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SPRING 2017 VOLUME 15, No. 2



Nathaly Pinchuk
RPR, CMP
Executive Director

What's New in Recruiting?

Back to the basics

In some ways the story says the same. Recruit, hire, train, repeat. There are still some major differences in the way we hire people today versus even a few years ago. Some of those changes have come about because of technology while others have been driven by the bottom line. One thing is very clear — the pressure on recruiters to get people in the door faster has increased dramatically over the last decade and that pressure is not likely to decrease any time soon. What are organizations doing to improve and streamline their staffing and recruitment processes?

Here are just a few of the trends that we've noticed in recruiting and staffing.

Technology is Your Friend

If you are not already using technology to help you win the war for talent, it's no wonder you are losing. Technology has not reduced the amount of paper we have to read and deal with. In some ways, it has increased the number of candidates that we have to screen and manage even for low level and administrative positions. That is not all bad news if you have the right technology. There are programs that will help identify, target and screen your potential employees while you are doing more important work. There are also HR Metric programs that will help you track and improve your hiring times and highlight problems in your retention strategy before they become a crisis. Take the time to review your technology periodically to see where you can improve.

It's Much Cheaper to Keep Them

We all know that it costs money to hire employees. What happens if you have to keep hiring people over and over again for the same positions?

Recruit, hire, train, repeat.

It's not just the cost of the recruitment process but also the multiple costs to the organization when the position is vacant. We don't always consider the costs to train and retrain employees. An American company recently estimated the costs of training an \$8 per hour employee as almost \$10,000 per employee turnover. For higher level employees it is way more than that.

Consider revamping your employee retention strategies. Make sure that your key employees are not only content and fulfilled at work, but that they also plan to stay with your organization.

A Multi-Generational Strategy

Numerous organizations are lining up at the university job fairs and even staked out on campus in an attempt to lure the best and brightest to the ranks of their employees. That's great, but how are you going to fill all the other holes in the organization? Smart employers are now looking at multi-generational recruitment strategies in order to meet their needs. That obviously includes hiring and training right from school, but it also means more internal recruiting and lateral transfers to complete their workforce. Even more interesting is the recruiting that is happening among older workers who suddenly have a new premium in a tight hiring market. These employees bring the added benefit of having the experience and sometimes corporate or industry memory that can be used to bring the younger generations up to speed. Don't overlook the baby boomers.

A Flexible Workforce Strategy

Not only are the days of one career with one company over, so too is the likelihood that your employees will all remain full-time five or ten years from now. The shift to contract employees, freelancers and less than permanent employees has been going on for years. This phenomenon could rapidly increase in the coming years. Part of this is being driven by the desire for individuals to have more flexibility, but employers are also welcoming this trend as a way to reduce overhead, training, benefits and overall compensation costs.

Hiring more freelancers and contract workers may not just be a trend but a wave that lasts for many years to come. You'll want to catch this wave early rather than get swamped later on down the road.

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Brian W. Pascal
President

Trust Your Instincts

Instinctual thinking has great benefits

One of the most valuable and underused tools in many manager's toolboxes is their instincts. It's that feeling you get in the pit of your stomach that says a particular situation has the likelihood to go great guns or become a complete disaster. That's why they're sometimes called gut instincts. They are our body and mind's natural reaction to life and work and yet we often ignore them at the time only to regret that decision later.

Now science has rediscovered what we instinctively knew all along. The scientific journal *Neuron* recently published an article confirming that when we trust our instincts or what they call 'subliminal thinking', people can correctly guess the right answer to a series of difficult questions. They quote researchers at University College in London, England who administered such a test. Not only did they get more correct answers, but the scientists were also able to isolate the part of the brain where this instinctual thinking took place.

So if we have this underutilized capacity sitting inside our brains, how can we better access it? The short answer is one we've heard so many times before – practice, practice, practice. This might mean starting out small, using your instincts in low-risk, high-reward situations. If that goes well, you can branch



out to bigger things. You don't have to become a clairvoyant. You just need to trust your own judgment a bit more often.

Another way to do that is to listen to the recurring voices in your head. Pay attention to the ideas that keep coming back even as you dismiss them the first or second time around. They just might be the solution to an old problem or a concept that can lead to a real breakthrough. Maybe your instincts are telling you to try it out. Maybe you should listen.

