▶ Human resource management: A manual for employer and business membership organizations

Tool 6: Employee relations

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Contents

Acknowledgements

Foreword

This manual – consisting of seven stand-alone tools – aims to assist employer and business membership organizations (EBMOs) to transition towards more structured, formal and strategic governance measures. The manual contains useful information on the business of human resource management and related best practices for EBMOs, based on real-world examples. Although this publication is not intended as a resource for EBMOs to use in providing guidance to member companies, some of its content can be used for this purpose.

Human resource management bridges the gap between an organization's staff and its executive administration. It enables organizations to tackle human resource issues strategically, supporting them to attract and retain talent and assisting their leaders and employees to adapt to organizational change. Human resource management has a critical role in managing staff and helping EBMOs work effectively and creatively, thereby allowing the organization to better support its members and achieve its mission.

A successful EBMO requires human resource management that is committed to the progress and growth of the organization and the services it provides to its members. Best practices in managing human resource, including practices that adopt a culture of diversity and inclusion, are fundamental for EBMOs, particularly because they should set an example to those they serve and represent. Additionally, an EBMO's board of directors (or executive committee) and secretariat should help identify structural barriers or exclusionary criteria and then help find solutions for eliminating them.

Having a manual of human resource management is also considered a best practice. Thus, this manual encourages human resource teams to pull from it applicable and contextualized portions to create or refine their own manual for better managing the staff within their EBMO.

This tool 5 was produced to assist EBMOs towards improving their productivity and impact by optimizing the effectiveness of their staff development and training practices. The tool discusses the requirements for a policy on training and development, the methods for determining training needs, implementing training for staff and leaders in the organization and how an engaged workforce enhances motivation and organizational performance.

The tool also offers guidance for informing the development and enhancement of human resource policies in an EBMO and for providing technical support to member companies where an EBMO provides this type of service.

The primary audience for this tool is the EBMO's chief executive officer, senior management and human resource officers. But the language used and guidance offered are also designed to make the information relevant to all EBMO staff members.

Each tool includes additional resources (checklists, templates, examples and/or guidance) that can be adapted by an EBMO when customizing it to their individual needs or for inclusion in their own human resource management manual.

Introduction to the manual

The theory behind human resource management is that staff who are provided with effective administration can more efficiently and productively contribute to an organization's direction, thereby ensuring that it achieves its goals and objectives. Human resource management covers a spectrum of components for creating, managing and cultivating the employer–employee relationship and includes both strategic and comprehensive approaches to managing people, the organizational culture and the workplace environment.

In practice, the role of human resource managers (or the executive with that function) in an employer and business membership organization (EBMO) is to ensure that its most important asset – its human capital – is nurtured and supported through the creation and management of programmes, policies and procedures and by fostering a positive work environment through effective employee–employer relations.

The International Labour Organization's (ILO) Bureau for Employers' Activities recommends that this human resource management manual be adapted and maintained by an EBMO's executives and human resource managers. This manual's intent is to educate and guide the chief executive officer, human resource officers and senior management to a high level of strategic success and achievement in accordance with best practices. The manual an EBMO produces (or updates) should contain relevant information, policies and procedures as a tool to facilitate the improved understanding of good governance, legal obligations and better practices as they relate to managing the organization's human resource.

Each of the seven tools that constitute this manual provides definitions, explanations and resources to improve the management of the human capital within an EBMO. The content also may be of value to EBMOs looking to assist member companies towards improving their human resource management. For an overview of EBMO services in the field of industrial relations and human resource management, please refer to *The Effective Employers' Organization,* a publication from the ILO and its International Training Centre.

The content of this tool is based on relevant best practice at the time of its preparation and was developed with input from the ILO's Employers Specialists working in all regions and from EBMOs of all sizes. The manual takes into account best practices and guidance from human resource industry bodies as well as the practical guides on building and managing an EBMO more strategically and effectively that the ILO's International Training Centre has created.

This publication is not exhaustive. Thus, readers are encouraged to consult the cited resources to improve their knowledge in areas of particular importance or relevance and to adapt the information provided according to the needs and requirements of their particular EBMO and to the legal framework of the country in which the organization operates.

> *WARNING:* When creating strategies, policies and procedures, specific terms and conditions need to be reviewed and updated by an EBMO to reflect actual obligations under national legislation and regulations, contracts of employment or other industrial instruments relevant to each jurisdiction.

How to use the manual

This human resource management manual consists of seven tools, each with its own checklists, examples, templates and other resources. Each tool breaks down a human resource management function, as the table highlights. Collectively, the tools have two purposes: (a) to remind (or inform) human resource officers and upper management of an EBMO of the best practices in managing all staff members of the organization and (b) to offer guidance to EBMOs for developing their own internal guidance in these different areas.

Tool 1. HRM in the organization – Fundamentals

Tool 2. Staffing and recruitment

Tool 3. Benefits and compensation

Tool 4. Performance management

Tool 5. Development and training

▶ **Tool 6. Employee relations**

Tool 7. Separation practices

First, refer to the definitions and abbreviations section in each tool (located at the back, before the additional resources) to become familiar with the terms commonly used in human resource management, governance and organizational management processes.

Second, review the main portion of each tool, which will take you through the basic elements of a specific function of human resource management. Where possible, examples are included to bring clarity on how to approach drafting and implementing a process, strategy or policy. Take what you need from this section for your own internal guidance for managing human resource (or even the employee handbook) and adapt it to your EBMO and jurisdiction.

Following the various prompts

	This mechanical signal highlights advice, guidance or direction to a relevant link.
	This magnifier leads to further guidance in the additional resources section.
	This pointer suggests possible content for your own human resource management manual.
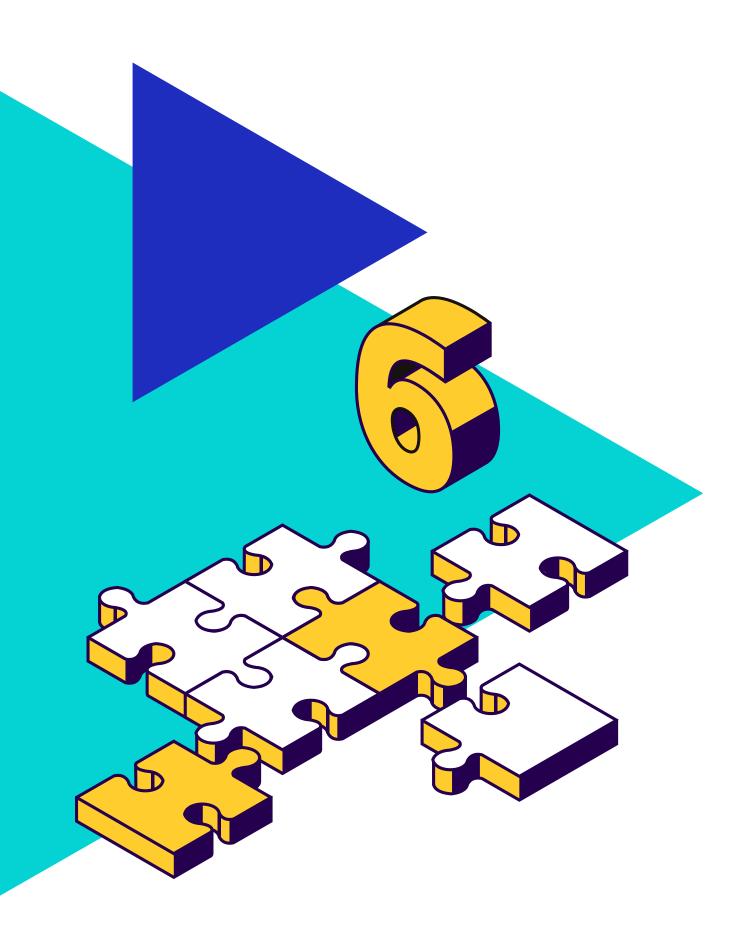
Third, review each tool's additional resources section. The first checklist is a prompt for producing organization-specific documentation, policies and other information for your own human resource management manual. Where applicable, the additional resources include templates and guides for EBMOs to use. Make sure your documents are relevant, up to date and complete – this is important for the validity and accuracy of implementing human resource management functions and ensuring legal compliance.

