Policies are developed for the many, not the few – when you bring a policy into force you are establishing a standard that will apply broadly across the organization - not just to a few individuals who may be causing problems

A policy creates a rule or standard to be followed consistently and reduces management's flexibility to treat each situation as unique. Poorly written and implemented policies can harm rather than protect your organization. It can be difficult to change policies once they have been implemented and become part of your organization's culture and ways of working. You want to be sure that any policies you bring into the organization address a real need and are in line with what your company values and how work should be accomplished. You also need to ensure managers have the skills and resources to be able to implement and monitor the policy.



Be sure to review employment legislation to understand the policies that are required for compliance in your jurisdiction. Organizations commonly have written policies in the following areas:

2.1.1. Code of Conduct

A code of conduct is a set of rules outlining the social norms and rules and responsibilities of, or proper practices for, an individual, party or organization. Related concepts include ethical, honor, moral codes and religious laws.

2.1.2. Confidentiality Agreements

Confidentiality agreements, sometimes called secrecy or nondisclosure agreements, are contracts entered into by two or more parties in which some or all of the parties agree that certain types of information that pass from one party to the other or that are created by one of the parties will remain confidential. Such agreements are often used when a company or individual has a secret process or a new product that it wants another company to evaluate as a precursor to a comprehensive licensing agreement.

2.1.3. Conflict of Interest Policy

A conflict of interest policy should (a) require those with a conflict (or who think they may have a conflict) to disclose the conflict/potential conflict, and (b) prohibit interested board members from voting on any matter in which there is a conflict.

1.1.4. Code of Working Conditions

Code of working conditions cover a broad range of topics and issues, from working time (hours of work, rest periods, and work schedules) to remuneration, as well as the physical conditions and mental demands that exist in the workplace.

2.1.5. Attendance Policy

The policy addresses attendance requirements for employees in organization.

2.1.6. Termination (Voluntary and Involuntary)

The policy provides guidelines for termination of employment from an organization and is intended to ensure that the organization fulfills its responsibilities in relation to all termination decisions.

2.1.7. Recruitment Policy

Policy on recruitment outlines how workforce recruitment will be done and provide guidelines for the selection and hiring process. The policy is designed to ensure that we select the best possible candidate for the job, on the basis of their relevant merits and abilities as measured against the requirements of the job.

2.1.8. Compensation Policy

Compensation policies range from basic shift differentials for employees who work outside normal business hours – such as swing shifts or graveyard shifts – to strategies that reward employees for high-level performance that reaches organizational goals. In addition, employers regularly monitor their compensation policies to ensure they are paying employees in an equitable manner and as competitively as possible when compared to other businesses in the industry.

2.1.9. Performance Management Policy

The purpose of an effective performance management system is for employees to have a clear understanding of the work expected from them, to receive ongoing feedback regarding how they are performing relative to expectations, to distribute rewards accordingly, to identify development opportunities, and to address performance that does not meet expectations. A comprehensive performance management system empowers employees to have greater input to their personal career progression and will enable managers to better identify, recognize, and reward individuals based upon an agreed set of criteria.

2.1.10. Learning and Development Policy

This Learning and Development Policy describes the responsibilities of individual staff and their Line Managers in implementing key aspects of the training cycle, and is intended to guide all individuals in meeting their learning and development requirements and responsibilities.

2.1.11. Benefits and Eligibility Policy

This policy is designed to work in tandem with an employer's benefits policies where there are length-of-service provisions determining how much service is required to be eligible for a particular benefit.

1.1.12. Overtime Policy

The policy outlines the rates of pay applied to overtime worked and sets out eligibility criteria. It should be noted that there is no contractual entitlement to overtime working and that all overtime must be authorized in advance.

2.1.13. Privacy Policy

A privacy policy is a statement or a legal document (in privacy law) that discloses some or all of the ways a party gathers, uses, discloses, and manages a customer or client's data. It fulfills a legal requirement to protect a customer or client's privacy.

2.1.14. Employee Information

In line with Privacy Policy, Personal information can be anything that can be used to identify an individual, not limited to but including name, address, date of birth, marital status, contact information, ID issue and expiry date, financial records, credit information, medical history, where one travels, and intentions to acquire goods and services

2.1.15. Bereavement Leave

Bereavement leave is paid leave that an employee is entitled to because of the death of a family or household member as defined by the terms of the employee's employment program or collective bargaining agreement. Bereavement leave is available in addition to an employee's accrued sick and annual leave.

2.1.16. Compassionate Leave

Compassionate leave is available to employees where they wish to spend time with an immediate family member or member of their household who has a personal injury or illness that is serious or life-threatening. Employees are also entitled to take compassionate leave after the death of a member of their immediate family or household.

2.1.17. Vacation and Holiday

A vacation is a leave of absence from a regular occupation, or a specific trip or journey, usually for the purpose of recreation or tourism. Local governments may use the word 'holiday' to talk about days that are celebrated by a lot of people, including religious holidays and national holidays. If everyone that employee work with is out of work on the same day, it's not a "vacation". In other word, a "vacation" is one that you plan. A "holiday" is one that is planned by government.

2.1.18. Sick Leave, Short Term Disability, Long Term Disability

A common situation is that an employer provides sick leave with full pay to employees for brief absences from work and disability coverage (short- or long-term) to provide partial pay for longer absences. Short term disability is a type of insurance that pays a percentage of an employee's salary for a specified amount of time, if they are ill or injured, and cannot perform the duties of their job. Long-term disability is a more typical insurance product in that it protects employees from catastrophic illness or injury that end their ability to earn a paycheck. These policies usually pick up where short-term disability policies leave off.

2.1.19. Maternity, Parental, and Adoption Leave

Maternity leave is a combination of health related and voluntary leave for female staff members. Parental/Adoption Leave is type of leave following the birth or adoption (both parents may access this leave).

2.1.20. Unpaid Leave

Unpaid leave is time off from work which is provided without pay. When an employee takes or is given this type of leave, he or she retains a position in a company, and many retain benefits as well, but the employee receives no salary.

2.1.21. Grievance/Conflict Resolution

A grievance is a formal process whereby a full-time employee alleges a violation, inequitable application, or misinterpretation of a specific company rule, regulation, policy, or procedure pertaining to the employment relationship between the grievant and the company that cannot be resolved through informal conflict resolution avenues. Conflict resolution is an informal process whereby full-time employees resolve workplace disputes.

2.1.22. Formal complaint procedure

Employers should establish internal complaints procedures for dealing with discrimination and harassment complaints to maximize the possibility of in-house resolution. There is no one 'right' internal complaints procedure – so employers have the flexibility to design a system that suits their organization's size, structure and resources.

2.1.23. Disciplinary Procedure

It is a written, step-by-step process which a firm commits itself to follow in every case where an employee has to be warned, reprimanded, or dismissed. Failure to follow a fair, transparent, and uniform disciplinary procedure may result in legal penalties (damages) and/or annulment of the firm's action.

2.1.24. Discrimination and Harassment/Respectful Workplace

A respectful workplace is free from unlawful discrimination and harassment, but it involves more than compliance with the law. It is a work environment that is free of inappropriate or unprofessional behavior. Discrimination and Harassments are prohibited by respectful workplace. Discrimination occurs when a member of a protected class (women and minorities, for example) is treated differently than her peers. Sexual harassment is bullying or coercion of a sexual nature, or the unwelcome

or inappropriate promise of rewards in exchange for sexual favors.

2.1.25. Health and Safety Policy

The policy is a written statement, usually comprises three elements: a). a statement section (often a single page) detailing how safety will be managed and that demonstrates the organization's commitment to health and safety; b). an organization section that details where responsibilities are allocated and how employees fit into the overall safety management system; c).an arrangements section that contains details of how specific activities and functions are managed.

1.1.26. Accident Reporting

There must be a process put in place to report accidents, incidents or near misses for immediate action and to help track causes. The organization needs to identify what needs to be reported, to whom it is to be reported, and how to report it, then put this process into a written procedure.

2.1.27. Workplace Violence

Workplace violence as violent acts, including physical assaults and threats of assaults, directed toward persons at work or on duty. Workplace violence ranges from offensive or threatening language to homicide. It may include domestic violence, sexual violence-including sexual harassment or sexual assault, dating violence, and stalking. The management of an organization is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety.

2.1.28. Alcohol and Drug Use Policy

The aim of this policy is to ensure the safety of all employees, workers, and visitors by having clear rules in place regarding use and possession of alcohol and drugs, and to support those who have reported a problem with alcohol or drug dependence.

2.1.29. Employee Handbook

An employee handbook (also called employee manual or staff handbook) is usually distributed to new employees on their first day of work. It explains major HR and employee policies and procedures and generally describes the employee benefits provided.

An employee handbook may include company discipline, employment information, compensation, time off, employee benefit, separation, and other information regulated by government or the company. It should be updated regularly due to related laws, regulations, and interpretive court decisions may change. Employee

handbook can also have distinct unfavorable legal implications. Therefore do not make any promises that cannot be kept.

2.1.30. Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution ADR is an umbrella term describing a number of problem-solving and grievance resolution approaches. It generally refers to any means of settling disputes outside of the courtroom. ADR techniques have gained wide recognition across corporate America in both union and nonunion environments.

ADR is often cost-efficient, because it reduces the traditional legal expense involved in handling employee relations charges and antagonistic lawsuits.

Open-door policy encourages employees to meet with an immediate supervisor or manager to discuss workplace problems; in some environments, it allows employees to approach anyone in the chain of command. Skip-level interview allows employees to speak more freely and makes it easier for managers to gather input on departmental employee issues and perceptions.

2.1.31. Meals and Break Periods Policy

It's crucial to establish clear guidelines about meal and break periods to ensure employees are well-informed and can plan their workday efficiently. Your policy should specify the length of meal and break periods and the number of breaks an employee is entitled to during their shift. Having a formal policy in place is not only a good practice but also a legal requirement for some businesses. By clearly outlining your break policy, you can foster a healthy work environment that prioritizes the wellbeing of your employees.

2.1.32. Nepotism Policy

This policy should clearly define the process for hiring family members within the same department, organization, or reporting structure. It should outline any restrictions or special considerations that apply when family members work in the same area or have a reporting relationship.

2.1.33. Immigration Policy

An organization's immigration policy should clearly outline the process for verifying the identity and work authorization of every new employee. This involves completing a specific form that requires documentation to prove identity and work eligibility. The policy should detail the process for work authorization and identity verification, along with any legal requirements associated with it. This ensures that the organization

complies with all relevant international laws and regulations, and that all employees have valid work permits. The policy should also include procedures for handling changes in an employee's immigration status and other immigration-related issues. This helps protect the organization from potential legal issues. It's important that this policy is communicated clearly to all employees and is easily accessible.

2.1.34. Social Media Policy

In the modern digital landscape, social media plays a crucial role in both business operations and our personal interactions. It's vital for organizations to establish and implement social media guidelines. These policies are essential for maintaining the company's image and providing clear directions regarding the use of company social media accounts.

According to a study by the Pew Research Center, over half of the workforce, including full-time and part-time employees (51%), reported that their employers have specific rules regarding social media use during work hours. Furthermore, 32% of employees noted that their employers offer guidelines on how they should conduct themselves on the internet in general, although 63% mentioned that their employers do not enforce such guidelines.

Effective social media policies are key in mitigating potential negative impacts on a company's reputation and in protecting against legal issues that might emerge. A well-defined and straightforward social media policy helps employees understand the appropriate way to represent their company on various social media platforms, fostering a positive and engaging digital presence.

Also, establish guidelines for the proper use of the company's electronic resources, including email, instant messaging tools, and confidential electronic records. Make it clear that the company reserves the right to oversee the usage of all company property, encompassing computers and internet usage.

2.1.35. Supplemental Workforce Policy

This policy should define what constitutes a supplemental worker (such as a temporary worker or contractor) and outline the processes and approvals needed for hiring them. As companies increasingly rely on supplemental workers, having a clear policy on this matter is becoming increasingly important. This policy should address issues such as the rights and responsibilities of supplemental workers, the duration of their contracts, and the process for transitioning them to permanent positions, if applicable.

2.2. Step 2: Develop policy content

2.2.1. Legal considerations

For policies required by legislation, much of the policy content may be driven by the requirements of the legislation. It is not feasible to review all the possible legislation. Therefore, HR need to be aware of the legislation that applies in your jurisdiction and area of work. At minimum, consider the following:

- Employment/Labor Standards
- Privacy legislation
- Occupational Health and Safety
- Human Rights
- Workers Compensation

Organizations also need to be aware of how legislation may periodically be applicable to their workplace, such as provisions for releasing staff to vote on election day or legislation relevant to organizing a union. Other legal considerations may be specific to your workplace. Consider:

- What are the legal implications of developing a policy? Remember even though a policy may not be expressly required to govern a situation, if you develop one and then don't follow it you could be putting your organization at risk.
- Do we have any collective agreements that need to be considered?

2.2.2. Operating considerations

Considering the following questions can help you shape a policy that is appropriate to your workplace and organization needs.

- What does this policy need to accomplish? What are the outcomes?
- How does this policy support the development of our desired work culture
- How will this policy be monitored and enforced?
- How will this policy impact a manager's ability to act, for example, when reviewing performance, awarding promotions, approving leave, hiring or terminating?
- How will this policy impact our ability to attract quality candidates?

- How has our organization handled this issue in the past?
- Does the size of our workforce justify having a policy about this issue?
- Are we willing to invest the time it takes to keep the policy up to date?
- Will this policy foster something our organization believes in? For example, if an organization has a "family first" philosophy, it might want to have family-positive policies, such as flexible work hours.
- How does this policy impact funder requirements?

2.2.3. Stakeholder considerations

In developing the content of the policy it is good practice to consult with stakeholders, management, staff, and/or a member of the board. This will help to ensure you get buy in for the policy, address the right issues and have a full perspective. Identify and connect with comparable organizations that have developed a similar policy and could serve as benchmarks for best practice. Some parties may have a role at this stage when the content is being drafted; other parties might be better placed as reviewers after the content has been developed.

2.3. Step 3: Draft the policy

A policy should include the following sections:

2.3.1. Purpose

The purpose sets out what the policy intends to accomplish, or the goal of the policy. For example, a health and safety policy may have a purpose of ensuring a safe and healthy workplace for all workers in compliance with the relevant health and safety legislation.

2.3.2. Scope

The scope outlines to whom the policy applies. It may apply to all staff and workers, or differentiate based on level, location, employment status, or department. If the policy also applies to volunteers, contract workers and consultants doing work on behalf of the company be sure to identify this. The scope should also identify exceptions to the policy.

2.3.3. Statement

The statement is the actual rule or standard the policy needs to communicate.

2.3.4. Responsibilities

Outline the responsibilities of the board, management and staff in regards to the policy as well as who is responsible for developing, maintaining, monitoring and implementing the policy. If there are consequences for not complying with the policy (e.g., disciplinary), be sure to mention this. For example, "Failure to comply with this policy could result in disciplinary measure up to and including just cause for termination of your employment."

2.3.5. Definitions

Clearly define any terms used within the policy. If the terms are included in legislation that underpin the policy be sure to use the definitions from the legislation (e.g., disability, prohibited grounds, discrimination, harassment, workplace violence).

2.3.6. Questions

Identify the person or position employees can approach if they have questions.

2.3.7. References

Reference any other policies, documents or legislation that support the interpretation of this policy.

2.3.8. Effective Date

Indicate the date the policy came into effect and the date of any revisions.

2.3.9. Review Date

Indicate the date the policy is due to be reviewed.

2.3.10. Approval

Indicate who approved the policy and the date of approval (e.g., the board, the human resources policy committee, the executive director).

2.3.11. Tips for drafting the policy

- Use straightforward clear language and avoid jargon and legal speak - you want the policy to speak directly to the people for whom it is intended
- Check that the content and wording is unbiased and encourages fair, consistent treatment.
- Use terms consistently and define any special terms
- Be sure that there is only one possible meaning to the standard or rule set by your policy

- It's a good idea to consider a few "what if" scenarios and see if the policy still fits, keeping in mind that most policies will not, and should not, cover every possible circumstance
- For most policies you will want to allow for exceptions to the rule. Use terms like "generally", "usually", and "typically" and avoid terms like "always" and "never"
- Include a statement like "this is intended as a guide only"
- There are a few situations where you want to be absolutely clear that the standard set by the policy will apply in all situations. For example, in a violence policy you would want to say "violence at work will not be tolerated under any circumstances"
- If using a sample policy or draft, tailor the policy for your specific workplace

2.4. Step 4: Write the procedure

Policies often have a related procedure, which may be a section of the policy or a separate document that the policy refers to. The procedure gives step-by-step instructions for carrying out the policy. If you determine that a procedure will be developed be sure to include a statement that it is intended as a guide only. Some legislation specifically requires procedures be developed so be aware of the legislative requirements that govern your organization.

Example:

- A vacation policy would say how much vacation employees are allowed. A related procedure would tell employees how to schedule their vacation time and get approval.
- A discrimination policy would communicate the organization's stance on discrimination. A related procedure would tell an employee how they can raise a complaint and how it will be handled.

2.5. Step 5: Review of the policy by key parties

It is good practice to ask a representative group of managers and employees to review the policy. For some policies you may also want to involve stakeholders.

2.5.1. Manager review

Ask managers:

- Do you have the skills and resources to be able to implement and monitor the

policy?

- What is your understanding of different parties' responsibilities as outlined in the policy?
- Is the content and wording unbiased?
- What training or information would you require to be able to carry out your responsibilities as outlined in the policy? What about your staff?
- What issues or concerns could implementation of this policy potentially raise among employees and stakeholders?