One of the other things we need to do to fully harness our instincts is to learn not to judge them. Think about them as you would an idea in a brainstorming exercise. All ideas, good and bad, get put on the table at the

beginning of the discussion. Your instincts should at least get that same courtesy. Let your instincts survive long enough so that you can evaluate them. Be patient, don't judge and see what happens.

Finally, you should use your instincts with the same care and caution as all other tools in your managerial toolbox. Our instincts may be great and we can learn to utilize them wisely, but at the end of the day they are just more information that can help us make a decision. They should not be the only information that you use to make your decision. So trust your instincts. But check with someone else before you bet the bank or your career on them.



*"I'd appreciate it if you wouldn't cry,
'I want my mommy,'
every time you don't close a deal.
It makes us look bad."*



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Making Changes to an Employment Policy

Avoid the risk of constructive dismissal

It is common for employers to decide that a policy or employee benefit has to be changed. However, when employers make changes in the workplace, it is important to remember the concept of constructive dismissal to avoid unintended legal risk and expense.

The Concept of Constructive Dismissal Explained

In law, if an employer unilaterally makes a change to an employee's terms and conditions of employment that is "fundamental", the employee has to option to accept the new terms and conditions and keep working, or refuse to accept the new terms and sue for constructive dismissal.

Minor changes that an employer may make to an employment policy will likely not amount to constructive dismissal. The test for constructive dismissal is an objective one which focuses on the conduct of the employer and not the subjective perceptions of any one particular employee. The basic test is whether a "reasonable person" in the same situation – faced with the same changes – would have felt that the essential terms of the employment contract had been substantially altered by the actions of the employer. The Court will review the terms of the contract agreed to by the parties (including any policies referred to therein) and determine whether the employer's change is contrary to the contract in a significant respect.

There are many types of changes that employers have made in a workplace that raise the potential for constructive dismissal claims.

When faced with a potential constructive dismissal, employees may continue to work or they may resign. They are permitted a reasonable amount of time in which to decide whether to treat the employment contract as at an end. If the employee is presented with a change and begins to work under the new conditions without complaint, however, the employee may later be found to have accepted the change and will not be entitled to sue for constructive dismissal.

If a Court finds that there has been a constructive dismissal, damages will be assessed in a manner similar to that applied when an employee has been wrongfully dismissed. The employee is entitled to "reasonable notice" of the changes and can sue for damages for the reasonable notice period that was not given. Reasonable notice is particular to each employee, and in the absence of a contractual notice provision, depends on the employee's age, length of service, position and the availability of similar employment in the market.

What Types of Changes Can Cause a Constructive Dismissal?

There are many types of changes that employers have made in a workplace that raise the potential for constructive dismissal claims. The following changes require close careful attention:

- A reduction in an employee's remuneration;
- Significant changes to an employee's job duties, particularly if they result in a demotion;
- Significant changes to an employee's bonus or commission plan;
- Changes to an employee's bonus policy;
- Geographic relocations;
- Significant changes in working conditions.

Mitigating the Risk of Constructive Dismissal Claims

There are a few basic steps that employers can undertake to mitigate risk of constructive dismissal claims.

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Feature



Dan Palayew and Erin Durant will be presenting on:
Law Update: Mental Health and Medical Issues in the Workplace

at IPM's Ottawa Conference April 6, 2017.

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Feature

Making Changes to an Employment Policy

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- 1. Awareness:** Employers always need to be thinking about the possibility of constructive dismissal when changes in the workplace are discussed. The first step in mitigating constructive dismissal claims is being aware of the concept and the risk.
- 2. Review of Contracts and Policies:** A constructive dismissal is a unilateral fundamental change in the employment relationship. Accordingly, employers should review their standard form employment contracts and policy manuals to ensure that they contain appropriate language that will allow the employer to make changes in the future. Flexible language is particularly helpful and

important when describing employee benefit, retirement, bonus and commission plans.

- 3. Develop a Plan:** Employers should always have a detailed plan in place prior to implementing a significant change in the workplace, particularly when the change will result in the loss of a significant employee benefit or a reduction in employee compensation. Employers should consider how this change will be communicated to employees and whether notice of the change is required or advisable. Consultation with legal counsel prior to implementation of a change is always advisable.