Fourth, consult the ILO for additional online resources relevant to the tool or subsections for further advice and guidance.

Fifth, as with this manual, the human resource management manual that an EBMO produces ultimately should be a living document, updated as policies and procedures change. Thus, it is best to present your EBMO manual in a loose-leaf format, which will allow pages to be separated or added as required. Ideally, if technology and competency permit, the organization should consider producing an electronic version and printing only when necessary.

▶ Tool 6

Employee relations

This sixth tool aims to assist EBMOs towards improving their productivity and impact by optimizing the effectiveness of their employee relations processes and practices. It discusses the role of the board of directors (or executive committee) and the secretariat in creating a diverse and inclusive culture for all staff and the obligations of the EBMO regarding staff safety, health and well-being as well as equal employment opportunities.

Tool 6 also offers guidance for informing the development and enhancement of human resource policies in an EBMO and for providing technical support to member companies where an EBMO provides this type of service.

Key points

▶ An EBMO's positive culture will be reflected in the way it treats staff, stakeholders and EBMO members.

▶ Occupational safety and health audits protect employees and the organization and ensure compliance with legal obligations.

▶ Employees have a critical role as the "OSH eyes and ears" of the EBMO.

▶ Inclusion, diversity and equal opportunity should be reflected in the organization's goals and workplace culture.

▶ Ensure that diversity and inclusion statements are incorporated into the code of conduct and employee contracts.

Employee relations

The term "employee relations" describes the connection between an employer and the staff of that business or organization. It is interpreted to refer to individual as well as collective workplace relationships.

A healthy employee relations environment with a high level of employee engagement has the potential to drive better organizational outcomes and the improved health and well-being of staff.

Employee relations covers the contractual, practical, physical and emotional aspects of the employee–employer relationship. It reflects the increasing individualization of the employment relationship due to the development of individual workplace rights and a decline in trade union influence.

Organizational culture

Organizational culture can be described as the underlying workplace values, behaviours, traditions, perspectives and beliefs shared by individuals, combined with the management practices in the organization.

The organizational culture matters because it offers a way for staff to understand their workplace, communicate their views and develop common purpose. Where a positive organizational culture exists – one that has the elements of diversity and inclusion embedded within it, the associated benefits are evident. An EBMO that values diversity and inclusion and exhibits that commitment can attract and retain staff and provide valuable incentives for its membership.

Supporting and developing a diverse and inclusive workplace also aids the rapidly evolving business environment that EBMOs operate in by supporting the growing number of businesses from marginalized or minority segments that are important to expanding membership.

A diverse and inclusive workforce also provides critical differences in perspective and lived experience, which can be critical to an EBMO seeking to grow its membership in areas where this viewpoint may be missing (for example, businesses owned by women, youth or people with disabilities).

It is important to continually assess the organizational culture because the EBMO's goals and values will affect the standard of its relationships with members and stakeholders and influence the engagement and retention of its staff. A cultural assessment or culture audit is a detailed investigation of the organizational culture and can highlight whether the culture supports and enables an EBMO's vision, mission, values and goals or impedes it.

See the additional resources section for a guide on assessing the organizational culture.

Role of the board of directors and the secretariat

The strong links between the human resource function and the organizational culture mean that there are opportunities for an EBMO to influence (or be influenced by) the culture within the workplace through its human resource management processes. The EBMO's board of directors (or executive committee) and senior management have pivotal roles in building a positive, diverse and inclusive culture within the organization by:

▶ setting forth the vision and mission of the EBMO, which are foundations for the desired culture – recruiting people who are aligned with the culture that an organization is trying to foster is equally, if not more, important than onboarding;

▶ defining how diversity and inclusion will be included in all aspects of the EBMO, starting from the business strategy;

▶ considering how individual and societal biases may impact the achievement of a positive, diverse and inclusive culture;

▶ ensuring that the onboarding process – at the board of directors and the employee levels – supports the inclusive culture that is being created;

▶ setting an example – promoting teamwork, trust and transparency by acting accordingly;

▶ building the values of the EBMO into daily activities;

- ▶ recognizing and rewarding staff – being inclusive, specific and visible in these programmes;
- ▶ ensuring that accountability for a positive, inclusive culture for the board, managers and the general secretariat staff is covered in their key performance indicators;
- ▶ responding to changes – having a flexible approach to the evolving nature of business and adapting the culture accordingly;
- ▶ creating an environment that encourages feedback and values diversity and inclusion in views and approach;
- ▶ committing to continual improvement and making changes through their roles on the board and in the secretariat; and
- ▶ recruiting employees who share the vision and goals of the organization.

Moving from a culture of default to one by design

A case study from the Asia–Pacific region

An EBMO in the Asia–Pacific region was in a situation of "organizational culture by default" (one formed without intention) rather than "organizational culture by design" (one intentionally aligned to the execution of the strategic goals): "More than anything else, we wanted to focus on making sure the organizational culture developed with the way we grow." To accomplish this, management had to devote the same attention and engagement to this goal as they did to managing the EBMO's campaigns, activities and finances.

With the board of directors and management working towards continual alignment, the EBMO conducted a series of interviews and focus groups with staff members from all departments. They wanted to gauge what employees perceive as an ideal organizational culture and what they thought might be missing. They found that as the EBMO grew in size and influence, staff felt the organization was lagging in adapting to its members' needs and that much of the recent staff turnover was related to the organizational culture that had evolved.

A committee consisting of staff, management and board representatives was created that met regularly to help define opportunities for improvement to the organizational cultural and to propose ways to pursue these opportunities.

Ultimately, the experience taught the EBMO that its organizational culture is continually evolving and defining itself, especially in organizations that are experiencing rapid growth or change. If leadership is not taking an active and conscious role in shaping how the culture emerges and is defined, it is certain that the culture will not be aligned with the organization's objectives.

Occupational safety and health

This is a critical employee relations area and covers obligations relating to all employees' safety in the workplace. The purpose and objective of occupational safety and health (OSH) laws in the country where an EBMO operates is to provide a legislative framework for employers and business operators to take steps to ensure the safety of everyone they employ and of others affected by their business.

While the OSH legislation sets out the overriding duties and obligations, the OSH regulations provide the substantive elements that must be adhered to as compliance with those legislated OSH duties and obligations. (It will also cover specific types of work, such as hazardous work, construction work and chemical use.)

Apart from injury, penalties and compensation associated with workplace incidents, there are significant indirect costs when an organization's OSH system fails. Poor safety performance can impact an organization's operations and performance, particularly as a result of reduced productivity and low morale.

But as this section emphasizes, while employers have technical and formal responsibilities to protect their employees, those employees have a critical role with ensuring that their employer can discharge their duties.

👉 Policy and audit

OSH legislation in the country of operation may require that an EBMO must – so far as is reasonably practical – consult with all workers who carry out work for the organization who may be affected by work safety and related health issues. This must include any volunteers who undertake work for the organization, whose policies or procedures may affect their safety and health.

EBMOs are encouraged to develop an OSH policy and create procedures for communicating and implementing the policy across the workplace. Best practice suggests that an OSH audit is required on a regular basis to ensure that the organization is meeting its duty of care to all staff, members and stakeholders.

It is important to apply a systematic approach to managing the organization's OSH obligations for all staff. The following audit questions should promote proactive responses:

▶ Is the EBMO management sure that all staff are aware of the standard safety protocols in the workplace?
▶ Do all staff know who to consult about work safety and health issues relating to their work activities?
▶ Does the EBMO regularly conduct OSH training with staff? How often?
▶ Does the EBMO regularly have staff attend OSH consultations with other staff?