2.5.2. Employee review

- What is your understanding of your responsibilities and the organization's expectations as outlined in the policy?
- Is the content and wording unbiased?
- What training or information would you require to be able to carry out your responsibilities as outlined in the policy?
- What issues or concerns could implementation of this policy potentially raise among employees and stakeholders?

2.5.3. Legal review

This step may not apply to all policies. Complex policies, such as discipline and grievance policies, and policies required by legislation should be reviewed by a lawyer that specializes in employment law. Ask them to check that the policy:

- Complies with employment standards and other federal and provincial legislation
- Is consistent with the terms of any collective agreements

2.6. Step 6: Approve the policy

If your board is responsible for giving the final approval on policies, it is often done with a formal, recorded motion. Provide the board with information on why the policy is needed and the steps you took in developing the content for the policy. Consult with the board on the scheduled review date. After you have the board approval, add the date of approval to the policy.

2.7. Step 7: Implement the policy

Employees, managers and key stakeholder must have access to up-to-date copies of

the policies and procedures that are relevant to their role in the organization and be advised of and understand any new policies or changes to policies coming into effect.

When selecting methods to communicate policies consider:

- Will employees be able to easily access electronic copies or will they need hard copies?
- What concerns and issues are likely to be raised about the policy and how will they be dealt with? If concerns are likely to be significant an initial face to face communication through an information session or manager communication will be a more effective approach than an email.
- Does the policy provide enough information for managers and staff to be able to effectively implement and comply with the policy or will they need training or additional information?

The methods below are often used in combination to develop a strategy to ensure employees are aware of, understand and have the skills to implement and comply with the policies that underpin how they work.

2.7.1. Employee handbooks

An employee handbook describes the organization's policies and procedures. The handbook may also contain general information about the organization such as its priorities, the organization chart, the job classifications, whether positions are covered by a collective agreement and bargaining status for all groups of employees.

You may have separate handbooks for managers and staff or you may have one handbook that applies to both groups. For the employer, the handbook can form part of the documentation that your staff were made aware of the organization's rules and standards and understand the consequences of not complying with the policies. Of course, this is dependent on your employees having received and understood the policies contained within the handbook so it is often a good idea to ask employees to sign a statement confirming this.

Benefits of having an employee handbook include:

- A comprehensive source for understanding the practices of the organization
- Useful for orienting employees
- Employees can independently find answers to their questions, supporting confidentiality

- Saves management time spent on clarifying expectations
- Helps others quickly understand your workplace practices
- Supports communication and accountability
- Allows you to tie in the broader context, such as the organization's vision, objectives and values

For the handbook to serve as valid documentation, it must be updated as policies are updated and changed. For this reason it is often a good idea to designate someone with this responsibility.

Often a handbook will be written in a less formal style and include only summaries of each policy. In order to be able to rely on the handbook for documentation that your employees were made aware of the organization's policies, it needs to include all the key points of the policy and reference where staff can access the full versions of the policies.

Since the policies and procedures and content of the handbook may change from time to time, include a statement that the employer has the right, in its sole discretion, to add, amend, or delete any policy or procedure in its handbook.

2.7.2. Personnel policy and procedures manuals

A manual includes more detailed collections of policy, procedures and guides, and is often used as a management tool for supervisory staff. Again, it is important that the manual is kept up to date with the most recent versions of the policies.

2.7.3. Intranet and shared Drives

Organizations can make their policies available to employees electronically either on an intranet or on shared drives or employee portal. This is advantageous as employees can access the policy directly and old versions can easily be removed and replaced with updated versions.

2.7.4. E-mail

Staff can easily be made aware of a new policy by e-mail. If providing a copy of the policy with the e-mail it is often better to provide the link to where the employee can access the policy rather than the actual policy so that it is always the most recent version of the policy being accessed.

1.7.5. Information sessions

Holding an information session is a good way to ensure that employees understand a new policy and have the opportunity to ask questions. It is particularly useful when concerns may be significant. In the session cover the following:

- Business decisions that led to the development of the policy
- Goal of the policy
- Process taken in developing the policy (e.g., consultation, research, benchmarking)
- How the new policy impacts employees and expectations

It is a good idea to keep a record of attendance for the session so you can follow up with anyone that was not able to attend, and have documentation that the policy was communicated.

2.7.6. Policy training sessions

Some provinces have legislation where employers are required to train employees on certain policies. Additionally, training sessions for managers are a good option for policies that are complicated or have extensive procedures, such as disciplinary, dispute resolutions and health and safety. When developing a policy training session include the same topics as you would for the information session plus the following:

Training on the specific skills that are needed to implement the policy

- Specific procedures, guidance and resources available to managers and employees to help them implement the policy
- Clear expectations of behavior
- How the policy will monitored
- Any specific training requirements of the legislation if the training session is required

2.7.7. Statements of understanding

For important policies and possibly the employee handbook, you may want to have each employee sign a statement acknowledging that they have read, understand, and agree to abide by the policy. If you do this, you must have a plan for consistently ensuring that all current and new employees receive a policy orientation and sign a statement and that they do this every time there are significant updates to the policy. This approach is particularly recommended where contravening the policy could result

in harm to the employee (e.g., requirements to wear protective equipment when working) or where disciplinary measures could result from not following the policy (e.g., harassment).

2.7.8. Ongoing communication

Your policies will underpin how much of your work is done. The principles should become integrated into how your company accomplishes its work. Use bulletin boards, newsletters, Internet home pages and emails to remind employees of key principles of the policies. Encourage managers to review the values that underpin your policies during the performance review.

2.7.9. Unilaterally introducing policies

As part of its management rights, the employer is permitted to introduce a unilateral policy without negotiating the terms of the policy with the bargaining agent for the employees. To do so, however, the policy must:

- Be consistent with the terms of the collective agreement
- Be reasonable
- Be clear and unequivocal
- Be brought to the attention of the employee before the employer can act upon it
- Be consistently enforced from the time it was introduced
- Make employees aware that breach of the rule may result in discipline, up to and including discharge from employment

The employer would have to demonstrate compliance with the last five factors if it wishes to rely upon discipline or discharge of a non-unionized employee because of a violation of an employer policy. It is recommended that an employer seeks legal advice before discharging an employee for cause based on violation of a policy.

2.8. Step 8: Policy review and update

HR policies should be scheduled to be reviewed and updated regularly. A reasonable period between complete reviews is two to three years, although some provinces have legislation that requires certain policies be reviewed annually. Policies that are affected by changes to government legislation should be reviewed as soon as there are any changes to the law.

Your board may also set a timeframe for the review of policies. It can be helpful to

provide the governing authority with a report on how policies are applied and any revisions that are being considered to the policies.

When reviewing policies consider the following:

- Has the legal environment or regulations changed in a way that impacts the policy? At minimum you will want to review employment/labor standards, privacy legislation, occupational health and safety, human rights, workers compensation?
- Has the policy been effectively implemented?
- How effective has it been in dealing with relevant situations?
- What feedback have you received from managers and employees on the policy?
- Is the policy accomplishing the objective for which it was intended?

Changes to policies will usually require it goes through your organization's approval process.

2.9. Step 9: Communication of changes to the policy

Some changes to policy may be so fundamental that they could attract claims of constructive dismissal. It is critical to provide employees with sufficient notice of any fundamental change in a term or condition of their employment. If you are uncertain it is prudent to seek legal advice.

Make sure that significant updates to policies are communicated and that if employees are required to a statement of understanding, this forms part of the communication of the updated policy.

Boards can play a variety of roles in HR policy development. It is helpful to have the board clearly define the role they want to take in policy development, whether they want to be involved in shaping the content or be involved only at the approval stage. They may decide that only some fundamental policies require their review and other policies can be approved and managed by the executive director. Alternatively, a board may form an HR committee to write policies and procedures. The board may set a time frame for reviewing HR policies, or they may delegate this responsibility.

If your organization develops a policy on the development, review and update of organization policies, the role of the board can be outlined in it.

3. Anti-Harassment Policy and Procedure

Harassment at work refers to any inappropriate conduct, comment, display, action, or gesture that the person responsible knows, or ought reasonably to know, could have a harmful effect on a worker's psychological or physical health or safety. It is behavior that makes someone feel intimidated or offended.

An anti-harassment policy is designed to prevent and address behaviors that undermine employee dignity. This includes any form of intimidation, humiliation, bullying, or other unwanted verbal, non-verbal, or physical actions directed at an individual or group.

The policy should encompass issues of sexual harassment, including quid pro quo situations, and harassment based on race, ethnicity, origin, disability, religion, age, gender, sexual orientation, and gender identity.

Implementing a formal anti-harassment policy is a critical step in preventing harassment in the workplace. It signals an organization's commitment to a work environment free from discriminatory or threatening behavior.

Maintaining and adhering to such a policy demonstrates to employees that their safety and wellbeing are a priority, promoting a respectful, engaging, and inclusive workplace.

An employer dedicated to enforcing anti-harassment measures actively addresses and mitigates hostile situations, thereby preventing escalation and reducing the risk of legal repercussions.

3.1. Main Types of Harassment at Work

Experiencing harassment in the workplace, where employees feel violated, leads to diminished employee engagement. This results in increased work stress, poor performance, and a tarnished company reputation. Various factors contribute to these issues, including workplace bullying, gender discrimination, and a negative organizational culture. Forms of workplace harassment include:

3.1.1. Workplace Bullying

This involves intimidating behavior by an individual or group towards another employee, often to elicit a reaction that benefits the bully. Examples include making an employee feel worthless, using offensive language or tone, threatening behavior, and physical assault.

3.1.2. Racial and Gender-Based Discrimination:

Despite increased awareness, discrimination based on race, gender, or sexual

orientation persists in some workplaces. This can manifest as unequal treatment, such as denying certain employees opportunities to lead projects due to their identity. It may also include overt actions like avoiding interaction, not sharing elevators, or speaking negatively about specific groups.

3.1.3. Sexual Harassment

This unacceptable behavior includes unwelcome sexual advances, inappropriate sexual comments, malicious touching, and other improper physical gestures. It remains a serious issue in some workplaces.

3.2. Element of an Anti-Harassment Policy

Every organization, regardless of its size, must have a robust anti-harassment policy to deter and address negative behaviors in the workplace. Here's an overview of what a comprehensive anti-harassment policy should include:

3.2.1. Intent and Scope

- Clarify the policy's purpose: to maintain a safe, positive work environment.
- List unacceptable behaviors such as intimidation, humiliation, and offensive dialogue.
- Specify who the policy applies to, including employees, managers, directors, contractors, and customers.

3.2.2. Definition of Harassment

- Clearly define harassment by listing non-acceptable behaviors and examples.
- Indicate that the list of behaviors is not exhaustive.

3.2.3. Reporting Harassment Incident

- Guide employees on how to report harassment or potential misconduct.
- Instruct to report incidents to a supervisor, or an alternative contact like a higher-level manager or HR representative, especially if the supervisor is unavailable or involved.

3.2.4. Investigation Procedure

- Detail the process for handling harassment claims:
- Prompt, thorough, and objective investigation of all allegations.

- Documentation and validation of complaint details with evidence.
- Preparation of a factual written report.
- Necessary remedial action based on the situation.

3.2.5. Disciplinary Action

- Outline potential consequences for engaging in harassment.
- Ensure disciplinary measures match the severity of the misconduct, ranging from warnings and guidance to avoid future issues, to job reassignment, sensitivity training, suspension, demotion, or termination.

3.4. Non-discrimination policy

DEI (Diversity, Equity, and Inclusion) extends beyond merely hiring a diverse workforce. It necessitates a robust non-discrimination or anti-discrimination policy that mirrors your company's dedication to equal treatment for all. Here are key reasons why a non-discrimination policy is crucial:

3.4.1. Enhancing Employer Brand

Job seekers are drawn to companies that demonstrate fairness and equality, regardless of race, gender, origin, or other characteristics. A clear non-discrimination policy communicates your company's values and commitment to equality.

3.4.2. Ensuring Compliance with Laws

Different countries have varying discrimination laws. Some may prioritize citizens, while others focus on equal treatment for all work permit holders. Your policy should at least meet local and national legal standards, though it can offer greater protection than the law requires.

3.4.3. Clarifying Acceptable Employee Conduct

The policy provides clear guidelines on acceptable behavior within your organization. It's easier to refer to a policy than to expect employees to be familiar with all relevant laws.

3.4.4. Combating Bias

A clear policy helps employees, candidates, and managers understand expected behaviors, combating individual biases and maintaining professionalism in the workplace.

A company's non-discrimination policy should reflect its unique culture. For instance, the World Health Organization defines non-discrimination succinctly, covering a broad range of grounds including race, sex, language, religion, and more. Workable's anti-discrimination policy offers actionable steps, such as:

- Using inclusive language in job ads with Equal Employment Opportunity.
- Setting formal, job-related criteria for hiring, promotion, and rewards.
- Offering compensation based on position, qualifications, and performance, not protected characteristics.
- Accommodating people with disabilities.
- Requiring managers to keep detailed records of decisions.
- This positive approach, focusing on what to do rather than what not to do, can be more effective for progressive organizations.

The policy should address various forms of discrimination:

Direct Discrimination: Treating someone less favorably based on unlawful grounds.

Indirect Discrimination: Practices that seem lawful but disadvantage a significant group based on unlawful grounds, unless justified by a legitimate aim.

Victimization: Treating someone unfavorably for acting against discrimination.

Harassment: Unwanted conduct creating an intimidating, hostile, or offensive environment, including verbal and non-verbal actions.

3.5. Anti-Bullying Policy

Bullying in the workplace, characterized by repeated inappropriate behavior that violates an employee's dignity, is a serious issue. It often involves a pattern over time rather than isolated incidents and can be perpetrated by individuals or groups, targeting either individuals or groups.

3.5.1. Employers' and Employees' responsibilities

Employers have a responsibility to prevent workplace bullying by:

- Implementing an anti-bullying policy.
- Consulting with employees on the policy.
- Preparing a Safety Statement based on risk assessments.

Employees also have responsibilities, including:

- Not engaging in behavior that endangers themselves or others.
- Complying with anti-bullying policies.
- Cooperating during investigations.

3.5.2. Informal Procedures

If bullying occurs, the employer should address it promptly. The process typically involves:

- An initial informal process where the victim communicates their discomfort to the perpetrator, either verbally or in writing.
- A secondary informal process, if necessary, involving a separate investigator.
- Mediation to resolve issues before escalating to formal procedures.

3.5.3. Formal Procedures

In case of a formal complaint:

- The complaint should be reported to a manager.
- The employer's policy should outline the investigation process, maintaining confidentiality and respecting both parties' rights.
- The complainant and the accused can have a representative present during meetings.
- If unresolved, employees can escalate the complaint to relevant authorities, like the Workplace Relations Commission, within specified timeframes.

In extreme cases, where bullying leads to resignation, employees might have grounds for a constructive dismissal claim under relevant employment laws. Additionally, if bullying affects an employee's health, they may pursue a personal injury claim. Throughout, employees should not face victimization for raising these issues.

3.6. Practices of an Anti-Harassment Policy

To develop and maintain effective anti-harassment policies, it's essential to consider various factors. Here's a detailed approach for creating, updating, or reinforcing your organization's anti-harassment policy.



Source: Boatman (2023)

3.6.1. Explain Prohibited Conduct Thoroughly

- Clearly define harassment with specific examples.
- Include behaviors like direct insults, threats, bullying, offensive discussions, and gestures.
- For instance, making derogatory comments about someone's heritage, religion, or beliefs, unwanted sexual advances, physical threats or assault, and spreading malicious rumors.

3.6.2. Address Online/Remote Harassment

- State that the policy also applies to digital interactions.
- Consider the rise in online harassment, as reported by Project Include, with 45% witnessing harassment in chats and 41% in emails and video meetings.
- Acknowledge that remote work can sometimes lead to inappropriate behavior in digital communications.

3.6.3. Investigate and Document All Claims

- Respond promptly to every harassment allegation.
- Avoid dismissing complaints against authority figures.
- Be mindful of false claims; thorough investigations usually uncover the truth.
- Ensure impartiality and thoroughness in the investigation process.

3.6.4. Ensure Confidentiality and Protection from Reprisal

- Handle claims discreetly, sharing details only on a need-to-know basis.
- Protect employees from retaliation for reporting misconduct or participating in investigations.
- Treat retaliation as a form of harassment and strictly prohibit it.

3.6.5. Consistent Application of Policy

- Apply the policy uniformly, following outlined procedures for every claim.
- For example, treat each complaint seriously, even from employees with a history of prior complaints, without bias.

3.6.6. Follow Up

- After resolving a case, check in with the complainant and ensure their comfort in the workplace.
- Monitor compliance with the policy, especially if disciplinary actions were involved.
- Use this stage to assess if policy adjustments are needed.

3.6.7. Ensure Policy Circulation and Understanding

- Distribute the policy to all employees and include it in new hire onboarding.
- Implement training programs to build awareness and understanding of harassment.
- Have employees sign acknowledgment forms to confirm their awareness of the policy.

3.6.8. Support Policy with a Culture of Acceptance

- Leadership should exemplify a safe and respectful workplace.
- HR should promote an anti-harassment culture and address any concerning behavior.
- A positive environment of respect and acceptance makes it easier for employees to report harassment.

3.7. HR's Role in Workplace Harassment

When workplace harassment occurs and an employee files a complaint, HR professionals have critical responsibilities:

3.7.1. Provide a Listening Ear:

HR should act as a mediator, hearing both the complainant and the accused. Offer support to the harassed employee and allow the accused to present their side.

