



Fair Treatment: The Foundation of Effective Employee Relations

Employee Discipline

Fairness in Discipline – Three Foundations

**Rules and
regulations**

**System of
progressive
penalties**

**An appeals
process**

Progressive Discipline



Positive Discipline

1. Counseling Session



2. Written Warning



3. Final Warning



4. Dismissal

Fairness in Disciplinary Discussions

- take a counseling approach
- exhibit positive non-verbal demeanour
- provide employee some process/outcome control
- provide a clear explanation of the problem
- ensure discussion is held in private
- ensure that discipline is non-arbitrary/consistent

Administering and Managing Discipline

The Just Cause of Standard Discipline

1. Notification
2. Reasonable Rule
3. Investigation Prior to Discipline
4. Fair Investigation
5. Proof of Guilt
6. Absence of Discrimination
7. Reasonable Penalty

Types of Employee Separations

Voluntary Separations

- Quits
- Retirements
- Early retirement programs

Involuntary Separations

- Dismissals
- Layoffs
- Rightsizing & downsizing

Managing Dismissals:

Grounds for Dismissal

- Unsatisfactory performance
- Misconduct
- Lack of qualifications for the job
- Changed requirements of/elimination of the job

Managing Dismissals:

Termination Interviews

Step 6. Identify next step for employee

Step 5. Review severance package

Step 4. Listen

Step 3. Describe the situation

Step 2. Get to the point

Step 1. Plan the interview carefully

Managing Separations:

Alternatives to Layoffs

Employment Policies	Changes in Job Design	Pay and Benefits Policies	Training
<ul style="list-style-type: none">◆ Reduction through attrition◆ Hiring freeze◆ Cut part-time employees◆ Cut internships or co-ops◆ Give subcontracted work to in-house employees◆ Voluntary time off◆ Leaves of absence◆ Reduced work hours	<ul style="list-style-type: none">◆ Transfers◆ Relocations◆ Reduced work hours◆ Job sharing◆ Demotions	<ul style="list-style-type: none">◆ Pay freeze◆ Cut overtime pay◆ Use vacation and leave days◆ Pay cuts◆ Profit sharing or variable pay	<ul style="list-style-type: none">◆ Retraining

Figure 6-3 The Alternatives to Layoffs

Managing Layoffs

Manager's Memo

The Dos and Don'ts of Terminating/Laying Off Employees

Consulting firms offer the following advice for telling employees that they will be terminated or laid off.

DOs

- Give as much warning as possible for mass layoffs.
- Sit down one-on-one with the individual, in a private office.
- Complete a firing session within 15 minutes.
- Provide written explanations of severance benefits.
- Provide outplacement services away from company headquarters.
- Be sure the employee hears about his or her termination from a manager, not a colleague.
- Express appreciation for what the employee has contributed, if appropriate.

DON'Ts

- Don't leave any room for confusion. Tell the individual in the first sentence he or she is terminated.
- Don't allow time for debate.
- Don't make personal comments; keep the conversation professional.
- Don't rush the employee off-site unless security is really an issue.
- Don't fire or lay people off on significant dates, like the twenty-fifth anniversary of their employment or the day their mother died.
- Don't fire employees when they are on vacation or have just returned.

Source: Adapted with permission from Alexander, S. (1991, October 4). *The Wall Street Journal*, B1. © 1991 Dow Jones & Company, Inc. All Rights Reserved Worldwide.