If the EBMO management is unsure how the OSH policy extends or is communicated to staff, it may be in breach of legal OSH obligations, for which financial and reputational damage may result.

> 🔍   See the additional resources section for an OSH policy template.

Risk assessment

Although EBMOs likely represent little safety risk to their staff, there is a need to conduct regular risk assessments to ensure that appropriate measures are implemented to mitigate or minimize the risk of safety incidents.

It is critical for the organization and its executives maintain up-to-date knowledge of OSH legislation and that they review the organizational OSH procedures regularly.

The aim is to ensure that the organization's staff are adequately trained and supervised, provided with appropriate personal protective equipment where necessary and are aware of decisions that affect safety in the workplace.

Culture of vigilance

Employees have a critical role as the "OSH eyes and ears" of the EBMO. It is important for the human resource team to foster a culture of vigilance and reporting within the organization in relation to OSH issues. For example, it is common practice to provide formal training to a cohort of employees to act as OSH representatives of the employee group and/or create an OSH committee that acts as a conduit between employees and the business (often facilitated by the human resource team).

Employees as OSH eyes and ears!

A hypothetical illustration

As a human resource team member, Ratana is tasked with conducting an in-person survey among member companies. The work entails travel, sometimes to remote areas and/or at night over poor infrastructure. Ratana has been trained to understand what risks are involved in such activities and has planned the work and taken precautions, as she is expected to do. But during an outreach trip to a member company, she discovers a main artery road is closed for upgrading and the alternative route is isolated and in poor condition. Ratana arrives safely but slightly rattled due to the isolated environment along the alternate route. She reports the new risk to the OSH representative who then develops new guidance – no travelling alone – and ensures that all staff members are updated. Management then makes a decision to delay or revise some of the planned activities for that area until the infrastructure is upgraded and the safety of staff members is not compromised.

Employee well-being

An effective workplace well-being programme can deliver mutual benefits to the organization, its staff and the communities they work in. Promoting and supporting employee well-being can lead to increased resilience, reduced absenteeism due to sickness and higher performance and productivity. Conversely, stress or mental health issues can have a direct impact on individuals, teams and overall organizational effectiveness and therefore must be taken seriously – and not ignored.

To create real benefit, employee well-being priorities must be integrated throughout the organization and be embedded in its culture, leadership and people management.

Managers and the chief executive officer need to adopt a proactive approach to stress to ensure that it does not escalate to a level that creates employee discomfort or illness.

Effective employee well-being strategies need to extend beyond a series of stand-alone initiatives and combine actions and activities that are interrelated. The approach to designing a health and well-being strategy should be based on the unique characteristics of the organization and the requirements of its workforce.

As outlined in the previous tools of this manual, the well-being elements listed below feature in many aspects of effective human resource management and relate to the organization's broader holistic management of its staff.

Interrelated elements to well-being initiatives include:

▶ health – physical and mental health;

▶ safety – physical safety (practices, training);

▶ work practice – cultural and physical environment, work demands, management structure, salary and benefits and change management;

▶ values – ethics, diversity, moral leadership and governance;

▶ social – positive relationships and genuine employee voice;

▶ personal growth – career development, emotional development and creative culture;

▶ lifestyle choices – physical activity and healthy diet; and

▶ financial well-being – pay and benefits schemes, retirement planning and organization-provided financial advice.

What does it mean to be inclusive?

Inclusive organizations and leaders act in ways that demonstrate their values and communicate openly and honestly. They treat each employee as a unique individual, recognize each person's strengths and value diverse perspectives.

Workplace conflict

Despite a general decline in strikes and other forms of industrial action, workplace conflict remains a fact of organizational life and should be managed positively and proactively. Individual and unorganized conflict in the form of absenteeism, violence or harassment and employee turnover are common and can be harmful and costly to an EBMO.

While certain types of constructive conflict can be beneficial, there are behaviours that should not be tolerated under any circumstances. It is the senior EBMO management's responsibility to ensure that these situations are promptly dealt with to maintain a safe working environment and to avoid legal consequences for managers and the organization.

Zero-tolerance policies can be designed to prevent and address serious misconduct and deter employee behaviour that can be damaging to the EBMO and its reputation. These policies include addressing:

▶ violence and harassment;
▶ discrimination, including racial discrimination;
▶ theft, bribery and corruption; and
▶ threats.

☞ When handled promptly and correctly, workplace conflicts can be resolved in a positive way that reduces the chances of further tensions arising. This begins with an EBMO having a clear and well understood grievance and complaints policy and procedure that articulates the steps to follow to resolve workplace conflict.

See the additional resources section for a sample grievance and complaints policy.

The modern workforce and workplace culture are imbued with many different perspectives. Employers who actively listen to staff and establish clear guidelines and communication protocols can create a safe workplace that should facilitate collaboration and increase employee satisfaction.

Common causes of workplace conflict include:

▶ poor leadership and communication;
▶ warring egos and personality clashes;
▶ an overly competitive environment;
▶ unclear roles and responsibilities and unrealistic expectations;
▶ lack of equal opportunities and unfair treatment;
▶ significant changes in organizational structures;
▶ lack of honesty;
▶ stress; and
▶ clashing values.

It is possible that when conflict is handled effectively, it can become a facilitator for positive change. The following outlines practical steps that can be taken to manage workplace conflict.

1. **Set a deadline to resolve the conflict.** Too much time spent arguing means that all parties lose.
2. **Find common ground that everyone can agree on.** When a conflict arises, most people are too busy looking at their differences to see commonalities. If these can be established, parties are more likely to start working towards a solution.
3. **Encourage people to focus on what they are prepared to accept** by taking the focus away from what the other party did and have them state their needs.
4. **Ask people to prioritize preferences** if there is more than one outcome they want from the situation.
5. **Ask individuals to consider the other person's point of view** so that if each party understands the other's perspective, they may be more willing to agree to a compromise.
6. **Ensure that parties remain objective and professional in workplace disputes.**
7. **Strive to avoid a situation** whereby those who did not obtain what they wanted feel like they were wronged or lost.
8. **Use a third party to settle disputes** as an objective mediator.

Can role priorities lead to staff conflict?

The membership officer in an EBMO strives to increase and attract a diverse membership, serving organizations of different sizes, industries and financial status. The finance manager is looking for ways to maximize the membership (and other) income, which does not necessarily align with the goals of the membership team.

Whose priority is more important? Are personal key performance indicators affected by the priorities of the other party?

Addressing the potential for conflict or disharmony relies on each party engaging with the other, addressing the overall EBMO's mission and goals and having each party accept the other's perspective.

Senior management must be prepared to address the conflict jointly, ensuring that professionalism and pragmatism are maintained and a mutually beneficial resolution is achieved.

👉 Contact person

An EBMO may want to construct a network of contact officers who receive special and detailed training on the EBMO's policies and act as a point of contact for staff who have issues (such as workplace conflict) that they do not know how to resolve. The role of a contact officer is to make employees aware of what policy options exist and help them develop options they can select from to resolve their issue. This information certainly belongs in the employee handbook.

In small EBMOs, it may be difficult to assign a contact person, but it is a useful role if it can be arranged. Options include assigning the responsibility to a board member.

Equal employment opportunity, diversity and inclusion

EBMOs should establish clear and comprehensive written policies that address equal employment opportunity, diversity and inclusion.

As discussed, in creating a diverse and inclusive organizational culture, all staff engagement policies within the EBMO should be reviewed to ensure that there are formalized diversity and inclusion measures

embedded in its operations. As discussed in tools 1 and 2 of this human resource management manual, these policies and working practices should address gender balance and equality of opportunity and aim to remove elements of discrimination and bias. Assigning accountability and responsibility to management for implementation of diversity and inclusion measures is a fundamental requirement.