3.7.2. Document the Incident

Record all details of the harassment incident. This documentation is crucial for reviewing the case and determining appropriate actions against the accused.

3.7.3. Collect Additional Evidence

Beyond the statements from the involved parties, HR should gather evidence or witness accounts. These impartial contributions are vital for a fair assessment of the situation.

3.7.4. Initiate Legal Proceedings if Necessary

Harassment, particularly sexual harassment, is a grave matter. In cases warranting legal intervention, HR should proceed with legal actions based on the collected evidence.

4. Employee Disciplinary Action

Disciplinary action is a method used by organizations to address employee misconduct. The range of disciplinary procedures available depends on the seriousness of the offense. This process serves as a way for employers to inform employees about issues and specify needed improvements, offering a chance for employees to present their perspective. Employers typically document their disciplinary procedures, such as in an employee handbook, detailing the rules, behaviors that could trigger disciplinary action, and potential consequences.

The disciplinary process can be informal or formal. Informal procedures might involve discreet management intervention without formal documentation, while formal procedures are usually outlined in company policies or employment contracts and are followed strictly to avoid potential disputes that could escalate to employment tribunals.

Initially, employees should receive informal counseling about issues like conduct, attendance, or work standards. This step, typically conducted by a supervisor or manager, aims to clarify expected standards. If there's no improvement, formal disciplinary

procedures are initiated.

The primary objective of disciplinary action is to correct behavior and document issues for future reference, rather than to punish the employee. The involvement of Human Resources in disciplinary actions varies by organization. In some companies, HR participates only in serious cases, while in others, they are involved in all disciplinary meetings. Regardless of the level of involvement, HR is responsible for defining the disciplinary policy and formalizing response procedures for violations of company rules. These policies are generally included in the employee handbook.

The steps in the disciplinary procedure generally follow graduated steps including a verbal warning, written warning, final written warning, and dismissal. However, in cases of gross or serious misconduct it is permissible to start at stage 3 of the procedure.

4.1. Unwanted Behaviors

4.1.1. Employee Misconduct

Misconduct is categorized into general and gross. General misconduct includes behaviors like disobeying a manager's orders or smoking in non-smoking areas, which typically don't warrant immediate termination.

Gross misconduct, such as theft or intentional property damage, often leads to immediate termination due to its severe impact.

4.1.2. Sexual Harassment

Defined as unwanted sexual behavior causing distress or humiliation, sexual harassment is illegal in many regions, including the United States. Termination of the perpetrator is not always automatic and depends on the severity and circumstances.

4.1.3. Discrimination

This occurs when an employee is unfairly treated based on gender, race, sexuality, religion, or other characteristics. It can be between employees or involve employers. Implementing a non-discrimination policy is crucial to combat workplace discrimination.

4.1.4. Absenteeism Issues:

Absenteeism refers to employees missing work without prior notice or valid reason. While occasional absences due to illness or emergencies are normal, frequent unplanned absences can disrupt workflow and indicate deeper issues like poor management or employee burnout.

4.1.5. Work Performance:

Disciplinary action may follow if an employee consistently fails to meet the company's performance standards. This doesn't include performance affected by external factors like illness. Support from managers and colleagues can sometimes help improve performance, but persistent issues might indicate deeper problems like disengagement.

4.1.6. Workplace Bullying:

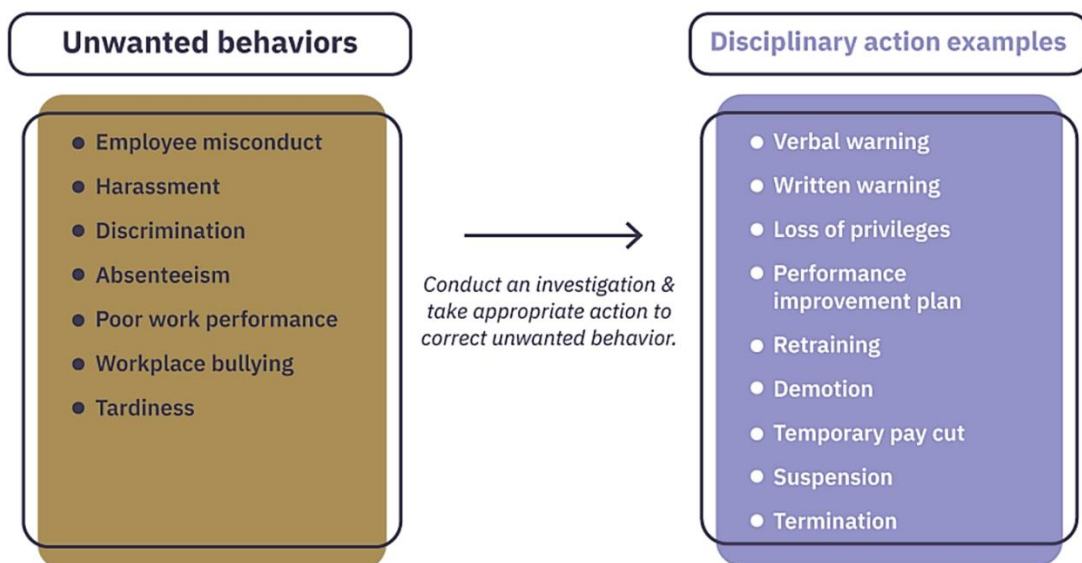
Bullying involves targeted behavior meant to offend, mock, or intimidate one or more individuals. Examples include harsh public criticism, excessive performance monitoring, insults, and deliberate exclusion from team activities.

4.1.7. Tardiness:

Tardiness is habitual lateness to work, differing from absenteeism. While occasional lateness due to unforeseen circumstances is understandable, consistent tardiness can harm team morale and may necessitate corrective action.

4.2. Examples of Disciplinary Actions

Employers have various disciplinary actions at their disposal, primarily aimed at correcting poor performance or behavior rather than punishing the employee. These actions often follow a progressive discipline policy, starting with less severe measures and escalating if the issue persists. Here are some common disciplinary actions:



Source: Cosentino (2023).

4.2.1. Verbal Warning

A manager or supervisor discusses workplace behavior or performance issues with the employee. This is usually the first step for minor issues or a first-time offense.

Example: An employee consistently arrives late to meetings. The manager discusses this issue, emphasizing the importance of punctuality in team coordination.

4.2.2. Written Warning

A formal document outlining the employee's misconduct and potential consequences if the behavior is not corrected.

Example: An employee is caught falsifying time records. A written warning is issued, highlighting the seriousness of dishonesty and breach of trust.

4.2.3. Loss of Privileges

If misconduct is related to certain privileges (like misuse of a company car or excessive spending on a business credit card), these privileges may be revoked.

Example: An employee abuses their right to flexible working hours, consistently leaving early without completing tasks. The privilege of flexible hours is revoked.

4.2.4. Performance Improvement Plan (PIP):

Often used after a poor performance review, a PIP sets specific objectives for the employee to meet to avoid further actions like transfer, demotion, or dismissal.

Example: An employee repeatedly violates the company's code of conduct by engaging in disrespectful behavior towards colleagues. A PIP is issued focusing on behavioral improvement and adherence to the code of conduct.

4.2.5. Retraining

If poor performance stems from a misunderstanding of job responsibilities, retraining may be necessary. This could involve reviewing company policies, taking written tests, or completing online courses.

Example: An employee consistently fails to follow safety protocols in a manufacturing plant. They are required to undergo retraining on safety procedures.

4.2.6. Demotion

Lowering an employee's job title, role, or responsibilities. This can be temporary or permanent and is sometimes used as an alternative to termination. However, it can

impact the employee's motivation and performance.

Example: A supervisor frequently engages in bullying behavior towards team members. They are demoted from their supervisory role and given training on appropriate workplace behavior.

4.2.7. Temporary Pay Cut

A reduction in salary, benefits, or hours. This action must comply with local labor laws and is often a complex disciplinary measure.

Example: An employee in a customer-facing role is rude to customers on several occasions. A temporary pay cut is implemented as a disciplinary measure.

4.2.8. Suspension

The employee is retained but asked not to engage in work activities, typically during an HR investigation. Unless specified otherwise in their contract, the employee is usually paid during this period.

Example: An employee is suspected of leaking confidential company information. They are suspended during the investigation to prevent potential further breaches.

4.2.9. Termination

The final step if other actions fail or in cases of gross misconduct. Termination procedures vary by country and must comply with local employment laws and protections.

Example: An employee is involved in repeated incidents of workplace violence. After thorough investigation and due process, they are terminated for gross misconduct.

4.3. Progressive Discipline

Progressive discipline in the workplace typically involves a series of steps, escalating from a verbal warning to written warnings, and ultimately to dismissal. However, in cases of gross or serious misconduct, it's permissible to begin at a more advanced stage of the procedure.

4.3.1. Verbal Warning:

A verbal warning is usually the first step for minor transgressions. It involves a formal meeting where the employee can bring a colleague or representative (but not a legal representative unless agreed by the employer). The employee is informed about the issue and given a chance to respond. After the meeting, a letter confirming the verbal

warning is issued, outlining required improvements and the timeframe for these changes. The letter also mentions the duration the warning will stay on file, typically 3 to 6 months.

4.3.2. Written Warning

If there's no improvement post-verbal warning, a written warning is issued. This step involves another meeting where the employee is informed about the continued issue and given a chance to respond. The written warning outlines the nature of the problem, potential solutions, and possible consequences if no improvement is observed. The employer should support the employee in improving their conduct or performance.

4.3.3. Final Warning

If issues persist, a final written warning is issued with a 12-month monitoring period. This warning is crucial and should be meticulously drafted as it precedes dismissal. It should only refer to matters previously discussed in the disciplinary process.

4.3.4. Dismissal or Action Short of Dismissal

Absence of improvement after the final warning often leads to dismissal. The employee is invited to a meeting, reminded of the issues leading to this point, and informed about the dismissal in line with the disciplinary procedure. The employee is given the opportunity to appeal within a specified period.

4.3.5. Gross or Serious Misconduct

Gross misconduct is typically addressed in the final stages of the disciplinary process. It involves promptly notifying the employee of the allegation, conducting an investigation, and possibly suspending the employee with pay. The investigation should be thorough, maintaining confidentiality and fairness. If the allegation is upheld, a disciplinary hearing is held to decide on appropriate action. In cases of gross misconduct, instant dismissal may be warranted.

4.4. Practices of Disciplinary Actions

Employee disciplinary action is a challenging yet crucial aspect of HR management. To effectively handle it, HR teams need to establish clear expectations and meticulously document the disciplinary process from the outset. Here are some best practices for managing employee discipline:

4.4.1. Conduct HR Investigations

For serious issues like bullying, harassment, or gross misconduct, thorough HR investigations are essential. These investigations ensure fair treatment of all parties involved and help in creating a safe work environment.

4.4.2. Develop a Clear Progressive Discipline Policy

Clearly outline the actions to be taken for specific types of misconduct. Some behaviors may require immediate termination, while others might follow a graduated approach, like a three-strike rule. The policy should aim at correcting behavior rather than punishing the individual.

4.4.3. Communicate the Disciplinary Policy

Ensure employees are aware of what behaviors lead to disciplinary action. Include concrete examples of misconduct in your policy. Make the policy accessible, perhaps in the employee handbook or on intranet sites, and consider mandatory reading or discussions led by managers.

4.4.4. Outline Appeal Procedures

Employees should be informed about how they can appeal disciplinary decisions. It's important they understand that their perspectives are valued and considered, even after a decision has been made.

4.4.5. Train Managers

Inconsistent disciplinary actions by supervisors can lead to allegations of discrimination. Educate managers on the disciplinary policy and its consistent application. Regular training sessions and a system for reviewing disciplinary actions can help ensure uniformity.

4.4.6. Document All Actions

Detailed documentation of disciplinary actions is crucial for managing progressive discipline and ensuring legal defensibility. Keep all records in a secure employee file.

4.4.7. Regularly Update the Policy

Periodically review and update your disciplinary action policy to ensure its relevance. For instance, in a hybrid or remote work environment, redefine what constitutes bullying or harassment in these settings and include specific examples.

5. Attendance Policy Template

The organization places great emphasis on the attendance of all employees at work and

will monitor each employee's attendance record. Attendance is an important aspect of job performance and the organization aims to ensure that lateness and absence are kept to a minimum. The purpose of this policy is to regulate the procedure for attendance and to apply consistent standards throughout the organization.

5.1. Authorized absence

The following constitute authorized absence from work, once proper notification procedures are followed:

- approved annual leave;
- protective leave (e.g., maternity, parental leave);
- approved business trips or external training courses;
- compassionate or other leave approved in advance by the organization.

5.2. Unauthorized absence

An employee who is absent from work and who has not notified the organization or supervisors as to the reason for the absence, will be written to by the HR Department seeking confirmation of the employee's situation. Failure to cooperate with the organization in this instance will result in the disciplinary procedure being applied.

5.3. Procedure for reporting absence

Unless prior approval has been given, an employee absent from work must notify the line manager as to the cause and likely duration of absence within half an hour of their scheduled starting time on the first day of absence.

Your supervisor or manager must be contacted directly and spoken too. Voice messages or text messages are not acceptable, nor is leaving a message with another staff member. In cases of absence due to illness, absences of more than two days must be supported by medical certification. Certificates should be sent to the organization, no later than the (third) day of absence. For absence extending beyond one week, a weekly medical certificate is required. Medical certificates must include the following details:

- name and address of doctor;
- name and address of patient;
- statement indicating, in general terms, the nature of the illness or injury;

- opinion of doctor that patient is unfit for work;
- expected duration of incapacity;
- dates of issue and doctor's signature.

5.4. Return to work (RTW)

On the employee's return to work the line manager will conduct a return-to-work interview. This interview allows the manager to discuss the health and welfare of the employee; provide support to employees; review the employee's attendance and lateness record and highlight any concerns about attendance levels.

5.5. Medical appointments

Wherever possible, appointments should be arranged in the employee's own time. Alternatively, where there is minimum disruption to the working day, managers may agree with employees that the hours are made up at another time. Where this is not possible, employees should notify their manager of an appointment at the earliest opportunity, and may be required to provide documentation in evidence of the appointment.

5.6. Support

It is the aim of the organization to ensure that any employee with a disability or who requires ongoing medical attention will be supported by the organization. Employees are encouraged to talk to their manager or the HR department in this regard. All information will be kept strictly confidential.

5.7. Time-keeping

The organization places great emphasis on punctuality and will monitor each employee's time-keeping record. Each employee has a responsibility to ensure they are at their workplace ready to start work at the appointed start time. Employees are also required to make a prompt start following lunch and breaks. Managers are expected to monitor and manage time-keeping.

Employees are considered to be late if they arrive at their work place after the scheduled start time. If an employee arrives for work more than (15) minutes late, he or she must report to the supervisor or line manager. The appropriate stage of the disciplinary procedure will be instituted where an employee is persistently late. (An organization should communicate to all employees what it deems to be persistent lateness.)

Having reported to work, an employee may not leave the premises without prior permission of the supervisor or line manager and without clocking out, where appropriate.

5.8. Record keeping

Employees are required to ensure that the time recording system is accurate and up-to-date at all times. Inaccurate or poor recording may lead to the initiation of the disciplinary procedure. Recording the information (or clocking in or out) for another employee is not allowed and may also lead to the initiation of the disciplinary procedure.

5.9. Review

Attendance and lateness is monitored on a regular basis. The organization will report on absenteeism on a monthly rolling basis, in accordance with established practice. Where levels of absenteeism fall below acceptable standards, the organization will seek to identify probable causes and rectify them.

6. Work Time Management

Work Time Management is an essential HR policy and procedure due to its impact on productivity, efficiency, and compliance with labor laws. Effective management of work hours not only maximizes productivity but also ensures adherence to regulations regarding working hours, overtime, and mandatory breaks, thereby avoiding legal complications. It plays a significant role in safeguarding employee well-being by preventing overwork and burnout, contributing to job satisfaction and work-life balance. Transparent work time policies promote fairness and clarity in the workplace, aiding in resource allocation and workforce planning. This management is crucial for controlling labor costs and ensuring payroll accuracy, as it involves precise tracking of work hours, including overtime. Additionally, well-defined work time management policies are instrumental in resolving conflicts related to work hours and attendance, providing a consistent framework for fair dispute resolution. Overall, Work Time Management is a cornerstone of HR practices, influencing various aspects of organizational functioning and employee relations.

6.1. General Definition

6.1.1. Workweek

The total number of regular working hours or days in a week - A continuous period of 7 days starting from Monday and ending on Sunday. In most of the Western world, workweek is Monday to Friday.

6.1.2. Hours of work

The period during which employees are expected to carry out the duties assigned by their employers. It does not include any intervals allowed for rest, tea breaks and meals.

6.1.3. Break times

Employees are generally not required to work more than certain consecutive hours without a break. However, if the nature of the work requires continuous work for up to 8 hours, breaks must be provided for meals.

6.2. Common Types of Leave

Common types of leave your employees will take include annual leave, excused absences, holidays, and sick leave. When your employee is “on leave,” he or she is absent from their job during regularly scheduled work hours. Some of the most common types of leave include:

6.2.1. Annual Leave

A paid number of days each year that an employee is allowed to be away from work.