Changes are common in every workplace. Our job as managers, human resources professionals and lawyers collectively is to ensure that changes can be made without imposing unnecessary risk on the organization. If you remain mindful of the potential risks involved with constructive dismissal claims, you are more likely to be able to assist your organization in managing change.

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George Raine

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Beyond Buy-in: Changing Workplace Culture Quickly

Take a look at your own approach

Woody Allan once said “80% of success in life is just showing up.” Unfortunately, you can get by in the workplace with less.

I often ask managers “In your workplace, what percentage of full effort is needed to avoid getting fired?” I suggest a scale. A 100% rating represents absolute devotion every working minute. At the other end of the scale, 0% represents spending the work day breathing, net-surfing for new YouTube videos and collecting a pay cheque. The answer I typically get is around 45% effort. This suggests that 55% per cent of the money that employers pay out in exchange for employee effort is wasted.

Employment is not an exact pay-for-effort transaction. Beyond the “I’ll get fired if I don’t” line, the effort employees give you is up to them. Their choices are driven by how they feel about the place they work – or more correctly, how the place they work makes them feel about themselves. How the workplace engages employees is a function of organizational culture.

Too often culture change gets bogged down in the slow process of getting “buy-in.” Employees quickly become cynical, observing that management is talking about a new way, but complaining that “nothing is really changing.” Waiting for buy-in ignores the psychological truth that behaviour dictates belief.

In 1979 the Edmonton Oilers joined the NHL transferred from the defunct WHA. At that time, they had a talented but independent bunch of rookies, few with significant professional experience. Their attitude and work ethic were not up to NHL standards.

Too often culture change gets bogged down in the slow process of getting “buy-in.” Employees quickly become cynical, observing that management is talking about a new way, but complaining that “nothing is really changing.” Waiting for buy-in ignores the psychological truth that behaviour dictates belief.

Oilers’ coach Glen Sather transformed them. But he didn’t start by preaching about a new attitude. Instead, he changed what they did. Sather told his players, “You dress professionally, you look professional. You look professional, you feel professional. You feel professional, you play better.” He forced his sloppy kids to buy nice suits and insisted on a strict dress code. Smartness and unity were a requirement both on and off the ice. If the Oilers went to a bar (which they often did), they all left together. On the ice, if they went into the corner, they all went together. That disciplined culture was at the core of Sather’s transformation from loosely assembled talent to a great dynasty (Four Stanley Cups).

Sather’s approach illustrates a point that I believe is lost in most workplace change initiatives. Change what people do and the buy-in will follow. Sather didn’t wait for Gretzky, Messier, Coffey, Fuhr and the others to adopt a professional attitude. He knew that if he could get them to act like a professional team, they’d start to think like one.

One of the most dramatic workplace examples of practice-based culture change I was ever involved with occurred in a manufacturing plant in Ontario. The plant culture was extremely adversarial with a powerful local union that virtually ran the place.

A new management team was given a short time to turn the plant around or close it down. Under an outstanding plant manager, we succeeded. There were no town hall meetings or Kumbaya sessions. Instead, the plant manager insisted that every senior manager spend one to two hours a day on the floor, chatting directly with employees. The problem was that the employees didn’t speak back. For nearly six months, the one-sided attempt continued. The plant manager had to deal with a near-mutiny from the despairing management team.

Then one day, an employee suggested a change to the layout of the assembly line. Her suggestion was minor and the benefits uncertain, but we did it anyway. The employee was brought in as the advisor and her co-workers were consulted.

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Feature

Beyond Buy-in: Changing Workplace Culture Quickly

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Following the changes, we launched the first of many celebration events in which all departments were invited to celebrate the success.

Other activities followed, including a new approach to labour relations that stressed explaining the principles used to make decisions. Within six months the old union leaders were ousted by a new collaborative group, there was a fun new atmosphere and the plant was breaking production records.


Management's approach was based on culture-forming practices, practices that meet the following criteria:

- They involve visible changes to plant conditions or management action;
- They change how employees interact with each other, with management or with their workplace environment;
- They are persistent and frequent;
- They symbolize a new and different mindset;
- They break with past culture;
- They produce noticeable effect;
- They make people feel good about themselves.

I've seen many organizations that tried to inspire change by

doing the buy-in thing. They were great at fancy slogans, but not once did anyone remark, "Gee, I am going to give up what was comfortable yesterday because that slogan on the wall really inspires me." To change what you believe in, we need to change what you have experienced. It is what is done that counts.

