



Addressing Employment Concerns: Where to Start

Addressing concerns related to employees is a crucial yet delicate task. As People-Managers, our approach not only impacts the individual or group involved but also shapes the workplace environment, influencing overall organisational health. This blog post outlines the essential steps to effectively manage employee concerns, highlights common types of issues, discusses health and safety considerations, and underscores the importance of adhering to legislative requirements and HR principles.

Common Types of Employee Concerns

Employee concerns typically fall into several categories:

Performance Issues: Inadequate work performance or failure to meet job standards.

Conduct Concerns: Behavioural problems that contravene workplace policies, such as bullying, harassment or discrimination.

Workplace Conflicts: Disputes between employees or groups, which may affect team dynamics and productivity.

Health and Safety Issues: Concerns regarding physical or psychological safety in the workplace.

Legal/Ethical Violations: Issues involving non-compliance with laws, regulations, or company ethics.

Step-by-Step Process to Address Employee Concerns

1. Initial Identification and Documentation: Recognise and document the concern promptly. This involves gathering initial facts and understanding the context without making preliminary judgments. If the matter could ultimately be a disciplinary one, always ensure the employee/s have the opportunity to have a support person or representative with them in discussions/meetings and are aware of the potential for a disciplinary outcome, following due process.
2. Preliminary Assessment: Determine the severity and impact of the concern. Decide if immediate action is needed, particularly where health and/or safety might be at risk. Determine if the matter could be resolved informally, or warrants formal investigation, for example. Consider what type of investigation would be most appropriate.
3. Implement Interim Measures: If the concern poses ongoing risks, implement temporary controls. For instance, adjust work arrangements to ensure safety and mitigate risks while maintaining operational continuity.
4. Investigation: Initiate a preliminary or thorough investigation if required. For formal investigations ensure the investigator is independent, develop a terms of reference, use a systematic approach to collect information, interview involved parties, and document findings. Ensure confidentiality and impartiality throughout the process.
5. Action and Resolution: Based on the investigation, the employer can decide on appropriate next steps. These could range from training and mediation to disciplinary measures, for example, depending on the findings.

6. Follow-up and Review: Monitor the situation post-resolution to prevent recurrence. Adjust policies and procedures if necessary to strengthen workplace safeguards and culture.

Health and Safety Considerations

While investigating and addressing concerns, particularly those that may be related to health and safety (such as a bullying complaint), it's crucial to first consider if any additional controls need to be put in place to address potential risks, thereby preventing harm, or further harm, to employees and/or others involved in the matter. This could include reassigning roles, modifying work environments, temporarily changing reporting lines, working from home, or other measures that protect well-being without pre-judging the issue.

Sometimes during an investigation, a medical condition or illness may be raised as a potentially relevant factor. The employer may then need to seek medical information, with the consent of the employee. If a medical condition or illness is found to be a relevant factor, the matter may not then be one of a disciplinary nature, but instead a health matter. Procedurally, this would then necessitate a different process.

Legal and Ethical Considerations

Understanding and adhering to relevant legislation is critical. Some key principles to uphold include:

Natural Justice: Ensuring transparency, giving all parties a chance to respond, and having an unbiased decision-maker.

Good Faith: Both employers and employees engaging honestly and constructively in all interactions and processes.

Trust and Confidence: Maintaining a workplace atmosphere that fosters mutual respect and trust among all employees.

Privacy & Confidentiality: Privacy Act Principles and maintaining the necessary level of confidentiality is essential when handling employment matters.

The Importance of Expert Advice

Employment matters often involve complexities that require specialised knowledge. Missteps can lead to legal repercussions, damaged reputation, turnover or reduced employee morale. Engaging with employment relations experts ensures that the approach is legally compliant, ethically sound, and organisationally appropriate.

How to Minimise the Risk of Issues


Recruit team members that bring a natural working style suited to the role and the workplace. Ensure your team members are clear about the organisation's strategy, vision, mission, and values. Up-to-date employment agreements, role descriptions, performance plans, regular communication, policies, and procedures all assist with achieving clarity. Provide support and training so that team members can communicate appropriately for the workplace. Also encourage effective teamwork; both within each team and across the business/organisation.

Conclusion

Addressing employee concerns effectively requires a structured approach that balances prompt action with careful investigation, respects legislative requirements, and maintains workplace harmony. By adhering to some key principles People-Managers can navigate

these challenging waters. As always, when complexities arise, seeking expert advice is not just beneficial; it's imperative for safeguarding the interests of the parties involved and ensuring the long-term health of the organisation.

Don't hesitate to reach out to discuss this topic further and how I might assist you with either avoiding potential issues or resolving an issue.

 021 932 332

 marie@toviiconsulting.co.nz

 www.toviiconsulting.co.nz