6.2.2. Excused Absences

In an excused absence, an employee receives advance permission from her supervisor to not be at work. An excused absence is the scheduled or unscheduled time off from work that occurs when an employee is not present at work during a normally scheduled work period. An excused absence is further defined as:

- Scheduled in advance with the employee's manager or supervisor, such as a vacation.
- The employee notifies their employer in advance of their scheduled shift in the case of an unexpected emergency or illness.
- Or, the employee provides an acceptable reason upon return to work, often with proof backing up their excuse.
- Events that cannot be scheduled outside of regular work hours. This includes vacations, medical appointments, military service, family activities, surgery, jury duty, funerals and more.

6.2.3. Unexcused Absences

An unexcused absence is an absence that was not prescheduled or authorized by an

employee's supervisor. In some cases, an unexcused absence may be the result of an unavoidable circumstance, such as a death in the family or a sudden illness. In other cases, the employee may decide not to show up for work because he wants a "day off" without making advance arrangements or because he has used up his personal days. Your employee handbook should define acceptable reasons for an unexcused absence and instruct employees in the appropriate way to notify their supervisor that they will not be coming into work.

6.2.4. Holiday Leave

Holiday leave allows employees to take time off on specific days they would otherwise be required to work. Governments have designated certain days as holidays, however, that does not mean employees are entitled to take time off, either paid or unpaid, on those days.

6.2.5. Sick Leave

Sick leave (or paid sick days or sick pay) is time off from work that workers can use to stay home to address their health and safety needs without losing pay. Paid sick leave is a statutory requirement in many nations.

6.3. Overtime

Overtime includes any hours in excess of those specified hours, which constitute the worker's schedule, as ordered or approved by management. For example, employees on a 4/10, overtime is work in excess of 10 hours in a day or 40 hours in a week that is ordered or approved by management.

6.3.1. Regularly Scheduled Overtime.

Regularly scheduled overtime, includes any hours in excess of those specified hours, which constitute the worker's schedule. For example, employees on a traditional work schedule, overtime is work in excess of 8 hours in a day or 40 hours in a week that is ordered or approved by management.

6.3.2. Compressed

Overtime for a compressed work schedule is defined as any hours in excess of those specified hours which constitute the compressed schedule, which is ordered or approved by management. For example, employees on a 4/10, overtime is work in excess of 10 hours in a day or 40 hours in a week that is ordered or approved by management. For employees on a 5-4/9, overtime is work in more than 9 hours a day, or 8 hours on the 8 hour day, or 89 hours in a pay period, which is ordered or

approved by management.

6.3.3. Variable Week and Maxiflex

For variable week and maxiflex work schedules, overtime is defined as work officially ordered or approved by management, which is in excess of 80 hours in a pay period, not including credit hours. Employees are not entitled to overtime if they voluntarily elect to work more than 8 hours a day or 40 hours a week as allowed under these flexible work schedules.

6.3.4. Flexitour and Gliding

Overtime for flexitour and gliding work schedules is defined as work officially ordered or approved by management in excess of 8 hours in a day or 40 hours in an administrative work week. This does not include any credit hours worked; although they are approved in advance by management, they are worked voluntarily.

6.3.5. Variable Day Work Schedule

Overtime for a variable day work schedule is defined as work in excess of 8 hours in a day or 40 hours in an administrative work week, not including credit hours, which is officially ordered or approved by management. However, employees are not entitled to overtime if they voluntarily elect to work more than 8 hours a day as allowed under this flexible work schedule including credit hours. If they are ordered by management to work more than 8 hours in a day or 40 hours in an administrative work week, then they are entitled to overtime.

6.4. Alternative Work Schedule

Work-life balance and flexible workplace scheduling are concepts many human resources practitioners consider when they're searching for options to improve job satisfaction, engagement and productivity. Alternative Work Schedules are being offered to enhance work-life balance for employees as well as to ease the burden of costly commutes. An Alternative Work Schedule (AWS) is a change from a traditional 8-hour work week. The AWS options include Flextime, Compressed work weeks, job sharing or Teleworking.

6.4.1. Flextime

Flextime is an AWS that offers an arrival and departure time, that differs from the standard operating hours of 8:30 a.m. – 5:00 p.m. Flextime will differ by no more than two (2) hours. For example, a flextime arrangement may be arriving at 10:00 a.m. and departing at 6:30 p.m. with a ½ hour lunch. Giving employees flextime allows them to

schedule their lives around work in a more according way without sacrificing work productivity. Flextime is possible for any job function; however, it's much harder to offer flextime to customer- and client-focused employees, especially when it's expected they're in during certain hours.

6.4.2. Compressed workweeks

A compressed work schedule is an AWS comprised of four 10-hour days per week or 80 hours in a two week period worked over nine days instead of ten. Employees often prefer compressed work schedules because it means an extra day off each week and less commuting. This can save employees money in gasoline costs and reduce the stress of a long commute. Because employees have more free time, they tend to be healthier and take fewer sick days. However, an ongoing schedule of ten-hour or nine-hour days, while it may be the norm for some professionals already, can be physically and mentally draining.

6.4.3. Job sharing

Job sharing occurs when two employees share a single full-time job by each working part-time, pro-rating the salary. Employees who want to maintain a job in a professional field but are interested in only working part-time often use job sharing. For example, two doctors might share a single physician position at a medical clinic in which each works at least 20 hours per week. Job sharing allows the two employees to trade hours as needed. As the employees become more aware of each other's strengths, they can complete their work more efficiently, which increases productivity for the employer. Job sharing can also pose difficulties if the employees do not communicate well, are absent during meetings, have scheduling conflicts or disagree as to how to complete their tasks.

6.4.4. Teleworking

Teleworking, a type of Alternative Work Schedule (AWS), enables employees to carry out their regular tasks from a location other than their primary workplace, such as home or a satellite office. This arrangement is restricted to two work days per week or four days per pay period, with additional stipulations outlined in the teleworking policy

Effective flextime policies hinge on consistent management. Human Resources (HR) should establish guidelines for alternative scheduling and equip department supervisors with the necessary training to manage teams operating on diverse schedules. HR also evaluates the impact of alternative workplace options on job satisfaction and employee retention.

Furthermore, HR is tasked with maintaining accurate records by tracking employees' work schedules, which is crucial for ensuring precise payroll. This is particularly important for small businesses where payroll processing is done manually.

Part Three: Employee Safety and Health

1. Workplace Risk Management

Risk management encompasses the consideration of physical, human, and financial factors to safeguard both organizational and individual interests. Its scope extends from workplace safety and health to disaster preparedness. An effective HR risk management program can impact the bottom line by reducing workers' compensation costs, civil liability damages, litigation expenses, and increasing the likelihood of securing bids and government contracts.

HR risk management focuses on preparing employers for a wide range of potential issues in the business environment, including:

- Preventing workplace accidents and health issues.
- Planning for natural disasters.
- Preparing for terrorist attacks.
- Anticipating global disease outbreaks.
- Safeguarding against workplace violence.
- Ensuring the security of HR data.

Research has shown that the risk associated with human resource management, often referred to as "People Risk," is frequently overlooked or misunderstood by HR professionals and strategic planners. Despite its significant impact on business operations, People Risk is often not integrated into Enterprise Risk Management (ERM). Studies have highlighted the substantial threat posed by People Risk to global business operations, making it the fourth most influential factor on business performance but ranking it tenth in terms of effective measurement and management.

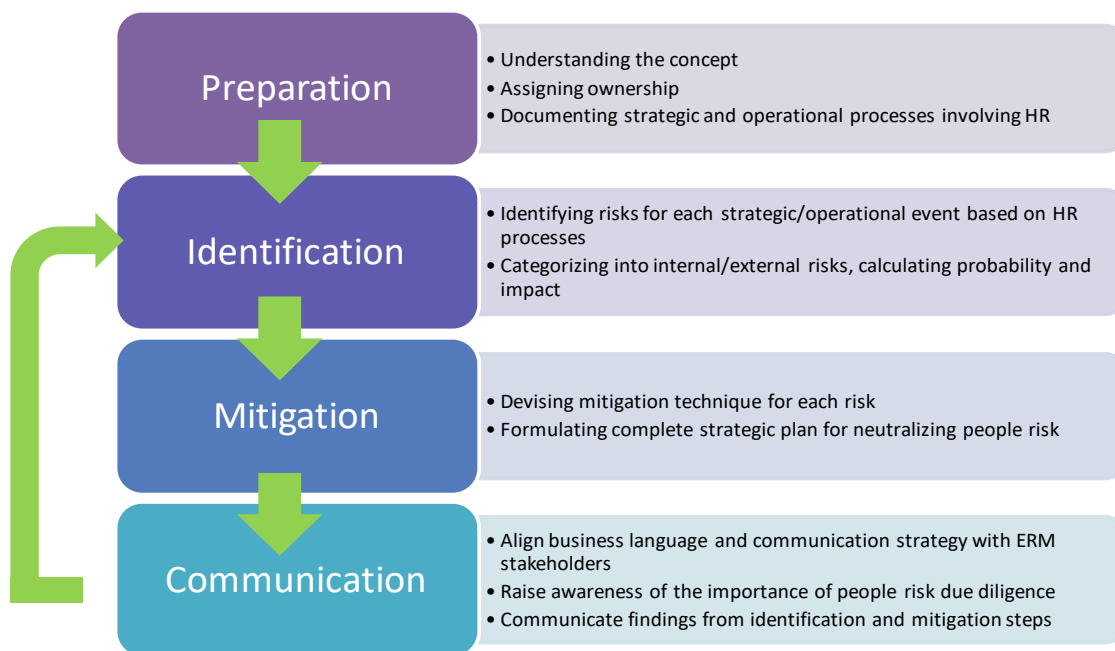
To address People Risk effectively, it is essential to incorporate its assessment into regular HR planning activities, enabling stakeholders to recognize its significance and potential impact. Aon Hewitt has developed a four-step process to integrate People Risk into daily HR operations:

- ***Preparation:*** Grasping the concept, designating responsibility, and recording strategic and operational procedures
- ***Identification:*** Identifying People Risks based on operational processes and strategic decisions.

- **Mitigation:** *Devising strategies to minimize the impact of each risk on the business.*
- **Communication:** *Sharing findings with risk management stakeholders and ensuring HR is prepared for risk consequences.*

Once these steps are completed, HR can continue to identify and monitor emerging risks as part of their ongoing risk management strategy.

HR Process for Including People Risks as Part of the Company's Enterprise Risk Management Strategy



Source: Aon Hewitt

1.1. Preparation

Developing an effective Risk Management Plan is crucial for preventing minor issues from escalating into emergencies. Different types of Risk Management Plans address the assessment of event probabilities and their potential impacts, risk factors associated with specific ventures, and strategies to mitigate associated problems. A well-prepared plan can assist in addressing adverse situations as they arise and, ideally, preemptively averting them.

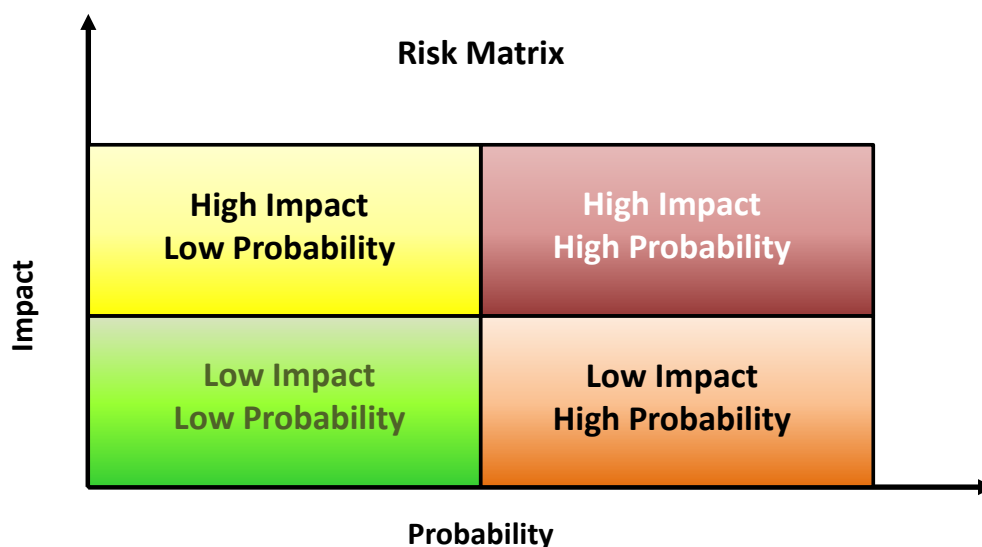
1.1.1. Comprehending Risk Management

Risk represents the outcome, whether positive or negative, of events occurring in one or multiple locations. It is derived from the likelihood of an event becoming problematic and the potential consequences it carries (see Risk = Probability X Impact). Identifying, assessing, and understanding risks is a critical aspect of effective

business management. Although many people primarily associate "risk" with injury, health concerns, and fatalities, businesses encounter various other forms of risk.

1.1.2. Probability

Risk is characterized by the possibility of an event occurring, which can range from slightly above 0 percent to just below 100 percent. (Note: It cannot be exactly 100 percent, as that would indicate certainty rather than risk. Conversely, it cannot be exactly 0 percent, as that would negate the concept of risk.)



1.1.3. Impact

Inherent to risk is its negative impact. However, the magnitude of this impact varies in terms of financial costs and its effect on health, human life, or other critical factors.

1.1.4. Low Impact/Low Probability

Risks situated in the lower-left corner are of minimal concern and can often be disregarded.

1.1.5. Low Impact/High Probability

Risks located in the lower-right corner hold moderate importance; if they materialize, they can be managed, although efforts should be made to reduce their likelihood of occurrence.

1.1.6. High Impact/Low Probability

Risks found in the upper-left corner are highly significant, although their likelihood of occurring is low. For such risks, measures should be taken to minimize their potential impact, contingency plans should be in place, and preparations made in case they do

manifest.

1.1.7. High Impact/High Probability

Risks in the upper-right corner are critically important and require close attention. These should be considered top priorities.

1.1.8. Designating Risk Owner

Each risk should have a designated 'owner' responsible for its monitoring. Typically, managers propose the 'owner,' with the risk board or committee making the final decision. Allocating ownership of the entire risk process and its various components is crucial from the outset, with the risk 'owner' being responsible for ongoing risk oversight.

1.1.9. Documenting Risk

Organizations implement risk management for various reasons, including compliance, cost control, innovation projects, or strategic decision-making. The organization's risk management policy should align with its position, outline the areas it must address (Key Result Areas or KRAs), and receive senior management's endorsement.

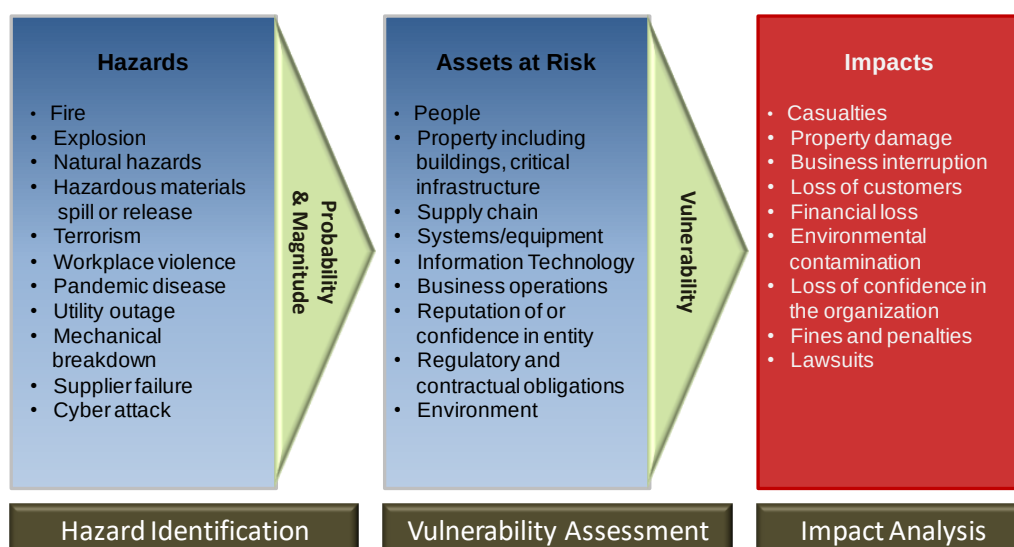
Documenting each stage of the risk management process is imperative. This documentation should encompass assumptions, methodologies, data sources, and results. Documentation serves several purposes, including demonstrating proper process conduction, providing evidence of a systematic approach to risk assessment, building an organizational knowledge database, offering a risk management plan for approval and implementation, establishing an accountability mechanism, enabling ongoing monitoring and review, creating an audit trail, and facilitating information sharing and communication.

At each process stage, documentation should delineate objectives, information sources, assumptions, and decisions based on the information. In certain situations and depending on the organization's size, a compliance and due diligence statement may be necessary to formalize managers' acknowledgment of their responsibility to adhere to risk management policies and procedures. The organization's risk audit, risk register, treatment plans, action plans, and progress reports exemplify appropriate documentation to be maintained as part of the organization's risk management plan. These examples serve as indicative rather than exhaustive.

1.2. Identification

Risk is the probability of a positive or negative event impacting business goals and

objectives. Risk management involves assessing this exposure and determining the best approach to deal with it.



1.2.1. Identifying Hazards

Various hazards exist, each with numerous potential scenarios based on timing, magnitude, and location. For instance, hurricanes initially forecasted to strike near your business may change course and dissipate or intensify into a major hurricane before landfall. In risk assessments, consider injuries to individuals as a top priority, along with other physical assets like buildings, IT systems, utilities, machinery, and materials. Environmental repercussions and impacts on customer relationships and stakeholder confidence are also vital.