George Raine is President of Montana Consulting Group, a firm that specializes in labour relations, investigations and management development. He can be reached via email at raine@montanahr.com.



George Raine will be presenting on:
Changing Problem Behaviour Without Discipline
at IPM's Calgary May 2, 2017 and Edmonston May 4, 2017 Conferences.
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Support Transgender Employees

Create a safe, respectful and inclusive work environment

All employees have the right to a safe, respectful and inclusive work environment. Transgender employees face many challenges in the workplace such as vulnerability and discrimination. Despite these challenges, more and more trans employees are choosing to live openly both at home and at work. There are many ways employers can support trans employees while meeting legal obligations to all employees.

Here are five ways employers can support transgender employees in the workplace:

1. Educate Yourself on the Basics

Employers should have a basic understanding of relevant terminology:

“Gender identity” is an individual’s internal sense of being a man, woman, both, neither or somewhere in between.

“Gender expression” is an outward manifestation of your gender, or how you show your gender to the world i.e. clothing, name etc.

A “transgender person” is someone whose own gender identity or expression is different from the gender assumption others make based on that person’s sex.

“Gender” is a broad term encompassing biological, cognitive and social aspects of a human being including identity, expression and the expectations of others.

There are many ways employers can support trans employees while meeting legal obligations to all employees.

2. Know your Legal Obligations

Human rights legislation prohibits employers from discriminating against an employee which means either directly or indirectly based on certain personal characteristics protected under human rights legislation. Differential treatment of an employee in the workplace because of the employee’s biological gender, or because of attributes associated with their gender, regardless of their transition status, constitutes discrimination and is prohibited by law. Some human rights legislation expressly prohibits discrimination on the grounds of “gender identity” or “gender expression”. Even if the legislation doesn’t specifically include gender identity and expression, these grounds are typically included under “sex” and/or “sexual orientation”.

3. Implement and Visibly Support LGBTQ Policies

One of the most important things employers can do to support trans employees in the workplace is to implement LGBTQ policies and provide visible support. Trans employees seek out employers that have a well-implemented LGBTQ policy. Employee orientation programs and workplace policies should include gender

identity and expression and should be gender neutral. Employers should also have an LGBTQ policy incorporating transition guidelines addressing the implementation of transition-related workplace changes such as changes to administrative records and communication plans for clients and co-workers as well as dress code, restroom use and individualized transition accommodation plans.

4. Assist in Workplace Communications

Employers can support LGBTQ employees transitioning in the workplace through communication and support. For example, when an employee is transitioning, a message from senior management to co-workers who work directly with the transitioning employee expressing support for the employee’s plan to transition and communicating the employer’s values and relevant policies sets a positive tone and shows employer support for employee.

However, privacy of transitioning employees must be respected and any communication should be at the request and control of the employee as revealing personal information without consent can constitute harassment.

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Feature



Kyle MacIsaac will be presenting on:
Today’s Critical Issues in Employment Law
at IPM’s Halifax Conference May 3, 2017.

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Feature

Termination and Disability Benefits: Protect Yourself

Reduce the risk of liability

Many, if not most, employers provide disability benefits as part of the overall benefits package employees receive. Depending on the plan, insurance premiums may be paid by the employee, employer or both and sometimes the employer is self-insured for the STD portion.

The Issue

Under both the *Employment Standards Act, 2000*, (“ESA”) and the common law, when an employee is terminated, he or she is entitled to all benefits to which they were entitled as an employee during the notice period, including disability benefits. But not all employers extend disability benefits during the notice period, which can create a risk of liability. Since the employer is legally required to continue disability benefits, if it fails to maintain coverage through the insurer and the employee suffers a disability during the reasonable notice period, the employee can turn to the employer for the benefits. As a result, the employer essentially becomes the self-insurer for both the employee’s STD and LTD coverage. In many cases if you are self-insured for STD benefits, then there is an argument that the employee cannot “double-dip” and would get either the STD benefits or the termination pay, but not both.

The trickier issue is with LTD coverage which you may be required to extend to the employee in addition to termination pay.

