



Human Resources Notes

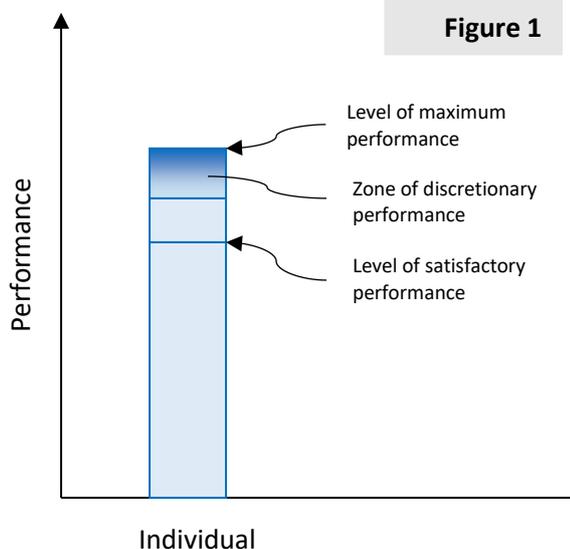
“The aim of Human Resources Notes is to provide concise information on topical human resource management issues to guide effective people management practices.”
 Peter Fisher, Executive HR Consultant (THCS)

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Principles to apply in a new performance management system

The primary aim of performance management is to increase the time spent by employees in the ‘zone of discretionary effort’. A secondary aim is to ensure the ‘level of satisfactory performance is not set too low. (See figure1)



In recent years, there has been a worldwide trend to move away from conventional ratings based performance management systems. With their

heavy emphasis on financial rewards and punishments and their end-of-year structure, conventional performance appraisals hold people accountable for past behaviour at the expense of improving current performance and grooming talent for the future, both of which are critical for organisations’ long-term survival. (Cappelli and Tavis, 2016). Performance appraisals were generally experienced as time consuming, bureaucratic and managers and employees alike did not trust the scores mainly because of the impact of subjective bias.

While it is a big decision to move away from conventional performance appraisals, the bigger challenge for organisations is to decide what to replace the appraisals with. Here are some design principles to apply when you introduce a new performance management system:

1. Frequent performance discussions

Managers should meet subordinates frequently (monthly is the guideline) to drive performance, set goals, plan growth, act and create a sense of purpose. (Rock and Jones, 2015).

2. Move from performance ratings to categories

Rather than wrestle with the fine lines between successive points on a ratings scale, assign employees into one of three categories: [1] not yet full performance, [2] effective performance, and [3] exceptional performance. This supports and focuses the discussion on performance rather than scores.

3. Get employees to own their performance

Let employees lead performance discussions by asking rather than telling them how they are doing with their performance and goal setting. This is not an abdication of management responsibility. Managers still have the prerogative to make the call

whether employees are performing acceptably. (Jacobs, 2010).

4. Involve peers in assessing performance

Make peers more powerful in the performance management process because people are more inclined to take input from peers seriously. In one reported case study, a company found that even though peer reviewers were not obliged to share their input with the person they were evaluating, more than two-thirds chose to do so. (Mohan, 2017).

Labour Appeal Court's judgment on unauthorised absence

You are the manager of a branch of a national chain of supermarkets, it is December the Company's peak trading season and an employee approaches you on 21 December with a request to take his annual leave from 22 December to 4 February. The employee has the leave due to him. He says he needs to attend a family tombstone unveiling. You say that you can consider 'occasional leave' for him to attend to the family business but his annual leave will have to be taken in the new year. The employee takes the leave anyway and is absent from 22 December to 4 February. What would you do?

The supermarket dismissed the employee. Preceding this decision, the supermarket sent the employee three telegrams. The first two informed the employee that he had been absent without authorisation and had not communicated the reasons for his absence. He was asked to contact the company. The third telegram recorded that a disciplinary hearing would be held on 15 January and that the hearing may proceed in his absence if the employee failed to attend. A disciplinary hearing was subsequently held in the employee's absence and he was dismissed. A serious problem for the supermarket's case was that it used the wrong address on all three telegrams. Unsurprisingly the supermarket did not hear from the employee until he reported to work in February.

At the hearing, the disciplinary chairperson considered the severe negative impact of the employee's absence. The shortage of staff caused

poor service delivery and the employee's conduct demonstrated that he was not interested in his work. The employee was dismissed for absconding.

Also in January, the supermarket gave a written warning to another employee who was absent from 27 December to 10 January. The supermarket regarded that case as different. The period of unauthorised absence was shorter and her leave was approved but the paperwork was not completed.

The employee referred an unfair dismissal dispute to the CCMA with partial success. The Commissioner ruled that the dismissal was substantively fair but procedurally unfair because the employer should have granted the employee a hearing when he returned to work in January. The employee took the decision on review to the Labour Court which found the dismissal both procedurally and substantively unfair. Unhappy with the outcome, the employer then took the case to the Labour Appeal Court (LAC) (CA 19/2015, 2016).

The LAC upheld the Labour Court's decision. On the question of substantive fairness, the LAC decided that: the employee's absence did not cause harm of such a serious nature that it warranted summary dismissal for the first offence; and the employee had a lengthy period of service and a clean disciplinary record. While the employee's conduct was clearly wilful and displayed disregard for the appellant's rules, the employee was not dishonest in his misconduct. The employee's absence caused inconvenience but no proven loss or damage to the employer. The employer had the resources and could make contingency plans. Ultimately, the employee returned to work after what he considered to be the leave days due to him. The LAC also found that the employer was inconsistent in the way it dealt with the employee compared to the warning given to another absentee employee.