1.2.2. Assessing Vulnerabilities

During risk assessments, identify vulnerabilities that heighten an asset's susceptibility to hazard-related damage. Vulnerabilities encompass weaknesses in building construction, process systems, security, protection measures, and loss prevention programs. They influence the extent of damage during an incident. Investment in mitigation can help reduce impacts, especially when the potential for substantial consequences exists.

1.2.3. Analyzing Impact

A business impact analysis (BIA) forecasts the repercussions of business function and process disruptions and gathers data for recovery and prevention strategies. Potential loss scenarios, including supplier failures and delayed deliveries, should be considered. The BIA evaluates operational and financial impacts, such as lost sales, increased expenses, regulatory fines, customer dissatisfaction, and more.

1.2.4. Timing and Duration of Disruption

The timing and duration of a disruption significantly affect losses. For instance, a store damaged before the holiday season faces substantial annual sales losses. A brief power outage may cause minor inconveniences, while prolonged outages lead to significant losses. The duration of a disruption, relative to product demand, also impacts consequences.

1.2.5. Conducting the BIA

Utilize a BIA questionnaire to survey managers and knowledgeable staff. Request their input regarding potential impacts if their respective functions or processes are interrupted. Identify critical business processes and required resources for various operational levels.

1.2.6. BIA Report

The BIA report documents potential disruption impacts, prioritizing scenarios with significant business interruption. Risks are ranked based on financial impact and likelihood, categorized into four response options:

Mitigate risk: activities with a high likelihood of occurring, but financial impact is small. The best response is to use management control systems to reduce the risk of potential loss.

Avoid risk: activities with a high likelihood of loss and large financial impact. The best response is to avoid the activity.

Transfer risk: activities with low probability of occurring, but with a large financial impact. The best response is to transfer a portion or all of the risk to a third party by purchasing insurance, hedging, outsourcing, or entering into partnerships.

Accept risk: if cost-benefit analysis determines the cost to mitigate risk is higher than cost to bear the risk, then the best response is to accept and continually monitor the risk.

1.3. Mitigation

Numerous hazards can be prevented through proactive measures. Workplace accidents, for instance, can be significantly reduced with a comprehensive accident prevention program. Fires and chemical spills can also be averted, while machinery breakdowns can be avoided through proper maintenance and adherence to manufacturer recommendations.

Resources for hazard prevention include free on-site consultations that offer valuable insights into enhancing workplace safety. Many insurance companies extend free workplace safety assistance to policyholders. Additionally, collaborating with the local fire department's fire prevention division can provide guidance on fire prevention strategies.

Deterrence is key in preventing criminal activities. Measures like good visibility and perimeter lighting for buildings discourage criminals. Security measures such as screening visitors, employees, and packages, along with intrusion detection systems, further enhance deterrence. Employee training plays a vital role in promoting workplace security.

Cybersecurity should be part of the security program. Installing antivirus and anti-spyware software, maintaining robust firewalls, and keeping systems updated are essential for safeguarding network and information security.

While natural hazards like floods, earthquakes, and hurricanes cannot be prevented, their impact can be mitigated.

1.3.1. Risk Mitigation

Natural hazards have been responsible for numerous disaster declarations. Some technological hazards are beyond individual business control. However, there are still opportunities to reduce potential life, property, and business impacts through risk mitigation strategies.

1.3.2. Mitigation Strategies

Mitigation strategies encompass factors like site selection, building construction meeting safety standards, protection of high-value assets, and business continuity planning. Utilizing uninterruptible power supplies (UPS) and emergency generators for critical equipment is crucial. Adhering to fire prevention regulations, national standards, and best practices can identify mitigation opportunities. Collaboration with insurance providers can assist in developing customized protection specifications and potentially reducing insurance premiums.

1.3.3. Insurance as Financial Risk Mitigation

Insurance is a financial risk mitigation tool that reduces the impact of business interruptions, facility damage, or equipment loss. Policies cover various aspects such as property damage, business interruption, workers' compensation, general liability,

and more. However, it's essential to ensure that policies align with specific hazards, as certain perils may require separate coverage. Business interruption coverage can reimburse profits and expenses during shutdowns, while contingent business interruption coverage addresses losses due to supplier failures. Reviewing insurance policies to match potential losses is advisable.

Evaluate insurance adequacy by considering factors like risk assessment, hazards, financial impacts, asset inventory, deductibles, waiting periods, and notification procedures for losses.

1.4. Communication

Effective risk communication is now a dynamic, ongoing dialogue between the public and risk communicators rather than a one-way transmission of information.

Continuous communication regarding risk management actions and objectives is crucial. Everyone within your organization, from the board/committee to staff, volunteers, and stakeholders, must understand the importance of risk management and be actively engaged in its development and implementation.

To foster engagement from the outset and demonstrate leadership commitment, involve all members in the risk management process. Implementing risk management might require a significant cultural shift within your organization, making effective communication pivotal. Establish robust communication systems between various organizational levels and ensure a feedback mechanism is in place.

Here are some communication strategies:

1.4.1. Form a risk management committee: While risk management is everyone's responsibility, a dedicated group focused on this task can provide valuable input. Ensure strong communication links between this committee and your board, with regular reporting during board meetings.

1.4.2. Meetings: Gathering everyone in one room for an initial meeting is an excellent way to introduce risk management. Subsequent briefings should keep participants informed of the process's progress and provide opportunities for input and feedback.

1.4.3. Brainstorming sessions: Involve all stakeholders in brainstorming sessions to generate insights and promote ownership of the risk management strategy. Encourage participants to share their perspectives on potential risks and mitigation strategies.

1.4.4. Newsletters and bulletins: Disseminate information about risk management through newsletters, emails, flyers, or noticeboards. Share summaries of brainstorming sessions and meeting outcomes to keep everyone informed.

1.4.5. Questionnaires/surveys: Use questionnaires or surveys at critical stages to gather input on perceived risks and ideas for risk reduction. Online surveys can be particularly convenient for this purpose.

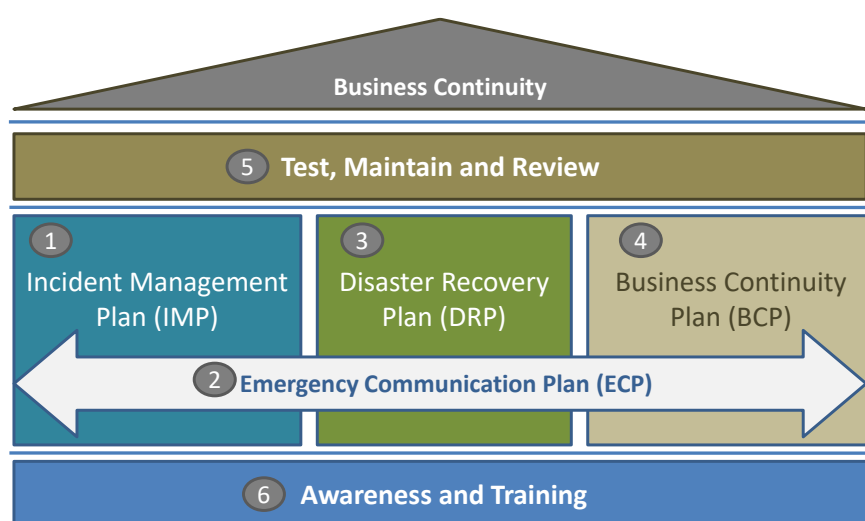
1.4.6. Write a guide: Develop a risk management guide to align everyone's understanding and serve as a reference throughout the process. This guide can include definitions, information, and feedback mechanisms.

1.4.7. Keeping it going: Maintain ongoing communication throughout the risk management process. Document every step for future reference, and keep records of identified risks and incidents.

Continuous communication ensures that all stakeholders are informed, engaged, and aligned with the risk management strategy.

2. Business Continuity

Business continuity (sometimes referred to as business continuance) describes the processes and procedures an organization puts in place to ensure that essential functions can continue during and after a disaster. Business continuance planning seeks to prevent interruption of mission-critical services, and to reestablish full functioning as swiftly and smoothly as possible. The creation of a strategy through the recognition of threats and risks facing a company, with an eye to ensure that personnel and assets are protected and able to function in the event of a disaster. Business continuity planning involves defining potential risks, determining how those risks will affect operations, implementing safeguards and procedures designed to mitigate those risks, testing those procedures to ensure that they work, and periodically reviewing the process to make sure that it is up to date. Business continuity planning and programs can be breakdown to different plans as follows:



2.1. Incident Management Plan

Incident management planning encompasses creating a written plan, training staff in incident procedures, maintaining detailed records, evaluating responses after an incident, and clearly assigning responsibilities in case of an actual incident. This plan encompasses all preparations a business undertakes for potential disruptive or harmful events like fires, assaults, medical emergencies, or threats against drivers.

2.2. Emergency Communication Plan

An effective emergency communication plan, meticulously developed by a business continuity planner, consists of both internal and external alerts. These alerts are disseminated through email, overhead building paging systems, voice messages, or text messages to cell/smartphones. They provide instructions for evacuating the building, relocating to assembly points, delivering updates on the situation, and notifying when it's safe to return to work. Tailoring messages to specific audiences, such as employees, media, families, government regulators, is essential for effective external communication.

2.3. Disaster Recovery Plan

A disaster recovery plan outlines how a business will recover from a catastrophic event. The plan's success hinges on several objectives:

2.3.1. Reduce Overall Risk: Ensure the plan effectively mitigates risks and allows for rapid business resumption.

2.3.2. Maintain and Test Your Disaster Recovery Plan: Regularly review and update the plan to align with the company's evolving needs. Testing the plan every two years is vital to assess its adequacy.

2.3.3. Alleviate Owner/Investor Concerns: Address feedback from owners or the board of directors to instill confidence in the plan's effectiveness.

2.3.4. Restore Day-To-Day Operations: Prioritize the swift restoration of daily operations to prevent customer attrition.

2.3.5. Comply With Regulations: Ensure that the plan adheres to all relevant government regulations, especially if your business operates in a regulated industry.

2.3.6. Rapid Response: Keep a readily accessible copy of the disaster recovery plan off-site, maintain an emergency contact list, and be prepared to respond swiftly in the event of a disaster.

2.4. Business Continuity Plan

A business continuity action plan, also known as an emergency plan, contains vital information for sustaining business operations during adverse events. The plan's structure may vary depending on your business and typically includes sections such as:

2.4.1. Introduction: Providing distribution lists, executive summaries, objectives, and a glossary.

2.4.2. Risk Management Plan: Identifying potential risks, assessing their likelihood and consequences, prioritizing risks, and outlining risk management strategies.

2.4.3. Business Impact Analysis: Identifying critical business activities, resource requirements, impact analysis, and duration of business operations without these activities.

2.4.4. Incident Response Plan: Defining the activation criteria, incident response team, communication methods, contact lists, and procedures for handling incidents.

2.4.5. Recovery Plan: Detailing steps to restore business operations and setting realistic timeframes to minimize financial losses.

2.4.6. Test, Evaluate, and Update Schedule: Establishing strategies, schedules, and procedures for testing, reviewing, and maintaining the continuity plan.

2.5. Test, Maintain, and Review

Regularly test, update, and adapt your business continuity plan to ensure its effectiveness. Integrate business continuity planning into all decision-making processes, assign responsibilities for plan maintenance, and conduct periodic audits and tests. Review and update the plan at least twice a year, taking into account business changes and risks.

2.6. Training and Awareness

Training and awareness activities play a vital role in effective business continuity management:

2.6.1. Training: Tailor training to the needs of different audiences within your organization. Provide theoretical and practical training to executives, business continuity custodians, and staff with specific roles, ensuring they are equipped with the necessary skills and knowledge.

2.6.2. Raising Awareness: Implement an ongoing education and information program

to increase awareness of business continuity management among staff and stakeholders. Incorporate business continuity topics into induction training for new employees and maintain executive support. Extend awareness efforts to interdependent organizations like suppliers and portfolio entities for a holistic approach. Effective communication fosters confidence in your entity's ability to handle disruptions.

3. Employee Safety

Typically, safety refers to a condition in which the physical well-being of people is protected. The main purpose of effective safety programs in organizations is to prevent work-related injuries and accidents. In other words, safety refers to freedom from hazard, risk, or injury for employees on the job.

Well-designed and well-managed safety programs can pay dividends in reduced accidents and associated costs, such as workers' compensation and possible fines. Further, accidents and other safety concerns usually decline as a result of management efforts that emphasize safety.

Successful safety management has been researched extensively. A summary of what is known about managing safety effectively and reducing accidents includes the following necessary components:



3.1. Organizational Commitment and a Safety Culture

At the heart of safety management is an organizational commitment to a

comprehensive safety effort that should be coordinated at the top level of management and include all members of the organization. It also should be reflected in managerial actions. A president of a small electrical manufacturing firm who does not wear a hard hat in the manufacturing shop can hardly expect to enforce a requirement that all employees wear hard hats in the shop. One result of a strong commitment to safety is that a “safety culture” pervades the organization. Successful programs may use the following activities in dealing with safety issues.

3.1.1. Safety and Engineering

Employers can prevent some accidents by designing machines, equipment, and work areas so that workers who perform potentially dangerous jobs cannot injure themselves and others. Providing safety equipment and guards on machinery, installing emergency switches, installing safety rails, keeping aisles clear, and installing adequate ventilation, lighting, heating, and air conditioning can all help to make work environments safer.

Designing a job properly requires consideration of the physical setting of the job. The way the work space surrounding a job is utilized can influence the worker’s performance of the job itself. Several factors that affect safety have been identified, including size of work area, kinds of materials used, sensory conditions, distance between work areas, and interference from noise and traffic flow.

3.1.2. Individual Considerations in Accidents

Engineers approach safety from the perspective of redesigning the machinery or the work area. Industrial psychologists and “human factors” experts see safety differently. They address the proper match of individuals to jobs and emphasize employee training in safety methods, fatigue reduction, and health awareness.

Numerous field studies with thousands of employees, have looked at the human factors in accidents. The results have shown a definite relationship between cognitive factors and occupational safety. Behavior-based safety (BBS) approaches are efforts to reduce risky behavior and increase safe behavior by defining unsafe behavior and attempting to change it. While BBS is beneficial, it does not constitute a complete approach to dealing with safety.

3.1.3. Work Schedules

Work schedules can be another cause for accidents. The relationship between work

schedules and accidents can be explained as follows: Fatigue based on physical exertion sometimes exists in the industrial workplace of today. Boredom, which occurs when a person is required to do the same tasks for a long period of time, is rather common. As fatigue increases, motivation decreases; when motivation decreases, workers' attention wanders, and the likelihood of accidents increases. A particular area of concern is overtime in work scheduling. Overtime work has been consistently related to accident incidence because the more overtime worked, the higher the incidence of severe accidents.

Another area of concern is the relationship of accident rates to different shifts, particularly late-night shifts. Because there tend to be fewer supervisors and managers working the "graveyard" shifts, workers tend to receive less training and supervision. Both of these factors lead to higher accident rates.

3.1.4. Incentive and Recognition

Many companies offered safety incentive programs provided cash, prizes, awards or other forms of recognition to employees for performance related to "lagging indicators." That is, management tallied up the number of accidents, incidents and near misses. If the numbers fell below a certain level, employees would be rewarded. If they were above the designated levels, they would not be rewarded. Some companies tied the rewards to individual performance. Others tied them to team, departmental or even company performance.

Group recognition: The most common and least expensive method. It is also one of the most effective safety incentive programs. An example would be recognizing employee groups that work for a period of time without a lost-time accident.

Drawing attention to safe work habits: providing special uniforms or equipment for employees who have worked a year or more without an accident or providing jackets or hard hats with safety logos as a way to keep the message of safety in front of employees.

Tangible gifts: management recognizes and appreciates efforts toward safety such as safety award pins, trophies, plaques, and useful items imprinted with safety mottoes, such as pen/pencil sets or tie clips.

Plant safety scoreboards: Constant reminders of the number of days without a lost work-time injury.

While the philosophy behind such programs seemed sound (giving rewards to employees for results), there were a number of criticisms levelled at such programs by some safety consultants. First and foremost on the list of concerns was the idea that such programs could create pressure on employees not to report accidents, injuries, near misses or other incidents so as to keep the "record" intact. While one might expect that coworkers would lead this pressure (and they frequently did), there were even some documented cases of supervisors and managers pressuring employees not to report accidents. These cases tended to be in situations where rewards that were designated for teams or whole departments were on the line.

Another concern was that failure to report incidents, even minor incidents and near misses, was defeating the whole purpose of a proactive safety program, which is to generate as much information as possible on trends so that steps can be taken to curb future problems. That is, if employees are pressured not to report incidents, management will have virtually no information on which to base future safety initiatives. In fact, some experts suggested, employees should actively be encouraged to report any and all incidents so preventive measures could be introduced.

A third concern was that, in a lot of cases, accidents could occur through no fault of an employee, so why penalize the employee or work team for such an incident?

3.2. Safety Policies, Discipline, and Recordkeeping

Designing safety policies and rules and disciplining violators are important components of safety efforts. Frequently reinforcing the need for safe behavior and frequently supplying feedback on positive safety practices are also effective ways of improving worker safety. Such safety-conscious efforts must involve employees, supervisors, managers, safety specialists, and HR staff members.

For policies about safety to be effective, good recordkeeping about accidents, causes, and other details is necessary. Without records, an employer cannot track its safety performance, compare benchmarks against other employers, and may not realize the extent of its safety problems.