This issue was addressed by the Ontario Superior Court of Justice in the case of *Brito v. Canac Kitchens*. In that case, the 55-year-old employee, Luis Romero Olguin, was terminated after 24 years of service due to restructuring. Canac Kitchens provided only Mr. Olguin’s ESA entitlements, which were eight weeks’ notice and 24 weeks’ severance pay. Mr. Olguin’s benefits, including STD and LTD insurance, were discontinued at the end of his eight-week notice period. He became re-employed after one month, but at a lower salary and with no benefits. Fifteen months later, Mr. Olguin was diagnosed with cancer and was unable to continue working. He sued Canac Kitchens for wrongful dismissal and benefits.

The trial judge found in Mr. Olguin’s favour and determined that the appropriate notice period was 22 months. The court’s goal was to place Mr. Olguin into the position he would have been had Canac Kitchens provided him with working notice, so it required the employer to pay STD benefits for 17 weeks starting when he became disabled and LTD benefits to age 65. The total value of the damage award was approximately \$260,000.

This is obviously concerning. Unfortunately, while most insurers will cover employees during the ESA notice period, they will not provide coverage during the common law notice period. This puts the employer in an awkward position because you are legally obligated to continue the benefits to the end of the entire notice period, but, practically, cannot do so.

Ways to reduce the risk

There are several ways for you to protect yourself as an employer from liability for disability benefits:

1. Continue disability benefits at least during the ESA notice period to ensure compliance with the minimum standards under the ESA.
2. Use an employment agreement with new staff that specifies that the employee is only entitled to disability benefits during the ESA notice period.

In many cases if you are self-insured for STD benefits, then there is an argument that the employee cannot “double-dip” and would get either the STD benefits or the termination pay, but not both.

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Ruben Goulart will be presenting on:
Today’s Critical Issues in Employment Law
at IPM’s Toronto Conference May 3, 2017.

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Jenelle Butler
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Living in a Post-Atomic World

Tools you always needed for managing federally-regulated employees

Last summer, the Supreme Court of Canada delivered the final word on the years-long debate about whether non-unionized, federally-regulated employees could be terminated on a without-cause basis. The decision, delivered by the majority of the Supreme Court, affirmed the position overwhelmingly represented in the case law, precluding termination of employees governed by the *Canada Labour Code* in the absence of just cause for termination.

In November 2009, Joseph Wilson was terminated on a without-cause basis by his employer, Atomic Energy Canada Ltd. At the time of the conclusion of his employment, Wilson was provided with a severance package in excess of the minimums required by the *Canada Labour Code* (the “Code”), which governed Wilson’s employment. Wilson challenged his termination using the unjust dismissal provisions under section 240 of the *Code*, and the Adjudicator concluded that his employer did not have just cause for his termination, and payment of severance, however generous, would not help the employer avoid application of the *Code*. On judicial review, the Application Judge held that the Adjudicator’s decision was unreasonable on the basis that nothing in the *Code* precluded a without-cause dismissal. The Federal Court of Appeal agreed with the Application Judge’s interpretation of the *Code*.

The Supreme Court ultimately found that the Adjudicator’s decision was reasonable and

consistent with the approach overwhelmingly applied in the case law that had developed under the *Code* since the enactment of the unjust dismissal provisions in 1978. This interpretation of the *Code* was consistent with the approach taken by the vast majority of adjudicators; the debate with respect to the permissibility of without-cause terminations arose solely from what the Court termed a “drop in the bucket”, a total of 18 decisions out of over 1,700. The Court noted that the goal of the unjust dismissal provisions of the *Code* was to align the protections of non-unionized, federally-regulated employees with unionized employees. To this end, the very use of the term “unjust dismissal” was intended to invite the application of interpretations from arbitral jurisprudence, and specifically, that terminations could not be conducted without just cause. While sections 230 and 235 of the *Code* addressed the severance to be provided to employees in the event of the conclusion of their employment, these sections did not support the interpretation that without-cause terminations were permitted by the *Code*, but rather, apply to those who are excluded from the application of the unjust dismissal provisions. In sum, the Supreme Court concluded that the Adjudicator’s rejection of Wilson’s termination was an outcome that was “anchored in parliamentary intention, statutory language, arbitral jurisprudence and labour relations practice”.