One example of addressing unequal opportunities within an EBMO is to ensure greater gender balance on the EBMO board of directors (or executive committee). In the ILO study, *A Global Snapshot: Women Leaders and Managers in Employers' Organizations*, the EBMOs surveyed reflected women's representation at 10 per cent or less on their boards or at the chairperson level. EBMOs might also consider the creation of a standing committee that focuses on addressing gender, equality and inclusion. This would send a clear message to staff, EBMO member companies and future members that these issues are important internally and in the leadership role the EBMO takes on for members and other stakeholders.

But simply enhancing the representation of staff from diverse backgrounds is not enough. EBMOs also need to focus on inclusion to gain the positive outcomes of diversity. This means ensuring that all staff, regardless of background, feel that they are important and valued members of the organization. Inclusion enhances employee well-being and leads workers to perceive fairness in decision-making, such as promotions among their peers.

An inclusive organization provides everyone with access to critical information and encourages everyone to work together as a team. Inclusivity in the organization makes sure that staff in all job positions are valued and are encouraged to be involved.

As organizations strive to improve workplace inclusion and decide whom to promote to leadership positions, they should also bear in mind what staff actually say about what makes someone an inclusive leader: An example is women performing leadership and management roles in an EBMO.

What other business-led initiatives can be constructive towards diversity and inclusion?

A radical review of current recruitment strategies. Revamping the criteria and procedures that employers use to hire staff is an essential first step in boosting workplace diversity and inclusion. As well as increasing equality, good recruitment is a key element in driving productivity, creativity, diversity of thought and a positive workplace culture. Existing initiatives, such as the Good Recruitment Collective in the United Kingdom, which is a peer-to-peer network sharing best practices on innovative and inclusive recruitment strategies, are providing regular updates and insight that can be applicable on the global level.

Dismantling barriers to progression. Making change happen on equality is not just about helping underrepresented groups get into work. It is also about helping people to progress in work. The necessary step-change on equality will be measured on diversity and representation at all levels, including in senior leadership positions. How can businesses identify and address latent barriers? What leadership programmes have resulted in tangible changes? EBMOs are already driving this agenda, showcasing progress and practising what they preach by ensuring that their own leadership structure is diverse and inclusive.

Promoting inclusive business culture and leadership. Making change happen on inclusion and equality starts at the top. EBMOs are already taking a role here by engaging business leaders within their membership around this agenda. An inclusive culture allows for diversity of thought and is ultimately better for the bottom line. The business case for change is the core theme of the ILO's *Women in Business and Management* report. These are messages that EBMOs can cascade down to the business community on a national level.

Source: ILO, *Leading Business in Times of COVID Crisis*, p. 46.

Policy development

Comprehensive equal employment opportunity policy documents combined with relevant, up-to-date training for management and staff demonstrate to both staff and member companies that the EBMO takes its legal and moral obligations towards being a diverse and inclusive employer seriously.

It also encourages staff to treat others equally and may help an employer distance themselves from liability, for example, for harassment by an individual perpetrator employed by the organization.

Diversity and inclusion must be instilled at all levels!

As an EBMO develops its policies on diversity, inclusion and equal opportunity, it should consider how these elements are dealt with at all levels of human resource management. Diversity and inclusion should be represented in job design, recruitment, compensation, performance management, training and development and facilitating staff retention.

☞ EBMO policy development could consider the following questions:

▶ Who does the policy apply to?
▶ Is the wording of policies and procedures gender-neutral, age-neutral and religion-neutral? Does the physical workplace mirror the policies, ensuring that inclusion and diversity are achieved (for example, are there acceptable facilities for people with disabilities)?
▶ Do policies communicate a firm commitment to inclusion and include equality and diversity policies, and are statements easily accessible to all?
▶ Do all staff understand their personal responsibility to treat colleagues with respect?
▶ Does the EBMO make clear that it has a zero-tolerance approach to violence and harassment, including discrimination?
▶ Have senior-level responsibilities been assigned for driving diversity and inclusion issues?
▶ Are the EBMO's managers clear about their role in promoting inclusion and diversity? And do they understand how to support all staff? Are they trained and confident to challenge any form of inappropriate behaviour?
▶ Is there definition of what the EBMO considers as either diversity and inclusion or equal opportunity?
▶ Are all staff aware of how to report instances of violence and harassment, including discrimination (regarding such factors as disability, race, religion, sexual orientation or gender identity)? And do they feel able to do so?
  NOTE: Discrimination is defined in ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
▶ Does the policy need to cite the specifically prohibited conduct or behaviours and the relevant sanction or disciplinary measures?
▶ How will the EBMO deal proactively with complaints of inappropriate behaviour in a swift, serious, compassionate and confidential manner?
▶ Are recruitment and selection processes fair and non-discriminatory on the basis of race, religion, sexual orientation or gender identity?
▶ Does every job advertisement incorporate a diversity and inclusion statement?
▶ Are there transparent and consistent performance management processes, career paths and training and development opportunities?

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Article 1

1. **For the purpose of this Convention, the term discrimination includes –**

   (a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;

   (b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organisations, where such exist, and with other appropriate bodies.

2. **Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.**

Some EBMOs may want to use readily available tools to measure their progress towards best practice in organizational culture, diversity and inclusion. These tools can provide practical steps to effectively manage a culturally diverse workforce and allow assessment against measures of competence and progress towards best practice in achieving a diverse and inclusive organization.

Reasonable adjustments to be expected

An important aspect of equal opportunity in the workplace is the ability – and possibly the obligation – of employers to make reasonable adjustments to the working environment and conditions for people with applicable attributes. For example, an employee living with a disability can ask for physical changes to their workspace. Or, an employee with parental responsibilities for a child of school age or younger may ask for flexible working hours.

Consider creating a flexible working policy

The purpose of a flexible work policy is to set in place the principles, guidelines and procedures that relate to flexible working arrangements. The policy should emphasize and clarify the following for employees:

▶ Who has the statutory right to submit a request for flexible work?

▶ What type of changes can employees request – flexible working hours, work patterns and location?

▶ Which procedures are to be followed for submitting a flexible work request?

▶ What is the distinction between a formal and informal request for flexible work?

Source: See https://employsure.com.au/guides/employment-contracts-and-legislation/flexible-working-arrangements/.

Fair work expectations in Australia

The National Employment Standards are minimum employment standards contained in Australia's Fair Work Act 2009 that must be provided to employees covered by the national workplace relations system. Requests for flexible working arrangements are part of the minimum entitlements that employers need to provide, for certain eligible employees, which can only be refused on reasonable business grounds.

The eligibility criteria were amended in 2009 to include a broader range of employees, provided they have been employed within the business continuously for at least 12 months immediately prior to making the request. This includes casual employees if they are reasonably expected to continue working regularly in the business. To apply for flexible working arrangements employees must also be:

▶ parents or caring for a child who is school aged or younger;
▶ a carer as defined in the Carer Recognition Act 2010;
▶ aged 55 years or more;
▶ have a disability;
▶ be experiencing family or domestic violence; or
▶ provides care or support to an immediate family member who is experiencing All employers who receive a request from one of these eligible employees must provide a written response within 21 days which outlines whether the request is approved or refused.

Employers can only refuse a request on reasonable business grounds. If a request is refused the written response must include the reasons for the refusal. Provided employees receive their minimum entitlements, employers and employees can negotiate ways to make their workplace more flexible and help employees achieve work-life balance.

Changes to work arrangements

The types of changes an eligible employee may request include changes in hours of work, changes in patterns of work and changes in locations of work, for example:

▶ changes to days or hours of work;
▶ changes to start and finish times;
▶ flexible rostering such as broken or split shifts;
▶ job sharing; or
▶ working from home or from another location and remote work.