3.3. Safety Training and Communication

An effective method to sensitize employees is goal-oriented safety training sessions, such as job instruction, basic safety, and accident prevention training. Such preventive, work-related training is crucial, especially in the early periods of employment. Good safety training reduces accidents. Supervisors should receive the training first, and then

employees should receive it as well, because untrained workers are more likely to have accidents. Safety training involving behavioral modeling, lots of practice, and dialogue is most effective. Safety training can be done in various ways. Regular sessions with supervisors, managers, and employees are often coordinated by HR staff members.

Communication of safety procedures, reasons why accidents occurred, and what to do in an emergency is critical. Common ways to communicate safety ideas include safety films or videotapes, safety booklets, posters, motivational talks on safety, and articles in corporate publications. Without effective communication about safety, training is insufficient. To reinforce safety training, continuous communication to develop safety consciousness is necessary. Merely sending safety memos is not enough. Producing newsletters, changing safety posters, continually updating bulletin boards, and posting safety information in visible areas are also recommended.

Employers may need to communicate in a variety of media and languages. Such efforts are important to address the special needs of workers who have vision, speech, or hearing impairments; who are not proficient in English; or who are challenged in other ways.

3.3. Safety Committees

Employees frequently participate in safety planning through safety committees, often composed of workers from a variety of levels and departments. A safety committee generally meets at regularly scheduled times, has specific responsibilities for conducting safety reviews, and makes recommendations for changes necessary to avoid future accidents. A safety committee should foster a sense of ownership by giving employees an opportunity to directly improve safety and reduce injuries within a company, while enhancing communication between management and employees. Therefore, the committee's members should come from different department at different levels.

To achieve this, a commitment to safety must become a shared responsibility between management and employees. Safety committee members are responsible for developing and reviewing safety procedures and policies, investigating and reviewing accidents and communicating safety issues or policies to company employees.

Establishing workplace safety committees is one way management can encourage employees to participate in implementing and monitoring the company's safety program. Typical responsibilities of safety committees include:

- Developing safe work practices.
- Crafting written safety programs.
- Leading safety training.
- Conducting workplace inspections and safety audits.
- Reviewing incidents, near misses, accident investigation reports, claim summaries and loss analyses to prevent reoccurrences of similar incidents.
- Establishing dispute resolution procedures.
- Proposing and creating safety checklists.
- Promoting employees' interests in health and safety issues.
- Providing a forum in which labor and management can discuss health and safety issues and collaborate on solutions.

Ultimately the purpose of safety committees is to help reduce the risk of workplace injuries and illnesses and ensure compliance with federal and state health and safety regulations.

3.4. Inspection, Investigation, and Evaluation

It is not necessary to wait for a government inspector to check the work area for safety hazards. Inspections may be done by a safety committee or by a company safety coordinator regularly. Problem areas should be addressed immediately in order to keep work productivity at the highest possible levels.

Organizations investigate business upsets because they are required to by law or their own company standards, or the public or shareholders expect it. But, whatever the motivation, the goal is to identify why the incident happened and to take action to reduce the risk of future incidents.

Identifying why an accident occurred is useful; taking steps to prevent similar accidents from occurring is even more important. Closely related to accident investigation is research to determine ways of preventing accidents. Employing safety engineers or having outside experts evaluate the safety of working conditions may be useful. If many similar accidents seem to occur in an organizational unit, a safety training program may be necessary to emphasize safe working practices.

Investigations often find that similar scenarios have occurred previously but, for a

variety of reasons, did not result in serious consequences. This is increasingly recognized in high-risk industries where "near misses" are also investigated as well as incidents which actually resulted in loss. A six-step, structured approach to incident investigation helps to ensure that all the causes are uncovered and addressed by appropriate actions.



Six Steps of Incident Investigation

Source: Riskworld (2015)

3.4.1. Step 1 - Immediate action

In the event of an incident, immediate action to be taken may include making the area safe, preserving the scene and notifying relevant parties. The investigation begins even at this early stage, by collecting perishable evidence, e.g. CCTV tapes, samples.

3.4.2. Step 2 - Plan the investigation

Planning ensures that the investigation is systematic and complete. What resources will be required? Who will be involved? How long will the investigation take? For severe or complex incidents, an investigation team will be more effective than a single investigator.

3.4.3. Step 3 - Data collection

Information about the incident is available from numerous sources, not only people involved or witnesses to the event, but also from equipment, documents and the scene of the incident.

3.4.4. Step 4 - Data analysis

Typically, an incident is not just a single event, but a chain of events. The sequence of events needs to be understood before identifying why the incident happened. When asking why, we need to identify the root and underlying causes, as well as the direct causes. Failures and mistakes don't just happen by themselves; organizations allow error-enforcing environments that encourage direct causes to develop and persist. Such environments, and the basic management failings behind them, are the root causes - the ultimate source of the incident.

While human error plays a part in the majority of incidents, people are not generally stupid, lazy, forgetful or willfully negligent. Human errors occur because of influencing factors associated with the work, the environment, an individual's mental or physical abilities, the organization and its management systems. Any investigation which sets out to find someone to blame is misguided.

3.4.5. Step 5 - Corrective actions

Many investigations make the mistake of raising actions which deal only with the direct causes - a quick fix, putting last-lines-of- defense back in place. By ignoring the root and underlying causes, not only do they miss an opportunity to reduce the risk of recurrence of the incident, but they also leave open the possibility that other, dissimilar incidents may also occur, arising from the same, common root cause.

3.4.6. Step 6 - Reporting

The investigation is concluded when all outstanding issues have been closed out and the findings have been communicated so that lessons can be shared. Communication mechanisms include formal incident investigation reports, alerts, presentations and meeting topics.

3.5. Measuring Safety Efforts

Organizations should monitor and evaluate their safety efforts. Just as organizational accounting records are audited, a firm's safety efforts should be audited periodically as well. Accident and injury statistics should be compared with previous accident patterns to identify any significant changes. This analysis should be designed to measure progress in safety management.

Various safety efforts can be measured. Some common ones are workers' compensation costs per injury/illness; percentage of injuries/illnesses by department,

work shifts, and job categories; and incident rate comparisons with industry and benchmark targets. Regardless of the specific measures used, it is critical to be able to track and evaluate safety management efforts using relevant HR metrics.

Employers in a variety of industries have found that emphasizing health and safety pays off in a number of ways. Lower employee benefits costs for health care, fewer work-related accidents, lower workers' compensation costs, and more productive employees can all be results of employer efforts to stress health and safety.

4. Employee Wellness

Employee Health pertains to the physical and mental condition of an employee, influenced by workplace factors like colleague interactions, tool usage, and organizational decisions. It specifically addresses the direct health issues, both physical and mental, that employees may encounter in their work environment.

Conversely, Employee Wellness is a more comprehensive concept. It extends beyond just physical health to include mental, emotional, and financial well-being. Wellness programs and activities aim to enhance overall employee health, focusing on stress management, relationship building, productivity enhancement, and burnout prevention. This approach is about empowering employees to make informed health choices and take charge of their overall well-being.

While both concepts are interconnected, they differ in scope. Employee Health is more focused on immediate health concerns related to the work environment, whereas Employee Wellness adopts a broader perspective, encompassing various aspects of an employee's life and overall well-being.

Therefore, there has been a noticeable shift in the global HR landscape from concentrating solely on employee health to a broader focus on employee wellness. By focusing on employee wellness, HR departments aim to create a more supportive and inclusive work environment that caters to all aspects of an employee's well-being, thereby enhancing job satisfaction, productivity, and overall organizational performance.

4.1. The Benefits of Employee Wellness Programs

An Employee Wellness Program is a series of benefits and activities provided by employers to promote the health and well-being of employees. These programs can range from health education and coaching to fitness facilities and mental health resources. The benefits of implementing such programs are numerous:



Source: Chimwamafuku (2023)

4.1.1. Increased Productivity

Wellness programs that encourage healthy habits, such as regular exercise and a balanced diet, can lead to increased productivity. Employees who are physically healthy are less likely to suffer from fatigue and can concentrate better on their tasks. Moreover, promoting regular physical activity can help prevent health issues associated with sedentary work, such as the so-called Office Syndrome.

4.1.2. Improved Recruitment and Retention

Offering a robust wellness program can make a company more attractive to potential employees. Many job seekers consider wellness benefits when choosing a job. Additionally, employees are likely to stay longer with a company that shows concern for their health and well-being.

4.1.3. Enhanced Employee Morale

Wellness programs can contribute to a positive work environment. When employees feel that their well-being is valued, it can lead to increased job satisfaction and morale. This can result in a more engaged and motivated workforce.

4.1.4. Reduced Absenteeism

Healthier employees are less likely to take sick leave, leading to lower absenteeism rates. By helping employees manage their health and stress levels, wellness programs can result in significant cost savings for the company.

4.1.5. Lower Health Risks

Wellness programs often include initiatives to help employees adopt healthier lifestyles, such as quitting smoking, eating a balanced diet, and exercising regularly.

These habits can reduce the risk of chronic diseases and other health issues, leading to lower healthcare costs.

4.2. Key Examples of Wellness Programs

Wellness program initiatives can vary widely, from specific goals like helping employees quit smoking or lose weight, to providing onsite gyms or gym memberships, and incentive programs that reward participation or achievement of set goals. Here are some examples of Employee Wellness Programs:

4.2.1. Fostering Healthy Dietary Habits

Employees who maintain a balanced diet tend to experience increased energy levels, heightened productivity, and enhanced concentration. Encouraging better eating habits among employees can involve providing healthier snack options like fruits, vegetables, and cereals. Given that many employees frequently snack at their desks, offering only nutritious snacks and water can be an effective strategy for fostering healthier snacking habits and improving hydration. Additionally, initiatives may include offering healthy catered lunches, organizing cooking classes, and inviting employees to contribute their favorite healthy recipes to a workplace cookbook. Such endeavors not only contribute to employee engagement and morale but also assist individuals in making more nutritious dietary choices.

4.2.2. Mental Health Initiatives

Mental health concerns, including stress, anxiety, and depression, consistently rank high in employee health surveys and represent a significant cause of absenteeism in the workplace. Even mild symptoms of depression or anxiety can adversely affect work performance. Many employees perceive that their personal and mental issues spill over into their professional lives, directly impacting their productivity. Consequently, addressing mental health within a wellness program should be a top priority for organizations. Employers can demonstrate their commitment to mental well-being by offering free or discounted therapy sessions and mindfulness or meditation programs. Hosting wellness sessions aimed at helping employees relax and build connections with colleagues can also be beneficial. Furthermore, organizations should actively promote awareness of mental illness prevention, suicide prevention, and strategies for coping with post-traumatic stress disorder.

4.2.3. Physical Fitness Initiatives

Incorporating exercise into the daily routine of employees is an effective means of stress relief and should be an integral component of any company's wellness program.

Activities such as organizing a 5-a-side football team or providing in-office yoga sessions can encourage employees to engage in physical activity while at work, thereby contributing to improved mental well-being. Promoting physical fitness can extend to organizing walking meetings and regular fitness competitions, all of which can be cost-effective. Additionally, employees themselves can take the initiative to arrange lunchtime wellness activities, fostering a sense of fun and engagement. Some examples of enjoyable fitness activities include a "Cycle to Work" challenge, a workplace walkathon, a 7-minute workout challenge, and a stair climbing competition.

4.2.4. Creating an Ergonomic Workspace

An ergonomic work environment can enhance employee comfort, reduce discomfort, and help prevent Repetitive Strain Injuries (RSIs). Organizations can achieve this by providing ergonomic chairs, workstations, and office equipment such as raised keyboards. Additionally, offering ergonomic training to employees is essential in creating a workplace conducive to good health. Natural light should also be taken into consideration, as it contributes to a healthier overall work environment.

4.2.5. Flexible Work Hours

Introducing flexible work hours can alleviate stress for your employees and promote a healthier work-life balance. It's important to consider whether your employees truly need to adhere to traditional 40-hour workweeks, as many jobs today no longer require such rigid schedules. Factors such as childcare responsibilities, shared transportation, and college courses can complicate matters.

Allowing employees to adjust their schedules by just one hour can have a significant impact on their well-being. You might even consider offering a four-day workweek as an option. Ask yourself, which employee is likely to be more productive: one who arrives at work stressed and rushed or one who arrives calm and ready to tackle their tasks?

Additionally, consider offering the option of remote work alongside flexible hours. While this may not be suitable for every role or employee, most organizations have tasks that can be performed remotely, making it an excellent addition to an employee wellness program. The COVID-19 pandemic demonstrated the effectiveness of remote work, with statistics indicating that employees who have the opportunity to work from home, even occasionally, report higher levels of happiness. This flexibility also reduces the risk of employees coming to work when ill due to bad weather or flu season.

Furthermore, the inflexibility in offering work-from-home arrangements is a significant factor in employees leaving their jobs, as evidenced by the Great Resignation.

5.2.6. Social Engagement

Social activities can foster strong relationships among employees and enhance workplace well-being. Regardless of company size, hosting social events like guest lectures, movie nights, and networking gatherings can be beneficial. These events need not be directly related to the industry. Emotional well-being in the workplace is often overlooked, and social events can significantly boost employee connections and engagement.

5.2.7. Community Service Initiatives

Many individuals find fulfillment in acts of kindness and helping others. Employers can organize volunteer days for their employees to give back to the community. Employees can also organize fundraisers and support groups for causes they are passionate about. These activities not only contribute to employee bonding but also promote a sense of shared purpose.

Seek input from employees who have prior volunteering experience to ensure the success of this employee wellness initiative. Explore partnerships with local organizations to arrange volunteer opportunities for your company within the community.

5.2.8. Incentives, Both Financial and Non-financial

Active employee participation in your wellness program is crucial for maximizing its benefits. One effective approach is to offer incentives that encourage employees to engage in various aspects of the program. Examples of incentives include bonuses, gift cards, and additional vacation days.

5.2.9. Celebrating Employee Achievements

Acknowledging employee accomplishments, regardless of their size, is essential. Humans naturally crave recognition when they achieve something significant. Failing to recognize their efforts can result in reduced motivation when they tackle future tasks or projects.

Celebrating employee success demonstrates your care for and appreciation of your staff. Recognize achievements with trips, local outings, in-office gatherings, or even a simple mention in the monthly newsletter.

5.2.10. Parenting Support and Coaching

Parenting can be challenging, particularly in today's digital age where work can encroach on personal time. Every organization should consider offering parenting

support as part of their employee wellness program.

Parent coaching can help employees strike a better work-life balance while strengthening their relationships with their families. Employees who experience positive home lives tend to be more engaged and motivated at work.

Consider establishing a working-parent employee resource group (ERG) to provide additional support. For instance, Culture Amp has an ERG called "Camp Carebears," which focuses on helping employees with caregiving responsibilities succeed in the long term.

5.2.11. Financial Education

Financial stress is a common experience that can affect various aspects of an individual's life, including their career. When employees are stressed about money, their engagement at work may suffer, leaving little time and energy for focusing on their overall health and wellness.

Providing financial education for your staff can help alleviate this stress while equipping them with valuable life skills. Topics such as budgeting, investing, and retirement planning can be covered. Keep in mind that your workforce likely includes individuals at various stages of life, from recent graduates to near-retirees, so tailor your financial education and wellness programs accordingly.

4.3. Launching an Employee Wellness Program

Launching an effective employee wellness program requires careful planning and execution. Here are some fundamental steps to ensure the success of your program, with additional insights:

4.3.1. Set Mutually Beneficial Goals

Objective Alignment: Ensure that your wellness program aligns with both the company's goals and the well-being of your staff. It should offer advantages to both parties involved.

Employee-Centric Approach: Tailor the program to the specific needs and preferences of your employees. Recognize that a one-size-fits-all approach may not be suitable for diverse workforces.

4.3.2. Establish a Dedicated Team

Multidisciplinary Team: Assemble a team with diverse skills and perspectives. While HR often leads wellness programs, include individuals who understand employee

dynamics and are passionate about promoting a healthy workplace.

Collaboration: Foster collaboration among team members, drawing from HR, health professionals, and employee representatives to ensure a holistic approach.

4.3.3. Collect Comprehensive Data

Employee Input: Engage in open dialogue with employees to identify their wellness needs and concerns. Conduct face-to-face meetings and internal surveys to gather valuable insights.

Health Assessments: Consider conducting health assessments to pinpoint specific health issues that need attention, such as stress levels, physical fitness, or dietary habits.

4.3.4. Develop a Well-Defined Plan

Define Clear Objectives: Based on the collected data, establish concrete wellness goals and objectives. Ensure these goals are SMART (Specific, Measurable, Achievable, Relevant, Time-bound).

Strategy Formulation: Create a comprehensive strategy that outlines the actions, resources, and timelines required to achieve the wellness program's objectives.

Evaluation Framework: Design a system for regularly evaluating the program's effectiveness and impact on employee well-being.

4.3.5. Effectively Communicate the Program

Clear Communication: Communicate the wellness program to employees transparently. Clearly articulate the program's components, emphasize the importance of wellness, and illustrate the positive outcomes it can bring to their lives.

Engagement and Participation: Encourage active participation by making employees aware of the program's benefits, incentives, and support mechanisms available to them.

4.3.6. Gather and Respond to Feedback

Continuous Improvement: Foster a culture of continuous improvement by actively seeking feedback from employees. Be receptive to new ideas and suggestions for enhancing the program.

Program Adaptation: Use feedback to adapt and refine the wellness program over time, addressing evolving employee needs and preferences.