Employers need to be aware of the following sections of the *Code* relevant to termination of

non-unionized employees: section 240 precludes termination of employees who have completed 12 consecutive months of continuous employment unless just cause for termination exists. Employees whose employment has been concluded due to lack of work or the discontinuance of a function (section 242(3.1)) cannot use the unjust dismissal provisions to challenge their terminations, nor can employees who are “managers” (section 167). Section 230 of the *Code* addresses the notice or severance to be provided to an employee and applies in the event of the without-cause conclusion of an employee’s employment where the employee has been employed by the employer for greater than 3 months. Section 230 will apply to those employees employed for more than 3 months but less than 12 months, and those employees whose terminations resulted from lack of work or discontinuance of a function, or employees occupying a managerial role. Section 235 provides for severance pay in addition to that prescribed by section 230 for employees whose employment is concluded on a without-cause basis and who have completed 12 consecutive months of continuous employment.

In terms of practical tips for management of non-unionized employees who are governed by the *Code*, we recommend that employers develop a proactive management “tool kit” with the following components:

continued next page...

Feature



Jenelle Butler will be presenting on:
Today's Critical Issues in Employment Law
at IPM's Edmonton Conference May 4, 2017.

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Living in a Post-Atomic World

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- Written warnings for disciplinary issues which capture the nature of the misconduct, set out expectations for future behaviour and outline consequences for future misconduct. Terminations for cause as a result of a single incident of misconduct are significantly more rare than those arising from an accumulation of concerns about an employee's conduct or performance, making a "paper trail" very important.
- Explicitly implementing a probationary period and using a system which ensures that a review of the employee's fit and performance is assessed prior to the conclusion of the probationary period, during which the ability to terminate on a without-cause basis still exists. While the probationary period may only be three or six months depending on the nature of the employee's role, we strongly recommend that further review of the employee be conducted **prior** to the 12-month mark and a decision about their future with your organization be made in advance of that date, including a termination, if necessary.
- Use of fixed-term contracts where appropriate, such as in cases where the work is necessarily time-limited, rather than continuous term employment. In the event that the contracts are properly worded and executed by the employee in advance of the commencement of their employment, their employment can be concluded at a specified and agreed upon date without application of the Code's unjust dismissal provisions. This is **not** an approach to use in cases where the employee's employment is not truly fixed-term in nature; an adjudicator will not hesitate to look past lengthy contracts or sequential renewals to determine that the employment is in fact continuous in nature rather than fixed-term.

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Jacqueline Throop Robinson
CEO,
Sparks Engagement

The Science Behind Passion at Work

How do you handle the global crisis in employee engagement?

I am just going through the motions. I meet my targets but I feel unfulfilled." A senior administrator from a well-respected university shared this with me after I had spoken to a cross-section of the campus about our research on passion at work. She was puzzled over how others (i.e., colleagues, students and stakeholders) perceived her. They thought she was passionate but she disclosed she felt like she was on autopilot. She no longer felt the fire in her belly.

The research is clear. There is a global crisis in employee engagement. Most research shows that well over 70% of employees are not engaged at work. Surprised? The numbers are large and so are the implications. We also know that passion drives productivity, innovation and ultimately performance. More disturbing for me, however, is to consider all the people leading unfulfilled lives at work. If I think about how many hours most of us spend getting to/from work as well as our hours at work, that's a big percentage of our day to not feel uplifted.

So what can we do about this crisis? We can study the science and learn strategies that will make our lives at work more satisfying. For the last 15 years, we have collected data on how people experience their work. From this data we have developed a model as well as a 30-question survey. At the heart of our discoveries are the two key drivers of passion at work: Meaning and Progress. Simple, isn't it? Simple but profound and more challenging to execute due to existing habits and firmly entrenched practices.

Discovery #1 - Meaning: To feel fulfilled at work, people have to experience their work as meaningful either to themselves or someone they care about. People need to feel connected to purpose. When they ask themselves, "Why do I do this?" They need to have a simple, clear answer: "Because it matters to ... my family, my community, my country." The university administrator valued what her university contributed to her community. However, her own work responsibilities seemed to add value only indirectly. In essence, she did not see the inherent value of her work output in serving her community. Instead, she helped maintain a bureaucracy that continued to grow without adding real value.