It can also mean:

▶ compressed hours (working more hours over fewer days);
▶ changing from full-time to part-time or even casual work;
▶ "purchasing" extra paid leave;
▶ taking unpaid leave;
▶ taking rostered days off as two half days instead of one full day;
▶ time off in lieu;
▶ flexitime (allowing employees to "bank" extra hours which are then exchanged for time off); or
▶ gradual increase or decrease in work hours – before or after parental leave, or leading up to retirement, for example.

Source: See https://employsure.com.au/guides/employment-contracts-and-legislation/flexible-working-arrangements/.

👉 Workers' compensation

When an employee suffers an injury or illness from a work-related cause, workers' compensation insurance can help to provide them with some wage compensation and medical benefits. Workers' compensation insurance may also help to cover the legal fees if a worker's family decides to sue the organization.

Workers' compensation claims can be costly to the organization if the wrong strategies are used to manage these claims. The human resource function should have a significant role in managing this process within the organization. Familiarization with the relevant processes and regulations is crucial.

The following suggestions can assist an EBMO to support injured workers and help them to promptly access the services of their insurers.

▶ Report all claims to the insurer. If the injured employee fails to submit an injury report to their insurer, it diminishes their prospects of being compensated.

▶ Train and equip all EBMO supervisors with the requisite skills for managing the compensation process. This can help to prevent workers' compensation abuse.

▶ Investigate injuries as soon as possible and keep records. All injuries should be investigated as soon as they occur and complete documentation kept. Investigations should focus on obtaining the facts about accidents and communicating with credible witnesses.

▶ Ensure that all parties involved in an injury case are fully informed about the workers' compensation process. This includes when the employee should expect benefits, significant issues relating to returning to work and assigning a contact person for the case. When the EBMO communicates with the employee while they are on workers' compensation, it creates a positive culture and makes the injured party feel valued.

▶ Formulate a return-to-work plan. The EBMO may be able to bring the injured employee back to work much sooner than expected, which also sends a message that the employee is valued by their employer.

▶ Promote an environment of accident prevention in the workplace by implementing safety polices and regularly train staff and managers on their use. This reinforces a safety-oriented culture within the organization.

> *NOTE: The important process of documentation and evaluation is fundamental to help eliminate future incidents and improve workplace conditions.*

Definitions and abbreviations

ACTEMP   Bureau for Employers' Activities, which is a specialized unit within the ILO.

Advocacy   Any action that speaks in favour of, recommends or argues for a cause, supports or defends a cause or pleads on behalf of others.

Code of conduct   A document produced by an employer that establishes the broad expectations of employee behaviour, usually reflecting the values and goals of the business. It can broadly cover the whole workforce of a business or be specific to certain roles or positions.

NOTE: The code can form part of the employment contract and be legally enforceable by the employer. But this must be a decision that an EBMO makes due to their specific situation. Thus, policies, such as a code of conduct, are more in the character of "lawful and reasonable direction", which can be amended from time to time. Otherwise, not using this structure creates the risk that policy matters must be dealt with as a breach of contract rather than a disciplinary issue. And any amendment to a policy is also an amendment to the contract of employment, which may require the expressed agreement of all parties to the contract.

Discrimination   A bias and/or unfair treatment that occurs when a person or a group of people is regarded less favourable than another person or group because of their background or certain personal characteristics. In some jurisdictions, discrimination will have a technical legal definition.

Diversity   Characteristics that make us humans unique, such as our cognitive skills, personality traits, values and workstyles along with the factors that shape our identity (such as race, colour, age, gender, religion, political opinion, disability, sexual orientation, cultural background, national extraction or social origin).

EBMO   Employer and business membership organization, which is the target audience of this manual.

Employment relations   The facilitation, management and analysis of the relationship between employers, employees and representative groups, such as trade unions.

HRM   Human resource management, which is the practice of administering policies and programmes that optimizes employee performance and advance an organization's business goals. The programmes include employee recruitment, training, compensation, benefits and professional development.

HR manager   Human resource manager, which is the person who leads and directs the routine functions of recruiting and interviewing staff, administering pay, benefits and leave and enforcing company policies and practices.

Inclusion	The process of valuing people's differences to enable everyone to thrive at work.
Inclusive leadership	An authentic leadership style that treats everyone equitably, creates a strong sense of belonging for all staff and supports staff to reach their full potential. It also rules out discrimination, bias and favour based on colour, race and other protected characteristics and allows employees to feel valued for their inputs.
ILO	International Labour Organization, which is part of the United Nations system.
KPIs	Key performance indicators, which are measurable values that demonstrate how effectively an organization is achieving organizational objectives and upon which the performance of employees is evaluated (for example, sales per month, customers served and units manufactured).
Mentoring	A process used to link junior employees with a mentor in a more senior position to provide coaching, training and development. It can be informal or formalized through meetings and measured outcomes.
Mission statement	A statement that expresses what an organization does to achieve its purpose.
Organizational culture	The beliefs, morals, mission and attitudes shared by the organization and its staff.
OSH	Occupational safety and health, which is the protection of workers' lives and physical well-being through the elimination or control of risks in the working environment or the system of work within which workers operate.
Staff	Persons contracted to work for an organization (or business) in return for compensation. Staff are differentiated from other workers, such as contractors, in that they are an integral part of the organization, which has the legal right to dictate the conditions, hours and manner of work performed.
Strategic plan	How an organization defines its purpose and goals beyond the immediate future and the actions set forth to achieve those goals.
Transparency	The process that enables others to see and understand that an organization or business is operating in an honest way. To achieve transparency, an organization (or business) must provide accurate and complete information about its activities and governance to stakeholders in a timely manner.
Unfair dismissal	Termination by the employer of an employee on grounds that are unfair or without legitimate reason.

Violence and harassment	In the context of work, both terms refer to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in or are likely to result in physical, psychological, sexual or economic harm. It includes gender-based violence and harassment.
Workers' compensation	A type of insurance that provides benefits to employees who have been injured on the job.
Workplace environment	Encompasses the physical conditions as well as the mental demands, social aspects and support levels between colleagues and management in the workplace

Additional resources for tool 6

This section offers checklists, guidelines and examples for organizational culture or risk assessments and for staff regulations to help EBMOs improve their employ relations. This section also can help in either compiling or updating a human resource management manual and the employee handbook.

Where you see "[EBMO]", "[purpose]" or "[xxx]", the idea is for you to insert the name of your EBMO or the appropriate phrasing if you decide to adapt this resource to your own human resource management manual.

Human resource management manual checklist

As the next step to producing a human resource management manual for your EBMO, this checklist can be used to compile the basic documents that should be included.

☐ Prepare the EBMO's OSH policy

☐ Prepare the EBMO's risk assessment checklist

☐ Prepare the EBMO's diversity and inclusion policy

Guidelines for a cultural assessment

In theory, the values, goals and mission of an organization should shape its culture. In reality, there is often a disconnect between an organization's desired culture and the actual culture. In making an assessment of organizational culture, use an analytical process that is driven by the three levels of the organization:

A combination of methods can be implemented to analyse the various elements above. These include:

▶ culture surveys – either a pulse survey (a short, quick, regular survey on a specific topic) or a more comprehensive diagnostic survey;
▶ group and individual interviews; and
▶ workplace and work team observations.

Ideally, it is best to use multiple methods to collect and analyse data to ensure a broad and universal assessment is achieved.