5. Workplace Security

Workplace security encompasses the policies and procedures put in place to guarantee the well-being and safeguarding of personnel, assets, and sensitive data within a workplace setting. It entails the establishment of a safe and healthful workplace by recognizing and minimizing potential hazards, deterring unauthorized entry, and promptly addressing security breaches.

5.1. Key Aspects of Workplace Security

Workplace security encompasses a range of areas, including physical security, information security, and employee safety. Here are key aspects:

5.1.1. Physical Security

Physical security pertains to safeguarding the physical premises, assets, and resources of a workplace. It involves implementing measures like access control systems, video surveillance, locks, alarms, and other physical barriers to deter unauthorized access and protect property.

5.1.2. Information Security

Information security focuses on safeguarding sensitive data, confidential information, and digital resources from unauthorized access, theft, or misuse. This includes deploying firewalls, encryption, secure networks, strong password policies, and security protocols to defend against cyber threats, data breaches, and information leaks.

5.1.3. Employee Safety

Prioritizing the well-being and safety of employees is paramount. This involves establishing safety protocols, emergency procedures, and training initiatives to address potential workplace hazards, accidents, or emergencies. Compliance with occupational health and safety regulations, ergonomic considerations, and maintaining a clean and healthful work environment also fall under the umbrella of employee safety.

5.2. Importance of Workplace Security

Workplace security holds paramount importance in safeguarding employees, assets, and information, ensuring regulatory compliance, upholding trust among stakeholders, and guaranteeing business continuity. It fosters a secure working environment that enhances productivity, mitigates risks, and preserves an organization's reputation and long-term viability.

5.2.1. Employee Safety

The primary objective of workplace security is to ensure the safety and well-being of employees. Through the implementation of security measures, organizations can diminish the likelihood of accidents, injuries, and incidents that may jeopardize employee welfare. This cultivation of trust fosters a healthy workplace environment, bolstering employee satisfaction and productivity.

5.2.2. Asset Safeguarding

Businesses possess valuable physical and digital assets necessitating protection. Workplace security measures, including access control systems, surveillance systems, and alarm systems, act as deterrents against theft, vandalism, and unauthorized access to corporate assets, equipment, and sensitive data. Safeguarding these assets contributes to business continuity, prevents financial losses, and safeguards the organization's standing.

5.2.3. Data and Information Security

In today's digital era, organizations handle vast volumes of sensitive and confidential data. Workplace security measures like firewalls, encryption, and employee training enhance the protection of this data against unauthorized access, breaches, and cyber threats. Safeguarding data is vital for retaining client trust, adhering to legal and industry mandates, and averting financial and reputational harm.

5.2.4. Protection of Intellectual Property

Numerous businesses rely on intellectual property, such as patents, trade secrets, and proprietary information, as a competitive edge. Robust workplace security measures shield these invaluable assets from theft or unauthorized disclosure, ensuring the continued protection of the organization's innovation and market position.

5.2.5. Regulatory Adherence

Organizations frequently encounter legal and regulatory obligations related to workplace security. Conformity with these laws, regulations, and industry benchmarks is imperative to evade penalties, legal liabilities, and damage to reputation. Workplace security measures enable organizations to fulfill these commitments by implementing appropriate safeguards, conducting risk assessments, and establishing security policies and protocols.

5.2.6. Establishing Trust with Customers and Partners

Workplace security significantly contributes to building trust with customers, partners,

and stakeholders. Demonstrating a commitment to safeguarding employees, assets, and information instills confidence in an organization's ability to handle sensitive data and maintain a secure environment. Trust is a pivotal factor in fostering successful business relationships, positively influencing customer loyalty, partnerships, and overall business expansion.

5.2.7. Emergency Preparedness

Workplace security encompasses the preparedness for emergencies, including protocols for natural disasters, fires, medical crises, and other critical situations. By having comprehensive plans, conducting drills, and providing employee training, organizations can respond effectively to emergencies, mitigate harm, and potentially save lives.

5.3. Workplace Security Policies and Procedures

Organizations can establish various workplace security policies and procedures tailored to their specific needs and industry regulations. Here are some examples along with explanations of each:

5.3.1. Access Control Policy

Purpose: This policy governs access to the workplace and specific areas within it. It ensures that only authorized personnel can enter designated zones.

Procedures: It includes guidelines for issuing access cards or badges, managing visitors, and preventing unauthorized entry. For instance, employees may need to swipe access cards or provide biometric authentication to enter secure areas.

5.3.2. Information Security Policy

Purpose: This policy safeguards sensitive data and information assets from unauthorized access, breaches, or misuse.

Procedures: It defines acceptable technology resource usage, password requirements, data classification criteria, encryption protocols, and instructions for handling and sharing sensitive information. For example, employees may be required to use strong passwords and encrypt sensitive emails.

5.3.3. Acceptable Use Policy

Purpose: This policy sets guidelines for the appropriate utilization of technology resources within the organization.

Procedures: It covers prohibited activities, email and internet usage policies, and

expectations regarding privacy and confidentiality. For instance, it may specify that personal internet browsing during work hours is restricted.

5.3.4. Incident Reporting and Response Policy

Purpose: This policy establishes procedures for recognizing and addressing security incidents promptly.

Procedures: It outlines steps employees should follow when encountering or suspecting security incidents, and the internal escalation process. For instance, employees are encouraged to report any unusual activities or data breaches.

6.3.5. Bring Your Own Device (BYOD) Policy

Purpose: If employees use personal devices for work, this policy governs their usage and sets security requirements.

Procedures: It addresses device registration, data protection, authorized applications, and remote wiping capabilities. For example, employees may be required to install security software on their personal devices.

5.3.6. Physical Security Policy

Purpose: This policy focuses on safeguarding the physical premises.

Procedures: It outlines measures like access control systems, video surveillance, and alarm systems. It may also include protocols for reporting security breaches, handling access cards, and conducting security patrols. For instance, employees may need to badge in to access secure areas.

5.3.7. Data Backup and Recovery Policy

Purpose: This policy defines procedures for regular data backup, storage, and recovery to ensure data availability and integrity.

Procedures: It includes guidelines for backup frequency, storage locations, and testing data recovery processes. For example, critical data may be backed up daily and stored in an off-site location.

5.3.8. Employee Training and Awareness Policy

Purpose: This policy underscores the importance of security awareness training.

Procedures: It may require regular security training sessions, awareness campaigns, and education on topics like phishing and safe computing practices. For instance, employees might receive simulated phishing emails for training purposes.

5.3.9. Remote Work Policy

Purpose: If remote work is allowed, this policy addresses security requirements and guidelines.

Procedures: It covers topics such as secure network connections, VPN usage, data protection, and securing remote devices. For instance, employees may need to use VPNs for remote access to company resources.

5.3.10. Emergency Response Plan

Purpose: This plan outlines procedures for responding to various emergencies.

Procedures: It includes evacuation routes, assembly points, communication channels, and the roles of designated emergency response teams. For instance, employees are informed about evacuation routes and the location of emergency exits.

5.4. Improving Workplace Security

Health and safety hazards can impact employees in any role, regardless of the seemingly safe nature of their positions. Neglecting these aspects can lead to accidents, decreased productivity, legal issues, and more. Explore six ways to enhance safety and security within organization:

5.4.1. Comprehensive Security Training

Ensure employees receive thorough training upon joining the company, focusing on equipment usage and safety protocols. Incorporate detailed equipment operation guidance and emphasize the importance of safety gear during onboarding. Provide emergency response training, including evacuation procedures and sheltering protocols. Schedule regular safety training sessions throughout the year to refresh knowledge and update protocols. This benefits both new hires and long-term employees, keeping everyone informed and aligned with safety practices.

5.4.2. Reward Safe Behavior

Encourage safe behavior through positive reinforcement, motivating employees to prioritize safety. Acknowledge safe behavior with verbal praise or consider small rewards, such as recognition in company communications or extended breaks. If monitoring every employee personally is challenging due to the organization's size, involve managers and supervisors in recognizing and rewarding safe behaviors. They can identify and reward individuals accordingly.

5.4.3. Emphasize Workplace Cleanliness

A clean and organized workplace significantly reduces the risk of accidents, particularly slips, trips, and falls. During safety training, stress the importance of cleanliness and educate employees on proper storage and handling of items. Develop a cleaning checklist with tasks assigned to employees on a rotational basis.

5.4.4. Seek and Act on Feedback

Leverage the insights of employees who are most familiar with job-related hazards to enhance safety protocols. Engage employees in discussions about safety challenges they encounter and their suggestions for minimizing risks. Act upon their feedback to demonstrate that their opinions are valued and to improve safety guidelines.

5.4.5. Promote Security Awareness

Prevent accidents caused by distracted employees by promoting focus and awareness on the job. Emphasize the importance of attentiveness, especially when working alone or in potentially hazardous situations. Implement rules to minimize distractions, such as restrictions on headphones or cell phone usage during work hours.

5.4.6. Provide Safety Equipment and Technology

Enhance workplace safety through the use of advanced safety tools and systems. Consider providing safety technology like wireless panic buttons for employees working alone or during overnight shifts. Invest in emergency notification systems, wearable safety devices, and access control systems to detect and respond to risks effectively. Installing security cameras can also enhance surveillance and security.

5.5. Dealing with Workplace Violence

The rise in workplace violence has prompted many employers to establish policies and procedures aimed at preventing and addressing such incidents. These policies outline how workplace violence should be handled, including disciplinary measures and referrals to Employee Assistance Programs (EAPs). Adequate training for managers and other staff members is a crucial component of effective implementation.

One approach stemming from these policies is the formation of a violence response team. Comprising security personnel, key managers, HR staff, and selected employees, this team functions similarly to a safety committee but with a specific focus. Its responsibilities include analyzing, responding to, and investigating employee threats, and it may also assist in de-escalating situations involving angry or volatile employees. Employers must exercise caution in these situations, as taking disciplinary actions against employees for behaviors that precede violent acts can lead to potential legal issues, particularly if employees claim they have mental disabilities protected under

domestic laws.



Additionally, managing the aftermath of workplace violence is essential. Whether the violence results in physical injuries, fatalities, or severe interpersonal conflicts, employers must have post-violence response plans in place. These responses should aim to reassure employees who may fear returning to work or who experience emotional distress, such as anxiety and sleep disturbances, among other reactions. Measures can include providing EAP referrals, offering employees the opportunity to meet with HR staff, and arranging for on-site counselors trained to provide support during these challenging times.

In workplaces where identifiable risk factors exist, the risk of assault can often be prevented or minimized through appropriate precautions taken by employers.

5.5.1. Zero-Tolerance Policy

One of the best protections employers can offer their workers is to establish a zero-tolerance policy toward workplace violence. This policy should cover all workers, patients, clients, visitors, contractors, and anyone else who may come in contact with company personnel.

By assessing their worksites, employers can identify methods for reducing the likelihood of incidents occurring. A well-written and implemented workplace violence prevention program, combined with engineering controls, administrative controls and training can reduce the incidence of workplace violence in different workplaces.

5.5.2. Workplace Surveillance

Numerous employers have installed video surveillance systems in workplaces. Some employers use these systems to ensure employee security, such as in parking lots, garages, and dimly lit exterior areas. Other employers have installed them on retail sales floors and in production areas, parts and inventory rooms, and lobbies. When video surveillance is extended into employee restrooms, changing rooms, and other more private areas, employer rights and employee privacy collide. It is important that employers develop a video surveillance policy, inform employees about the policy, perform the surveillance only for legitimate business purposes, and strictly limit those who view the surveillance results. Because filming can implicate privacy rights, however, employers must be very careful not to cross the line.

5.5.3. Background check

Many professional institutes recommended that all organizations should implement to prevent workplace violence. If you fail to do an employment background check on applicants for certain positions, you could make your organization vulnerable to a negligent-hiring lawsuit by any worker or customer who's been hurt by a violent employee.

5.5.4. Violence Training

The purpose of the training course is to help employees and supervisors better understand the scope and nature of violence in the workplace. Participants will learn how to recognize the key elements of a comprehensive workplace violence prevention program, how organizational systems impact workplace violence, how to apply individual strategies, and develop skills for preventing and responding to workplace violence.

5.5.5. No-Weapons Policies

Many employers have "no weapons" policies which are often posted on doors and in entryways. Weapons are defined to include all devices that are intended to inflict harm, injury or death to an individual, such as, but are not necessarily limited to, firearms, knives, throwing devices, chemical and inert sprays or agents, stun guns, clubs, or types of devices that are designed to discharge some type of projectile, as well as any other type of device used to inflict injury to another individual, or to threaten to do so.

5.5.6. Employee Assistance Programs (EAPs)

An Employer Assistance Programs (EAP) is a valuable and viable resource for employers to utilize to address the issues of violence in the workplace. EAPs are

workplace-based programs that provide services to employers and employees on a wide range of issues that can impact an individual and a company's bottom line. Losses, both personal and professional, often require confidential and professional assistance. EAPs have the capacity and experience to intervene with individuals, as well as to develop preventative infrastructures organization-wide. Many EAPs already offer violence counseling and education as a part of comprehensive health and wellness centered portfolios of employer services.

5.5.7. Psychological Assessments

Many employers conducted psychological testing, such as personality assessment, for pre-screen job applicants who intent to be involved in workplace violence. However, psychological assessments cannot predict workplace violence precisely according to many researches.

5.5.8. A Post-incident Review

Post-incident response and evaluation are essential to an effective violence prevention program. All workplace violence programs should provide comprehensive treatment for employees who are victimized personally or may be traumatized by witnessing a workplace violence incident. Injured staff should receive prompt treatment and psychological evaluation whenever an assault takes place, regardless of its severity. Provide the injured transportation to medical care if it is not available onsite. Consequently, a strong follow-up program for these employees will not only help them to deal with these problems but also help prepare them to confront or prevent future incidents of violence.

5.6. Addressing Suspected Substance Abuse at Work

Employers should never discipline an employee solely based on suspicions of addiction or substance abuse, as it is unlawful. Instead, they should focus on analyzing and assessing employees' work-related performance, behavior, and adherence to work rules. The key question to consider is whether the same discipline would apply if there were no suspicions of addiction. If the answer is "yes," discipline may proceed.

During the disciplinary process, it is generally advisable for employers to avoid discussing the suspected addiction, even if it violates drug and alcohol policies or if the employee claims to be struggling with addiction. Supervisors, who are not substance abuse professionals, should refrain from making judgments or statements like labeling an employee as an "alcoholic" or suggesting they have a "problem."

Distinguishing between suspecting addiction and having a reasonable suspicion of

impairment at work is crucial. Discipline should only be considered in cases of observable signs of impairment, confirmed positive test results, or employee admissions of impairment. The following scenarios typically warrant disciplinary action in most cases.

5.6.1. Scenario 1: Reasonable Suspicion of Impairment at Work

- Discipline should not be based solely on suspicion. Observable evidence of impairment, such as slurred speech, staggered gait, a positive test result, or an admission of impairment, is necessary.
- If such evidence is present, disciplinary action can be taken in accordance with workplace policies and standards, without specifically addressing the suspected addiction or substance abuse.
- Should the employee claim an addiction or substance abuse issue, offering leave or referral to an Employee Assistance Program is an option, but it does not necessitate excusing the misconduct.

5.6.2. Scenario 2: No Evidence of Impairment, but Unsatisfactory Work Performance or Behavior

- Discipline should not be based on suspicion of addiction or substance abuse. It should be based on work-related performance or behavior issues, and only if similar actions would be taken with other employees in comparable situations.
- If the employee claims an addiction or substance abuse issue, offering leave or referral to an Employee Assistance Program is possible, but this does not require excusing poor performance or behavior.

5.6.3. Scenario 3: Voluntary Disclosure of Addiction or Substance Abuse Issue Without Misconduct or Poor Performance

- Disciplining an employee for disclosing an addiction or substance abuse issue is not advisable. Instead, support should be expressed, and the employee should be referred to an Employee Assistance Program or other resources.
- Leave or accommodation may be offered, if appropriate and in line with policies and practices.
- The employee may be required to sign a continuing work agreement or a return-to-work agreement, particularly if they work in a safety-sensitive position or if the disclosure relates to illegal drugs.

6. Employee Assistance Program (EAP)

In today's dynamic business environment, corporations are continuously exploring new strategies to increase profits and shareholder value. Key to these strategies is attracting skilled professionals through competitive compensation, pioneering in research and development, and enhancing employee productivity and efficiency. At the heart of these initiatives is the understanding that employees are a company's most crucial asset. Maximizing employee potential is essential for boosting productivity and operational efficiency. Yet, challenges such as physical and mental health issues, including depression, illness, stress, burnout, absenteeism, and presenteeism, can impede employee performance.

To tackle these issues, many organizations have adopted Employee Assistance Programs (EAPs). These employer-sponsored programs aim to assist employees in addressing both personal and professional challenges, with a particular focus on mental health and substance abuse issues. EAPs typically offer a range of services, including screenings, assessments, brief interventions, referrals, and ongoing case management.

The implementation of EAPs has been shown to yield considerable returns on investment for businesses, primarily through enhanced employee productivity. This improvement is seen as employees effectively manage and overcome issues such as stress, substance abuse, and personal conflicts. Since the 1990s, the integration of managed behavioral care with EAPs has further improved the continuity and scope of these services. Modern EAPs have expanded to cover a wider range of concerns, including work-life balance, elder care, addressing workplace violence, and assisting with organizational transitions like mergers and downsizing. This broadening of services mirrors the increased recognition and adoption of EAPs across various sectors, underscoring their importance in responding to the evolving needs of both employees and employers.