Managing Retirement: Pre-retirement Counseling

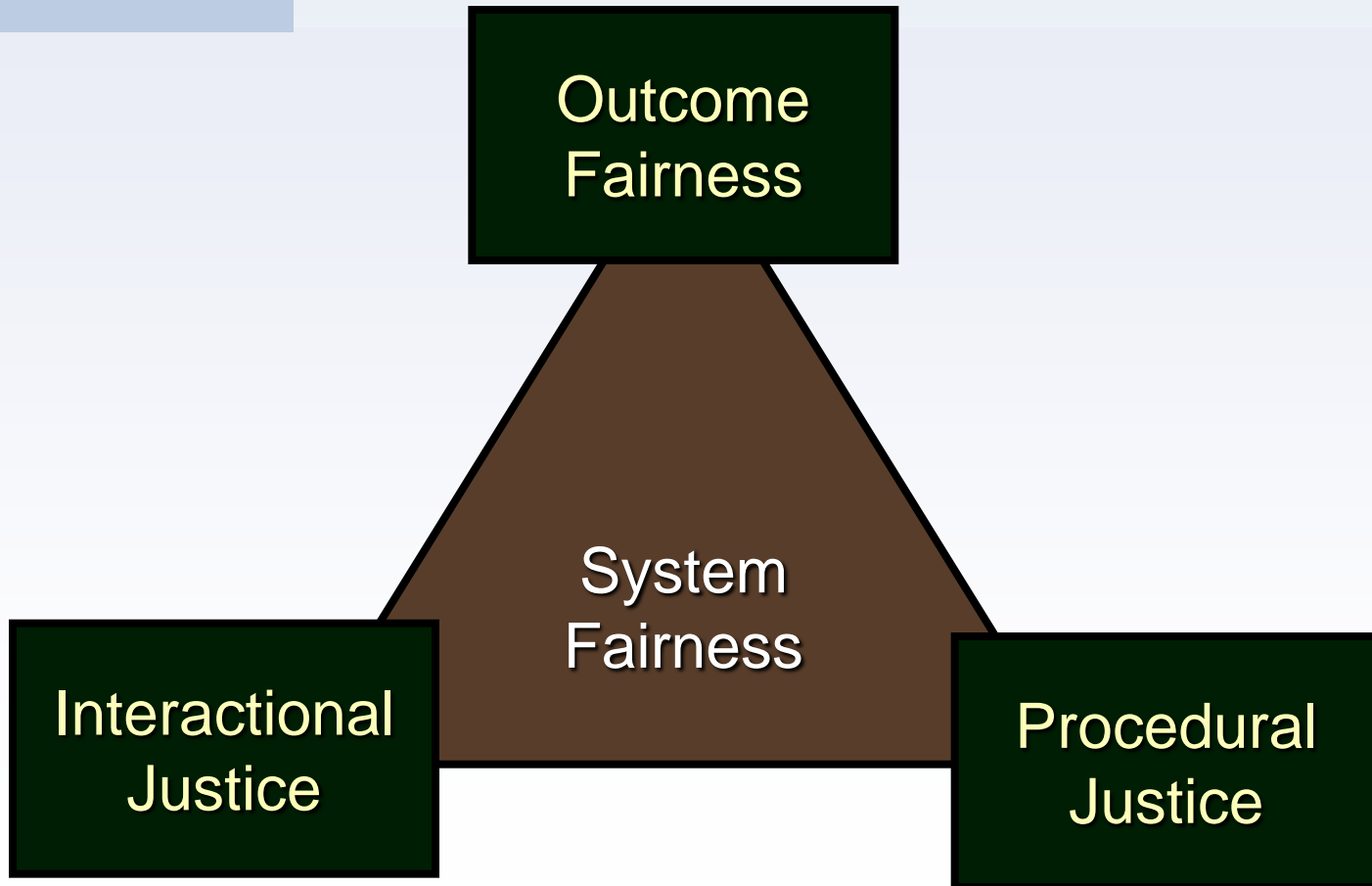
Lifestyle goals

Financial planning

Relationship issues

Health issues

System Fairness



A diagram on the left side of the slide. It features a large blue-outlined rectangle at the top left. Inside its bottom-right corner is a smaller red-outlined rectangle. A thick orange horizontal bar extends from the right side of the blue rectangle across the top of the slide. A thin blue vertical line descends from the left side of the blue rectangle to a small blue-outlined square at the bottom left.

Labour Relations

Role of Unions & Labour Relations

- Unions
- Labour relations
- Impact on Company Performance
 - Decrease productivity?
 - Increase productivity?

Visit the [Canadian Labour Congress](#)

Types of Unions

Local Unions

- Basic unit where most day-to-day interaction between labour and management occurs