What are you looking for?

a. While data can point to significant issues and provide trend data over time, it will not reveal the nuances of organizational culture and cannot uncover the subtleties and dynamics of the values exhibited by individuals.

b. Observe employees' habits and patterns of behaviour across all levels of the organization.

c. Observe interactions between your staff in their "natural state" – sometimes the presence of a manager or leader can influence behaviour, from what is normal and authentic to what is expected.

d. Identify cultural silos, subcultures and countercultures. Being able to describe culture is a useful first step in being able to identify what needs to change or what should be maintained.

e. Look for disparity between "stated" individual and organizational values versus "revealed" values – do the stated values correspond to what you actually see?

f. High profile, vocal and visible staff may provide useful insights into the prevailing organizational culture but will not necessarily tell you about subcultures or countercultures – ensure a balanced approach across the organization.

g. Are there groups (formal divisions, particular disciplines or a social grouping) whose contributions are perceived as less valuable than those of others?

Whether an organization uses surveys, reviews, employee turnover data, exit interview results or other methods, the following questions will help management to develop a picture of the exhibited cultural values within the organization.

Question	Sub-questions
What do you hear staff say when they discuss work, clients or other divisions or their managers?	
What do leaders say when they discuss work, clients or other divisions in the organization or their staff?	▶ What do staff and leaders talk freely and enthusiastically about? ▶ What do people avoid discussing? ▶ What principles, processes or people do staff take steps to defend?
What makes staff and leaders upset or angry?	

Question	Sub-questions
What sayings, slogans or mottos (positive or negative) are repeated throughout the organization?	
How do staff celebrate individual and organizational milestones?	▶ Who attends social events? ▶ Who interacts with whom at social events?
What stories do you hear?	▶ Who tells the stories? ▶ What is the message or moral of the stories?
How are those with different views treated?	▶ Is debate welcomed? ▶ Are divergent views ignored or shut out?
How do staff and leaders behave in response to ad hoc requests, especially those that are unusual or require extra effort?	
What makes staff (including leaders and managers) stressed or anxious?	▶ Demanding deadlines? ▶ Unfavourable media attention? ▶ External scrutiny?
What appears to matter more?	▶ Rules or relationships? ▶ An individual or a group? ▶ Self-control or self-expression? ▶ Achievement or approval? ▶ Creativity or compliance? ▶ Convention or inventiveness? ▶ Avoidance of conflict, resolution of conflict or triumph over others?
What do managers pay the most attention to?	▶ Do they focus on problems and crises? ▶ Do they also acknowledge successes?
How are decisions made?	▶ By one person? ▶ By consensus? ▶ Not at all?
What kinds of behaviours get rewarded?	▶ Getting along with colleagues? ▶ Getting things done? ▶ Something else?
What kinds of behaviours are frowned upon or condemned?	
How is poor behaviour dealt with? Is it ignored or tolerated or is it reprimanded?	

Guidelines for conducting a risk assessment

This guideline can be used to determine what information you need to seek, how to go about gathering it and how to prepare for conducting an assessment.

NOTE: OSH obligations vary widely from jurisdiction to jurisdiction. Thus, it is very locally specific. It is important for EBMOs to ensure that the process they ultimately implement is compliant with all relevant local laws and regulations.

Risk-assessment process

A risk assessment is the second step in the OSH policy implementation, following on from hazard identification. It should be carried out by appropriate individuals in the workplace.

Risk assessments are most accurate and most useful when a person or team assessing the hazards are well informed. This includes having:

▶ good knowledge of the workplace practice, process or situation;
▶ a good understanding of the potential injuries or illnesses that could be associated with the work; and
▶ a good understanding of the risk-assessment process.

Every EBMO should ensure that the risk assessor is provided with the following information to increase the accuracy of the risk assessment process:

▶ detailed information on the task, situation or process that is the subject of the risk assessment, including from the operators' perspective;
▶ information about the likely effects of exposure to hazards associated with the tasks, situation, process or material; and
▶ insight from those who are skilled in using the risk-assessment process.

Factors in the risk-assessment process

When conducting a risk assessment, the following factors must be taken into account:

i. Likelihood of the risk occurring, which requires consideration of:
  ▶ frequency of injury;
  ▶ duration of exposure to the hazard; and
  ▶ people factors, such as how many people will be exposed to the hazard.
ii. Consequences of the risk – namely, what are the consequences or potential severity of any injury illness or damage.
iii. Adequacy of existing controls – namely, what control measures are already in place and are they sufficient to eliminate or otherwise adequately control the risk.

Conduct a risk assessment using the following matrix

First, determine what the most likely potential serious injury, illness or damage might be as a result of exposure to the hazards. These consequences could range from first aid injury to medical treatment injury to lost time injury to permanent disability to fatality.

Second, determine how likely it is that this consequence will result. This likelihood could range from almost zero to not likely to occur to known to have occurred to common.

It is important to remember that the organization is not expected to eliminate every risk from its workplace but only to remove or minimize risks if it is reasonably practicable to do so.

The key rule is that an organization should take immediate steps to control any risk that is likely to result in a serious incident. If the organization is unable to address all of their risks immediately, it should prioritize the risks that are likely to result in serious harm and use interim or short-term control measures on those other risks.

		Likelihood				
		1. Rare May occur in exceptional circumstances	**2. Unlikely** Could occur in some circumstances	**3. Possible** Might occur in some circumstances	**4. Likely** Will occur in some circumstances	**5. Almost** Certain in expected to occur
Consequence	**E. Catastrophic** Loss of life or total disability	**High** 10	**High** 15	**Extreme** 20	**Extreme** 25	**Extreme** 30
	D. Major Immediate admission to hospital or long term disability	**Medium** 4	**Medium** 5	**High** 10	**High** 15	**Extreme** 20
	C. Moderate LTI. Ongoing medical treatment	**Low** 3	**Medium** 4	**Medium** 5	**High** 10	**High** 15
	B. Minor First aid or medical treatment with no follow-up required	**Low** 2	**Low** 3	**Medium** 4	**Medium** 5	**High** 10
	A. Insignificant Near miss, injury with no treatment	**Low** 1	**Low** 2	**Low** 3	**Medium** 4	**Medium** 5

Risk ranking – Residual risk must be low or medium before any work continues/commences			
Low	**Medium**	**High**	**Extreme**
▶ Risk at acceptable levels ▶ Controls must be maintained	▶ Caution ▶ Control must be assessed, communicated and maintained	▶ **Stop the job!**** ▶ Supervisor OR manager must approve and implement appropriate controls before work can proceed	▶ **Stop the job!**** ▶ Supervisor AND manager must approve and implement appropriate controls before work can proceed

Examples of best practice staff regulations

The following are examples of the type of regulations found within many EBMOs.

WARNING: These examples are for illustrative purposes only. Specific terms and conditions need to be reviewed and updated by the EBMO to reflect actual obligations under national legislation and regulations, contracts of employment or other industrial instruments.

[EBMO's] internal policy concerning working hours, leave benefits and other allowances

i. Office or working hours

1. Normal working hours are eight hours per day with not more than 60 minutes time-off for lunch break.

2. Regular working times are as follows:
   a. 7:00 a.m. to 4:00 p.m.
   b. 8:00 a.m. to 5:00 p.m.
   c. 8:30 a.m. to 5:30 p.m.
   d. 9:00 a.m. to 6:00 p.m.

   Employees are given the option to choose their own regular working time, which should be in writing and submitted to their department managers for approval and forwarded to the CEO for confirmation. The accounting department and/or designated timekeeper must be provided with a copy of the approved working time.

   The choice of working time may no longer be changed unless a written request is made and duly approved by an employee's department manager. Changes in the working time must be communicated to the CEO and the accounting department and/or the designated timekeeper.

3. Department managers reserve the right to change the regular working time of an employee for a set period to meet operational requirements and other critical work. Advance notice will be given.

4. A 30-minute grace period at a maximum of two occasions per week is given to an employee before the appropriate salary deduction for tardiness is made. There will be no offsetting for tardiness. Tardiness cannot be charged against the available leave credits.

5. Tardiness for five times or more in one pay period will be considered habitual.

6. Department managers are not time-bound. However, they are required to be at the office by 10:00 a.m. If they report after 11:00 a.m., they will be considered on a half-day's work. Salary deductions will apply.