The LAC decided the employee's unauthorised absence from work warranted a sanction short of dismissal. The LAC reinstated the employee without retrospective effect into the same or similar position and imposed a final written warning for unauthorised absence from work valid for 12 months.

Three steps management can take to avoid a similar unfair dismissal risk are: (1) have a well-articulated

and communicated leave policy; (2) ensure employees' address and mobile phone details are correct and current - place the onus on employees to update you of changes; (3) when a management decision, in this case 'leave declined' does not go in the employee's favour communicate the decision clearly to the employee as well as the likely consequences of non-compliance. ■

Dress codes at work – are they still in fashion?

In recent years, there has been a steady trend to less formal dress at work. A code of dress adopted widely is known as "business casual", which is less formal than traditional suit and tie business wear. This allows employees to feel more comfortable on the job and to have more freedom of expression through their choice of attire while still maintaining a professional and neat appearance. Although business casual is less formal, it also doesn't mean that anything goes.

Some (non-exhaustive) "business casual" dress code guidelines are:

For men

- Avoid trousers in loud colours such as red, yellow, and purple. Camouflage is not allowed, neither are white pants.
- Black, brown, grey, khaki and dark blue are preferable colours for trousers.
- Light socks with dark trousers must be avoided.
- Black or brown leather shoes are best.
- Trainers, sneakers, sandals, flip-flops or other open-toed shoes are not acceptable.
- Button and collar shirts are required.
- Hawaiian and other irregular patterns on shirts are inappropriate.

For women

- As with men, black, dark blue and grey clothing choices are more formal, making for a safer bet.
- Clothing which is too revealing is not acceptable.
- Underwear as outerwear is a no-no at work.
- Flip flops, sandals and trainers are not acceptable.

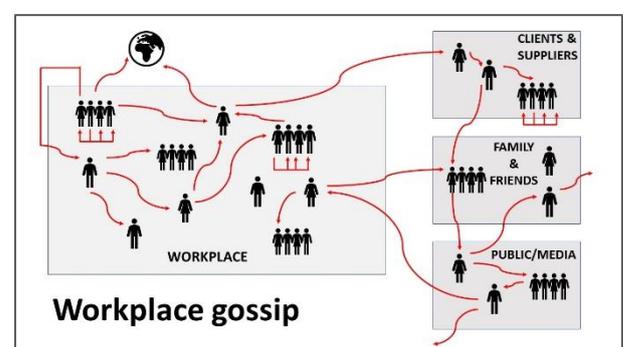
- Heels are acceptable, as long as they are not too conspicuous.

In addition to wearing clothing which portrays a professional image, an employer can expect employees to be neatly groomed and presentable while performing their duties.

It is reasonable for an employer to require certain categories of employees, such as those who are 'customer facing' to dress more formally. Also, there may be a need to change dress requirements for specific situations. When making a presentation to a prospective client, power suits (dark suits with white shirts / blouses) may be called for. It is advisable to mirror the dress style of your clients and when in doubt, err on the side of formality. ■

How to manage harmful workplace gossip – five top tips

Workplace gossip is inevitable. There are some employees who use their access to confidential information to build their social cachet amongst colleagues and friends. Aided by social media, newsworthy company information can go viral. Gossip is not contained by workplace boundaries. (See mini-graphic)



A research study found that definitions of workplace gossip most commonly include three themes. Gossip: (1) is disclosed behind the subject's back, (2) concerns matters that are private or sensitive to the subject and (3) could lead to harm once disclosed. The general opinion is that gossip is destructive. (De Gouveia, van Vuuren and Crafford, 2005).

Gossip is a business risk which must be managed. Gobind (2015) identified the following possible negative consequences of workplace gossip:

- Lost productivity and wasted time
- Erosion of trust and a lowering of employee morale
- Anxiety and stress
- Growing dissent as individuals choose sides;
- Harmed feelings and reputations; and add to these
- Staff turnover
- Unfair discrimination
- Harassment
- Invasion of privacy
- Individual and / or company reputational harm
- Defamation
- Dismissal

A gossip free work environment is unattainable and imposing a blanket-ban policy is likely to be unenforceable. Employers should therefore implement a programme to mitigate the risks of harmful gossip. De Gouveia *et al* recommend several organisational interventions to cut harmful gossip some of which are:

1. Develop a gossip policy (which could form part of general communication policies, electronic information transmission and social media policies) and extend the confidentiality provisions of employment contracts to govern use of information that could hurt employees and/or the company.
2. Incorporate gossip awareness as a dimension in induction and other training programmes.
3. Model appropriate behaviour – leaders must refrain from being transmitters of gossip, respect the privacy of employees and they should adopt an open-door policy to address employees' issues of concern before they can become gossip.
4. Foster transparency and extensive organisational communication to remove causes for speculation.
5. Take disciplinary action against gossipers.

I've described workplace gossip as inevitable and a workplace free of gossip as unattainable. However, in a situation where gossip is a prevalent means of getting information about a company and its employees, management needs to approach the

problem as symptomatic of a serious organisation challenge. It is unhealthy and can cause enduring harm to a company and its people. ■

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