Craft Unions

- Members all have a particular skill or occupation e.g. electricians

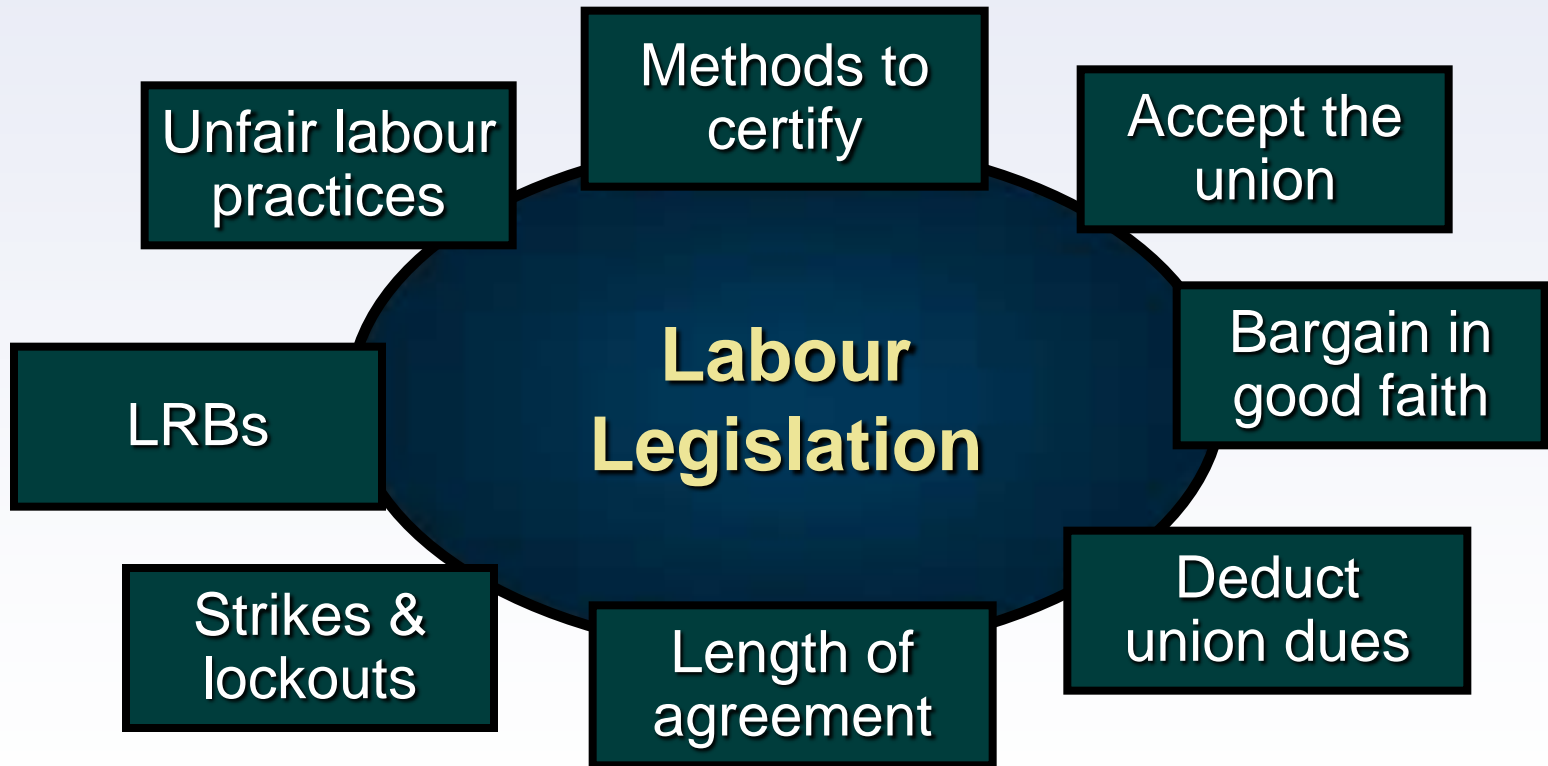
Industrial Unions

- Members are linked by their work in a particular industry

National/International Unions

- Associations that seek to advance the shared interests of members e.g. CLC, AFL-CIO

Main Features of Labour Legislation



Unfair Labour Practices

Management

- Interfering in the formation of a union or contributing financially
- Discriminating based on union membership or because employee exercises rights
- Intimidating or coercing an employee to join/not join

Unions

- Trying to bargain when the union is not the certified agent
- Persuading employees during working hours, or at the workplace
- Illegal strikes
- Failing to represent employees fairly

Union Acceptance vs. Avoidance

- A union acceptance strategy
- A union avoidance strategy
- Labour-Management Cooperation

Preparation for Negotiations

- gather economic data
- analyze other collective agreements
- audit/analysis of grievances
- review existing contract/union promises
- conduct wage/benefit surveys; prepare costing
- contingency planning
- Management only: obtain input from supervisors
- Union only: obtain company financial information, input from union stewards and members; gather demographic data on members

Cont...

Typical Provisions of Collective Bargaining Agreements

Compensation	Hours	Employment Conditions
Base pay rates	Overtime	Layoffs
Overtime pay rates	Holidays	Promotions
Retirement benefits	Vacation	Seniority provisions
Health benefits	Shifts	Safety rules
Travel pay		Work rules
Pay incentives		Grievance procedures
		Union shop
		Job descriptions

Figure 14-8 Basic Bargaining Topics

Resolving Conflicts

Mediation

- Least formal
- Facilitate the negotiation
- No formal authority for resolution

Conciliation

- Report views of both sides
- May recommend settlement but parties may decline

Arbitration

- Determines a binding settlement

Employee-Initiated Grievance

Step 1

- Employee (and union steward) discusses problem with supervisor.
- Union steward and employee decide whether problem was resolved.
- Union steward and employee decide whether contract was violated.

Step 2

- Written grievance is submitted to production superintendent, another line manager, or industrial relations representative.
- Steward and manager discuss grievance.
- Management puts response in writing.

Step 3

- Union appeals grievance to top line management and senior industrial relations staff.
- Additional local or national union officers may be involved.
- Decision resulting from appeal is put into writing.

Step 4

- Union decides whether to refer unresolved grievance to arbitration.
- Union appeals grievance to arbitration for binding decision.

FIGURE 10.7

Steps in an Employee-Initiated Grievance Procedure

SOURCE: Adapted from T. A. Kochan, *Collective Bargaining and Industrial Relations* (Homewood, IL: Richard D. Irwin, 1980), p. 395; J. A. Fossum, *Labour Relations* (Boston: McGraw-Hill/Irwin, 2002), pp. 448–52;