7. Overtime work starts at the [eighth] hour of an employee's regular working hours.

8. All overtime work must be approved by the department manager before the actual overtime work is rendered. Upon completion of the overtime work, the department manager must sign the request made by the employee after validation. In effect, the request form must be signed by the department manager twice. The form must be submitted by the department managers to the accounting department the following work day.

9. All staff must record their working hours using the time clock. A locator form, signed by the CEO, must be filed if an employee is on official business. A employee who fails to record their time-in and/or time-out due to official business, power failure, time clock malfunction or for such other analogous reasons must have their time card signed by their department manager on the next day that they report for work.

   Should an employee return to the office from an official business, they are still required to record their time-out, even with the presence of a locator form.

10. If an employee stays in the office to work on extended hours but not on official overtime, they must still record their time-out using the time clock. If an employee decides to stay in the office beyond their regular working time, they are still required to record the time of their departure from the office. Staying overnight in the office, except when there is critical work, is strongly discouraged. In case of critical work, the department manager should inform the CEO.

ii. Leave

1. An employee is entitled to 15 days of sick leave credits and 15 days of vacation leave credits for the whole year. Such leave credits are earned cumulatively on a month-to-month basis. Unused sick leave at the end of the year will be forfeited.

2. Absences not covered by the employee's accumulated leave credits shall be subject to salary deduction. Salary deduction for these absences will be applied in full in the succeeding pay period.

3. Leave credits start to accumulate from the date of employment. However, their availability takes effect on the date of the employee's regular employment.

4. A maximum of five days of unused vacation leave will be monetized every anniversary (hiring anniversary).

5. A maximum of ten days of unused vacation leave will be accumulated.

6. Accumulated vacation leave credits will be monetized upon separation from service (such as upon resignation, retirement).

7. Sick leave days charged against the employee's available leave credits will be allowed, subject to the submission of a written request approved by the concerned manager or CEO and provided that a certification from a licensed physician is required if the duration of the sick leave is at least three days or more.

8. Work performed on rest days, weekends or holidays or in cases in which activities or official travel fall on any such days, cannot be offset with a subsequent day off. All days off, unless otherwise authorized, are construed as leave and are deducted in the leave credits.

9. Staff must file a leave of absence for the application of leave credits except during emergency cases, such as sudden sickness or analogous circumstances. However, such leave of absence must be formalized within the first day upon the employee's return to work.

10. Absences incurred before and after a public holiday not covered by an approved leave are subject to salary deduction.

11. All leave forms of rank and file staff must be authorized and signed by the manager who exercises control over such employees.

12. Managers' and executives' leave forms are to be signed by the CEO.

iii. Pandemic and communicable disease emergency policy

1. **Attendance:** During a pandemic and under a work-from-home arrangement, staff under the work-from-home arrangement are required to log in for attendance purposes, from Mondays to Fridays, at 9:00 a.m. in the EBMO group chat. Staff are likewise expected to respond to messages made by their immediate supervisor, group chat attendance monitor or CEO during office hours within a reasonable period of time.

2. **Working hours:** A staff person may be required to report to the office based on an approved rotation scheme. The working hours shall be from 9:00 a.m. to 12:00 (noon) and 1:00 p.m. to 4:00 p.m.

3. **Tardiness:** An employee who logs into the group chat beyond 10:00 a.m. will be considered tardy or late. Other existing provisions on tardiness still apply.

4. **Absences:** An employee shall be deemed absent in the following cases:
   a. failure to check into the EBMO group chat;
   b. failure to submit deliverables within the specified deadlines;
   c. failure to respond to follow-ups made by their immediate supervisor, group chat attendance monitor or CEO, despite repeated reminders; and
   d. failure to report to the office when so required based on the approved schedule.

An employee who is deemed absent based on the foregoing may be excused provided that the plausible reasons for their failure to do the same is based on sickness, emergency and/or other unavoidable circumstances as to effectively prevent the said employee from fulfilling their task.

In the case of (d), the staff person who is unable to report for work subject to the condition specified in the preceding paragraph may request for a change in schedule to offset such failure to report to the office.

A staff person who may be absent may inform their immediate supervisor and/or the director-general through a private message in the messenger or in the group chat, preferably one day before such an absence.

Other existing provisions on absences shall apply.

5. **Transportation allowance:** A staff person who is required to report as part of the skeleton force on rotation or who may have to go to the office for a specific reason approved by their immediate supervisor and/or the director-general will be reimbursed for their transportation expense based on the applicable rate of Grab, a screenshot of which must be forwarded to the Accounting Department.

6. **Special allowance:** A special allowance may be paid to a staff member who is required to report to the office outside of the schedule assigned to them.

7. **Leaves and absences incurred prior to effectivity of the revised policies:** Leaves and absences incurred prior to the effectivity of the revised policies shall be discussed with the concerned staff with the CEO in the presence of the managers of the Legal Services and Accounting Departments.

iv. Transportation allowance

1. **For official business within office hours:** Taxi reimbursement will be based on the following geographical table of taxi fare:

Place of origin	Destination	Amount (currency)
EBMO office	Zone #1	100
EBMO office	Zone #2	150
EBMO office	Zone #3	200
EBMO office	Zone #4	250
EBMO office	Zone #5	300
EBMO office	Zone #6	350

Toll fees will be subject to reimbursement.

Should the transportation cost exceed the allowance, employees are required to submit a receipt or a photo of the meter indicating the actual cost.

2. **For official business on weekend or holiday:** The rate is according to the geographical matrix (two-way) plus [currency]500 for managers and executives; the rate according to geographical matrix (two-way) plus overtime pay for rank-and-file employees.

3. For managers who work beyond 9:00 p.m., a transportation allowance will be given based on the geographical matrix (one-way only).

v. Meal allowance

1. Meal allowance of [currency]200 is to be paid upon completion of three hours of overtime work or beyond.

2. If overtime work is rendered for a project or activity, a meal allowance is to be [currency]200 or the amount indicated in the approved project budget, whichever is higher.

3. Managers who render extended working hours beyond 8:00 p.m. are also entitled to receive a meal allowance of [currency]200.

vi. Overtime and undertime

1. Work performed by staff for more than eight hours in a day is to be duly compensated with the appropriate statutory overtime pay, based on the type of day when the work was performed (ordinary work day, rest day, regular holiday, special holiday).

2. Leaves or undertime cannot be offset by overtime.

3. Undertime must be duly noted and is to be deducted from the day's pay of the corresponding rank-and-file employee. Undertime of more than three hours is considered a half day.

4. In the event that an employee is requested to attend to official business after office hours (in the early morning or before office hours), they are to be compensated according to their salary, with the rate subject to approval by the department manager and submission of an overtime request.

5. All overtime work should be authorized by a manager. Managers will have to sign the overtime form twice – first upon request and second upon completion of the overtime work.

vii. Effective implementation

20 January 2023

Sample grievance and complaints policy

The following are examples of a grievance and complaints policy that could be used as a benchmark for developing or updating your EBMO's policy.

> *WARNING: Specific terms and conditions need to be reviewed and updated by the EBMO to reflect actual obligations under national legislation and regulations, contracts of employment or other industrial instruments.*

i. Grievance procedure from an EBMO

1. Any employee disciplined by the CEO has the right to appeal to the Board of Directors. Such appeal shall be sent through the CEO, who shall forward it to the Board with comments. Appeals addressed directly to members of the Board will not be accepted.

2. (a) An employee who considers that they have not been treated in a satisfactory manner by their Head of Department, may petition the Head of department through the CEO. If they consider the CEO's ruling still unsatisfactory, they may petition the Board through the CEO and the ruling of the Board shall be final.

However, when reviewing disciplinary cases, the original punishment awarded may be set aside, reduced or increased within the powers of the reviewing body.