6.1. Benefits of EAPs

Investing in employee well-being through Employee Assistance Programs (EAPs) offers significant benefits for businesses, enhancing both the work environment and overall productivity. Here are five key ways EAPs add value:

6.1.1. Boosting Employee Productivity

EAPs provide crucial support for personal and work-related challenges, including mental health issues and stress. This support helps employees manage their concerns more effectively, leading to improved focus and efficiency at work.

6.1.2. Reducing Absenteeism

By addressing mental health issues and offering strategies for stress management, EAPs play a vital role in reducing absenteeism. They provide confidential support, helping employees resolve personal issues that might otherwise lead to frequent absences. EAPs also tackle presenteeism by enhancing employee engagement and productivity.

6.1.3. Enhancing Employee Retention

High employee turnover can be costly. EAPs help retain staff by offering valuable support resources, making employees feel valued and more likely to remain with the organization long-term.

6.1.4. Improving Workplace Morale and Culture

EAPs demonstrate a commitment to employee well-being, fostering a positive workplace culture. They help reduce mental health stigma and create an environment where seeking help is encouraged, leading to better morale, stronger team dynamics, and a healthier work atmosphere.

6.1.5. Cost Savings

EAPs provide early intervention for mental health concerns, potentially reducing healthcare costs associated with more severe conditions. They also contribute to financial savings by decreasing absenteeism, boosting productivity, and reducing the costs associated with high employee turnover, such as recruitment and training expenses.

6.2. Services of EAPs

Employee Assistance Programs (EAPs) offer a wide range of services to support employees in various aspects of their personal and professional lives. Here's a detailed explanation of the services provided by EAPs, along with examples:

6.2.1. Relationship and Marriage Issues

EAPs provide counseling and resources to help employees navigate challenges in their relationships or marriages. For example, an employee experiencing marital difficulties can access confidential counseling sessions to work through communication issues or conflicts with their partner.

6.2.2. Parenting and Family Issues

These services offer support for challenges related to parenting, such as managing child behavior, balancing work and family life, or dealing with family dynamics. An employee struggling with parenting a teenager, for instance, can receive guidance and strategies

to improve their parent-child relationship.

6.2.3. Grief Resulting from the Loss of a Loved One

EAPs provide counseling and support groups for employees dealing with grief and loss. An employee who has recently lost a family member can access grief counseling to help process their emotions and cope with the loss.

6.2.4. Stress Management

EAPs offer resources and techniques for managing stress, including workshops, relaxation techniques, and counseling. An employee facing high levels of work-related stress might participate in a stress management workshop to learn coping strategies.

6.2.5. Emotional Distress or Trauma

Counseling services are available for employees experiencing emotional distress or trauma, such as after a traumatic event. An employee who has witnessed a distressing incident can receive trauma counseling to help them recover emotionally.

6.2.6. Financial Issues

EAPs provide financial counseling and resources to assist employees with budgeting, debt management, and financial planning. For example, an employee struggling with debt can receive advice on budgeting and debt consolidation.

6.2.7. Legal Issues

Legal consultation and referral services are offered for various legal concerns, including family law, estate planning, or legal disputes. An employee facing a legal issue, like a custody battle, can access legal advice through the EAP.

6.2.8. Wellness and Nutrition

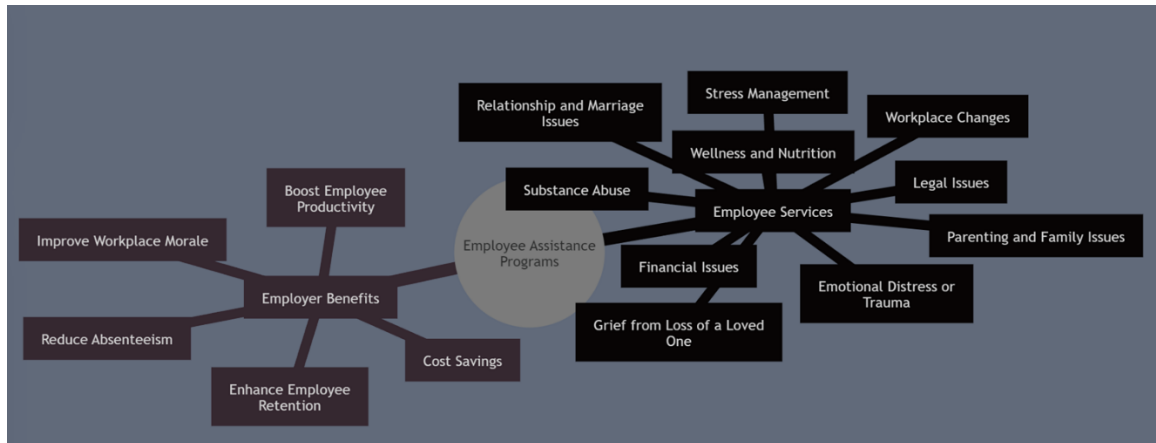
These programs offer resources and counseling on wellness, nutrition, and healthy living. An employee looking to improve their diet and overall health might participate in a nutrition counseling session.

6.2.9. Workplace Changes

EAPs provide support for employees navigating workplace changes such as reorganizations, mergers, or layoffs. An employee affected by a company restructuring can receive counseling and support to manage the change.

6.2.10. Substance Abuse: Counseling and referral services are available for employees dealing with substance abuse issues. An employee struggling with alcohol addiction, for

instance, can access specialized counseling and be referred to treatment programs.



6.3. EAP Delivery Models

Employees and managers often have the choice as to whether they access EA services in-person, via phone, or—less often but increasing—via web-based technologies. Usually this choice depends on the type of EAP offered or the EAP model.

6.3.1. Internal EAPs

Managed by the organization's HR department or a specific team, internal EAPs may collaborate with external experts like therapists or counselors. They offer support tailored to the organization's unique culture and employee challenges.

Example: These programs are customized to fit the specific needs and work environment of the organization, aiming to improve employee well-being and foster a positive workplace culture.

Recommended for: Large organizations with over 1000 employees, such as Fortune 500 companies, where internal resources can effectively manage the program.

6.3.2. External EAPs

Fully outsourced to third-party providers, these EAPs specialize in employee support services and are typically available 24/7.

Example: Optimal for companies lacking the resources to manage EAPs internally, such as small to medium-sized businesses.

Recommended for: Any organization size, but particularly beneficial for small to medium-sized businesses with fewer than 1000 employees.

6.3.3. Hybrid EAPs

A blend of internal and external EAP features, hybrid models often involve non-professional staff for initial support, supplemented by external expertise.

Example: Ideal for organizations that emphasize peer support as part of their culture, these EAPs offer a mix of in-house and external resources.

Recommended for: Versatile and adaptable, suitable for organizations of any size.

7. Return-to-work (RTW) Program

Although some absences are necessary and allow time for recuperation and rejuvenation, employers must work to manage absences whenever possible, given their impact on productivity, profit, and employee morale.

One way to manage time away from work is to promote Return to Work (RTW) initiatives through plans, processes, training, and communication. Establishing an RTW program, including Stay-At-Work (SAW) elements, demonstrates an organizational commitment to employees while also prioritizing corporate goals and objectives.

For most firms, the roots of RTW are linked to safety programs and accident prevention tied to workers' compensation. The goal has consistently been to develop programs that enable employees to return to a safer environment and limit accidents and recurring exposures, thereby fostering a SAW mentality. Over time, the core concepts of RTW have been and continue to be leveraged not only for workers' compensation but also for non-occupational disability. Although RTW is still primarily focused on accidents, illnesses, and injuries, employees out for any reason (e.g., family medical leave, personal leave) benefit from a smooth transition back to their role.

7.1. Definition of RTW

RTW is getting employees back to their jobs, taking into account individual circumstances, but establishing streamlined processes to treat employees in a similar manner. RTW is more about creating a sustainable culture that meets employees' needs, focusing on their capabilities and enhancing productivity in both the short and long term, rather than just the immediate return to a specific job. The approach to RTW varies based on the employer's culture.

RTW programs are typically categorized as either formal or informal. A formal RTW program is defined by specific, written organizational policies guiding supervisors and employees through the RTW process after an absence due to injury, illness, or chronic disease. Its goal is to speed up recovery and return to productivity through various means like referral, counseling, medical care coordination, workspace modification, or job duty adjustments. It may include vocational rehabilitation and transitional work for

full reintegration. Integration with other benefits or absence management services is recommended, with aims like reducing lost time, meeting statutory requirements, and protecting workforce investment.

In contrast, an informal RTW program lacks written policies, relying on case-by-case management based on personal relationships and local practices at the departmental level. Companies often start informally and shift to formal programs for better outcomes. Informal programs aim for simplicity and flexibility while also reducing lost time.

RTW serves as both a plan feature and a process. As a plan feature, it aligns with absence plan design, coordinating with occupational and nonoccupational disability programs. Participation in vocational rehabilitation promoting RTW might be required for validating absences or qualifying for compensability. Key considerations in plan design include program goals, roles, responsibilities, and intervention points.

7.2. Reasons for RTW

The reasons for implementing either a formal or an informal program can be as varied as the organization. As defined above, both formal and informal programs have advantages and disadvantages. However, research has shown that a number of compelling factors play into the decision.

7.2.1. Economic Factors

Medical costs, claim incidents, and duration are all corporate challenges. One study found that 66 percent of companies found these to be chronic, serious, or consistent problems.

7.2.2. Productivity

Saving lost workdays and protecting your human capital are two of the most influential factors driving the decision to implement a formal RTW program.

7.2.3. Governmental Regulations

Federal, state, and local regulations and subsequent compliance are a source of possible influence, especially if employers are required to have a program in place.

7.2.4. Inclusiveness

An aging workforce leads to more attention to strategies to keep workers at work and making sure that all lost time is connected.

7.2.5. Proactive Stance

Managing lost time benefits society through longer-term positive effects on labor force participation.

There is a substantial body of knowledge that illustrates the effectiveness of RTW "best practices" if applied in a timely and appropriate manner.

7.3. Develop for RTW

It makes good business sense to support an injured worker to return safely to work as quickly as possible. As an employer, you also have certain legal responsibilities if an employee is injured at work.

Any concerned supervisor and motivated employee can engage in RTW; no formal process is required. These ad hoc initiatives are beneficial for all parties involved, but they can create some inconsistencies in processes, which may be frustrating to employees and perhaps result in noncompliant interactions with employees or even legal implications. Without support, managers and supervisors cannot be expected to be aware of all federal and state requirements, and, therefore, they may innocently ask questions that may be inappropriate or forget to track cases in line with regulatory standards (e.g., state disability, family medical leave, etc.).

By developing a more structured program with an RTW focus, an organization can better manage its features. Expectations will be communicated, and all core parties (employees, supervisors, physicians, etc.) will know what is expected of them. Also, a formal process usually includes a provision for supplying physicians with details surrounding job requirements. This may translate into a greater comfort level for returning an employee to work with modifications or in a limited capacity.

The longer injured employees are away, the less likely they are to return to the workplace. Ideally, return-to-work (RTW) programs enable employees who have suffered illness or injury to resume work sooner, even while still recovering. Typically, back-to-work programs begin with HR personnel setting a formal policy in writing. Components of a typical back-to-work program might include:

- A return-to-work coordinator to facilitate communication between stakeholders, such as the employer, the employee, medical providers, workers' compensation and disability insurers, and others.
- Letters and forms to document actions taken to facilitate a return to work.
- Tools to track absences.
- A liaison authorized to communicate between company managers and medical

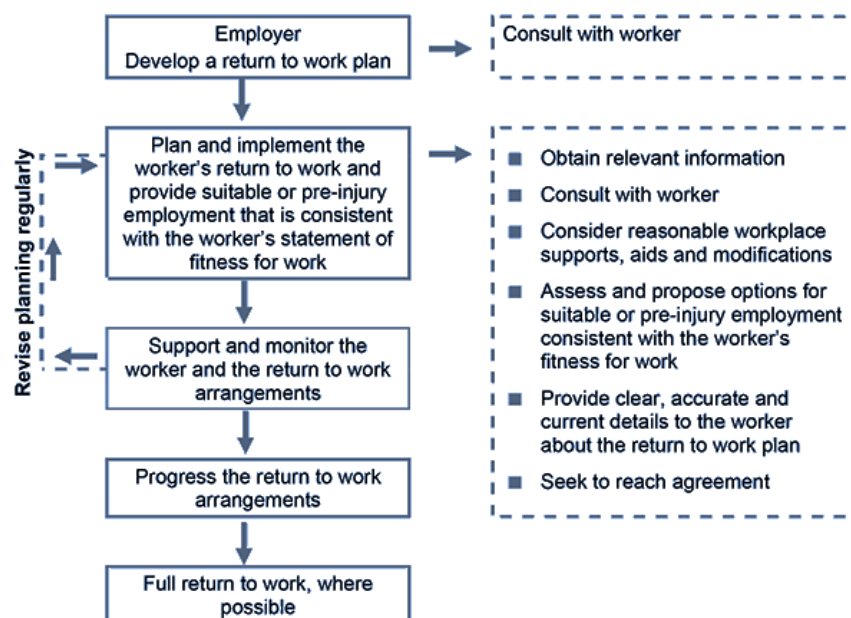
providers.

- A system for identifying alternative jobs and modified duties.
- Education for supervisors and co-workers.

Implementing an RTW program from scratch may be challenging because many organizations have not rigorously analyzed their causes and costs related to absence. Absent an established baseline, predicting or demonstrating savings can be difficult. Employers should study the experiences of industry peers or competitors to appreciate that their companies can replicate successes by other organizations if they install appropriate plans and processes. It is imperative that when considering implementing an RTW program, tracking is part of the overall solution. It is only through tracking the plans, processes, and outcomes (qualitative and quantitative) that results can be monitored and changes can be made to improve on the program over time.

7.4. RTW Arrangement

Getting back to work can reduce the financial and emotional impact on a worker and their family. It can also be an important factor in helping them recover and return to normal life. However, a worker should not feel pressured into returning to work. Make sure they are given enough time to recover from the injury or illness, have a reasonable return-to-work plan and appropriate duties when they return.



When a worker does return, make sure that they are given appropriate duties and assistance while they recover from the injury or illness. This might include making **reasonable adjustments to the workplace**.

Following a period of absence from the workplace due to a non-work related injury or illness, an employer has a duty to assist the injured worker with returning to work through a RTW arrangement. Some planning is essential to ensure a smooth return, and communication amongst all persons involved.

With any approved RTW arrangement, co-operation and consultation between management and the ill/injured employee is essential to ensure the health and safety of both the ill/injured employee and other employees at the workplace, and to ensure there is no risk of further injury or aggravation. A RTW arrangement may not be granted where the medical condition is not temporary and the associated (medical) restrictions and provision of suitable duties are onerous or impractical. An employer should:

- Ensure that the worker is given appropriate and meaningful duties and assistance
- Grant the worker enough time to recover from the injury or illness and apply a reasonable return-to-work plan with appropriate timeframes
- Make reasonable changes to the workplace or hours to help them return safely. Consider workplace support aids or modifications to assist their return to work
- Ensure they are not treated unfairly, bullied or harassed because of their injury/illness
- Consider any restrictions or limitations to the role – this will help clarify any modifications or adjustments required

Before returning an injured worker to work, an employer must consider their obligations to ensure the health and safety of every employee and how they may be affected by the duties of an injured worker. They also need to ensure they can provide a safe working environment for everyone that may be impacted by the duties of an injured worker, including other workers, contract staff, clients and customers. The employer must assess the impact of the injury on the work tasks and any use of plant and equipment, what they can do safely and have a right to check with a doctor whether a worker can do their job safely.

7.5. Best Practices of RTW

A culture of RTW begins though an internal champion (or group of supporters) who values the employees and truly wants them to regain useful employment. The champion's intentions are not based solely on costs or productivity, although he or she knows both are affected by positive RTW. Instead, the champion's personal commitment to employees is demonstrated in his or her ability to work with them in a

proactive manner to achieve positive outcomes for all parties.

RTW programs (and "best practices" of effective programs) need to match the goals of the employer. This is done through the following.

- Attention to the implementation process, which emphasizes:
 - ✓ Consistency with organizational values
 - ✓ Adequate human and financial resources
 - ✓ Development/motivation/empowerment of an internal program champion
- Education and communication with all stakeholder groups (specifically supervisors and physicians)
- Simplicity, accessibility, and flexibility in program design
- Professionalism and accountability on the part of those assigned to manage the program
- Accessibility to all individuals with all types of impairments
- Monitoring by an evaluation system that uses multiple outcome measures, occurs periodically (quarterly), and demonstrates value to the employer; in addition, employers need information on how to design and implement concrete steps to gather and interpret appropriate RTW data.
- Support by incentives from the disability insurer or third-party administrator to support implementation and maintenance of an RTW program
- Ensure integration and collaboration among all stakeholders to prevent isolated thinking while maintaining a strong employee-centric focus. Many organizations tend to compartmentalize their diverse benefits programs, including areas like environmental health and safety, health promotion, employee assistance programs, disability, return-to-work (RTW), group health, and workers' compensation. The recommended approach promotes the alignment of RTW with worker health, safety, and productivity as part of an overarching business strategy. Operating benefit programs in isolated and fragmented ways leads to dysfunction and inefficiency over time. Embracing an integrated RTW approach is considered a best practice, and this coordination will nurture a culture of effective RTW in the long run.
- Endorsement by upper management is essential, as it is certain that RTW must command senior management support.

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