(b) Petition must be lodged within one month of the events giving rise to them

(c) Any petition not routed through proper channels shall be ignored.

ii. Complaints policy, process and procedure from a chamber of commerce

Complaints occur when any of our members and/or customers feel that the Chamber has not acted properly or fairly whilst dealing with them and want to tell us about it.

Responsibility

Overall responsibility for this policy and its implementation lies with the Company Secretary and as such the decision to implement the process and procedure outlined below will be at their discretion.

Policy

To ensure the Chamber gives the highest quality of service to all our members and customers and to provide the opportunity for them to receive a fair investigation of any complaint, this policy outlines the procedures that will be followed by the Chamber in the case of a complaint being made.

Process

In order for a process to be effective, our members and/or customers need to know about it and how to access it.

The Chamber's Senior Management Team are fully aware of the Complaints Policy, Process and Procedure and when a complaint is received, they will take immediate action to ascertain the following details:

▶ Name of complainant.
▶ Company.
▶ Contact details – including address, telephone number and email.
▶ Details of complaint – including date of incident.

Procedure

The Company Secretary will immediately advise the Chief Executive and record the complaint on the Complaints Register (see Appendix 1). The complaint will also be acknowledged in writing or by email within 3 working days.

Relevant managers will then undertake an initial investigation in conjunction with the individual making the complaint within 7 working days of receipt of the complaint. In doing so, attempts will be made with the complainant to find an acceptable solution to any outstanding issues raised by the complaint.

If the complaint cannot be resolved, the Company Secretary will formally advise the Chief

Executive of the current situation. At this point, the Chamber Secretary will give instructions for any members of staff criticised in the complaint to be notified of the complaint formally together with any relevant procedural information in the staff manual that may apply, such as disciplinary procedures or grievance procedures.

A panel consisting of the relevant Manager and Company Secretary may then be formed to take full details from all parties concerned and after all evidence is collected, will formally make a judgement on whether or not the complaint was factually justified. All relevant parties involved will receive written notification of the decision within 7 working days from date of the complaints panel's investigation.

If any party is dissatisfied with the outcome, the Chief Executive will be appraised of the situation and will act as final arbiter.

The Chamber's Complains Policy, Process and Procedure applies to all staff, members and customers.

Review

A review of the process and summary of complaints received within will feature as a regular agenda item at Management Team meetings. A review at the summary level has the potential to identify trends and thus areas for potential improvement. It can also be used as an indicator of organisational performance.

iii. Policies and complaints procedure from a chamber of commerce

1. The Chamber seeks to make every effort to provide its members and clients with an excellent service. In the event of a complaint arising, the Chamber has a formal procedure for the handling of grievances. All clients of Chambers, both member and non-member, have the right to make a complaint if it is considered appropriate.

2. All complaints received will be determined within an 8-week period from receipt.

3. Complaints should initially be made to the CEO of the Chamber in writing or by telephone. In the event that the CEO is the subject of the complaint, then the complaint should be made to the President of the Chamber.

4. Please note that complaints will only be considered within a 6-month period, from the date of the event or error complained of.

5. The CEO of the Chamber has overall responsibility for the Chambers' Complaints Procedure.

Complaints record

6. It is hoped that most complaints made will be satisfactorily resolved by way of telephone discussion. However, in the event that the Complainant is not satisfied, the person to whom the complaint is made (Senior Staff, CEO or Executive Committee member) will inform the Complainant that a complaints record will be opened and that an investigation into the complaint will take place.

7. The Senior Secretary will keep a record of the complaint made by completing the complaints register and opening a complaint record.

The complaint record will show:

▶ The names of the staff against whom the complaint is made.
▶ The name of the Complainant and contact details.
▶ A description of the complaint and an outline of the action to be taken to resolve the issue.
▶ The outcome and any action taken to prevent re-occurrence The complaint record will additionally contain all correspondence relating to the complaint.
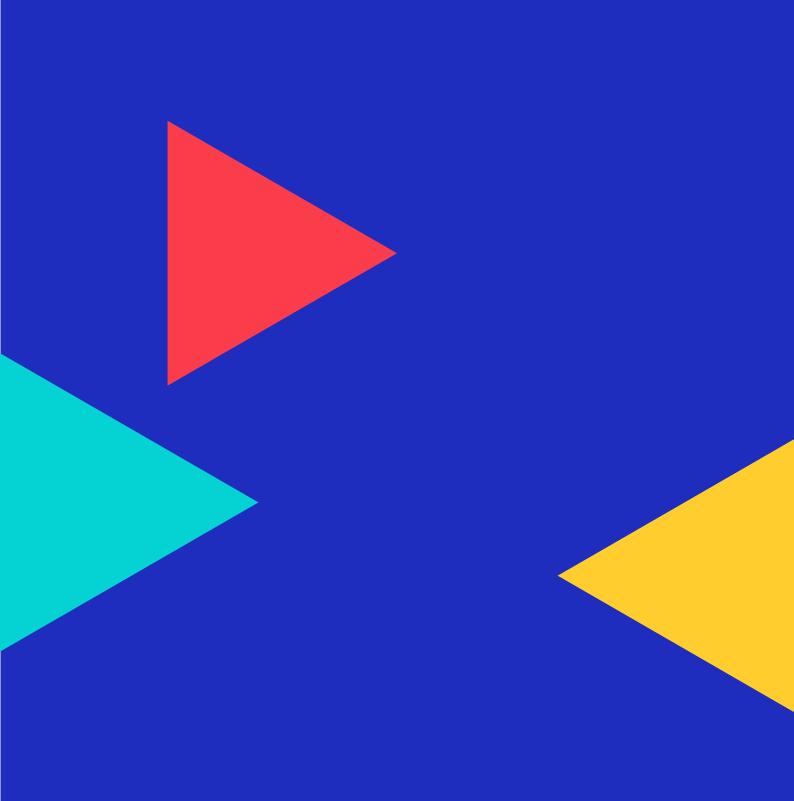
Resolution of the complaint

8. Within 48 hours, the Senior Secretary will notify the member of staff concerned and will disclose any relevant correspondence. The Senior Secretary will also write to the Complainant within 48 hours of the complaint being made to acknowledge that the complaint has not been able to be satisfactorily resolved orally and is under investigation. The Senior Secretary will additionally appraise the CEO of the Chamber within the same time scale.

9. Where appropriate, the Senior Secretary will meet with the subject of the complaint within 7 days (or a longer period as may be necessary in the event of the subject of the complaint being on annual leave, ill, etc.) to fully investigate the circumstances of the complaint and with a view to seeking resolution of the complaint.

10. In the event that the complaint can be resolved, the Senior Secretary will write to the Complainant setting out the complaint and the resolution achieved.

11. If the complaint is of a serious nature or cannot be resolved between the Senior Secretary and the subject of the complaint, the matter will be referred to the Executive Committee and CEO of the Chamber who may call for further investigations. If considered necessary, the Executive Committee will give the Complainant the opportunity to put their concerns in greater detail and will allow the subject of the complaint the opportunity to respond.

12. The Executive Committee will inform the Complainant, within 48 hours of the relevant Executive Committee meeting, of the conclusion of the investigation and provide an explanation of how the outcome was reached. If the complaint was upheld, the Complainant will be informed of the action to be taken to rectify the situation and any action to be taken to prevent further occurrence.

Confidentiality

13. All conversations and documents relating to a complaint will be treated as confidential and will only be disclosed to the CEO of the Chamber, the Executive Committee of the Chamber and to anyone directly involved with the complaint and its investigation. This will include the member of staff complained about.

Review of complaints and the chamber's complaints procedure

14. The Chambers' Complaints Procedure will be reviewed by the Executive Committee biannually. This will include a review of any complaints received within the past 6 months and to review whether steps taken to avoid re-occurrence were effective.

15. The Complaint Record will be retained for a period of 3 years from the date of closure.