Discovery #2-Progress: Even if you see your work as highly meaningful, like a marketing director who believed in her product, on its own, meaning does not create passion. People also need to see progress. People need to feel impact and experience forward movement. Progress is an essential ingredient for engagement. The marketing director needed to see signals of progress such as client feedback on their social media sites, steady increases in sales, execution on new ideas for product enhancements and ultimately increased market share. The administrator, without a connection to meaning, felt disconnected rather than engaged.

Discovery #3, Actionable Drivers: Our research clearly illustrates that there are certain disciplines (21 to be exact) that organizations need to

consistently apply to drive a sense of meaning and progress. These drivers include vision and values, resourcing including employee-friendly policies, communications and team support plus an ability to master your work and have autonomy over a good portion of it. When these 21 drivers are maintained, a beautiful domino occurs. For those who report high driver scores, you ultimately see great loyalty, advocacy and satisfaction.

We move from higher drivers to higher meaning and progress to more passionate engagement to higher engagement outcomes.

Any organization can have passionate employees.

All you need is to create the conditions for high Meaning and Progress through consistently applying the 21 drivers in a disciplined and authentic manner.

The university administrator rediscovered her passion after she convinced the university to conduct a value chain analysis that led to streamlining the bureaucracy so it was more service-orientated. The marketing director also rediscovered her passion when the company formalized customer feedback and incorporated it into their business planning approach.

Jacqueline Throop-Robinson is CEO of Spark Engagement and can be reached via email at jacqueline@spark-engagement.com. For more information on the model and survey, please contact Jacqueline for a copy of her full research paper.

Feature



Jacqueline Throop Robinson will be presenting on:
Sign in Your Teams: Connect, Collaborate and Create with Ease
at IPM's Toronto Conference May 3, 2017.

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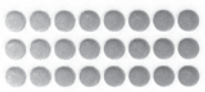
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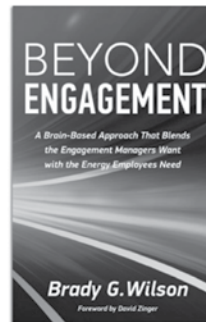
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Charmaine Hammond

President, Hammond International Inc.

Keeping the Peace

Make conflict management a strategic advantage in your workplace

Research reports indicate that managers and leaders spend 20-40% of their time dealing with conflict, this is a significant investment of time, money and energy, and that unresolved or poorly managed conflict is leading to about 50% of the resignations. HR reports suggest that to replace one employee, the cost is more than their annual salary.

Ensuring that everyone is well trained on conflict management skills with policies that effectively support the resolution of conflict with proper processes in place all make good financial sense. Many senior HR executives spend up to 20% of their time engaged in litigation activities, most of which relate to workplace conflict. Identifying conflicts quickly and addressing them effectively will produce results that positively impact relationships, performance and productivity. These benefits far outweigh the cost of implementing conflict management programs in the workplace.

So how does an organization turn the tables and create a culture and system to effectively respond to conflict?

Culture

The mindset and belief system in an organization directly impact the degree to which conflict will be managed effectively. The prevailing belief system in some organizations is that conflict is a threat to relationships and team cohesiveness, so people should do what it takes to respectfully accept others' views and needs and work collaboratively to resolve issues.

Some organizations view conflict as negative and a drain on time and energy, so conflict issues should be avoided whenever possible. Other organizations see conflict as a challenge to a person's credibility, reputation and authority, so people respond in a strong and competitive manner to protect their position. Other organizations see the necessity for flexibility, collaboration, mutual concessions and compromise as a way of resolving conflicts in a way that maintains healthy relationships and a healthy culture.

Ensure your organization chooses the belief system that promotes kindness, acceptance and respect and effectively managed conflict. Provide training and communications frequently throughout the year so the culture becomes ingrained and also provide leaders with support to ensure the culture is modelled in how they show up and how they lead.

Systems

A great place to start when ensuring your systems support a conflict responsive organization is to review your policies and procedures. Next, review the current practices of how conflict is typically resolved and addressed. Take an inventory of training and skillset development that has been offered in the workplace. Review your communication practices. Then verify the services that can be accessed in conflict situations. For example, does your organization have a process to report concerns? Does your organization provide a clear path for

employees to address concerns without starting a formal complaint? Are there requirements for leaders to address conflicts in a specific manner? Do you have internal neutrals or internal mediators who can assist? Identify any gaps and opportunities in the systems and processes that currently exist.

Supports

Most organizational conflicts involve disagreements or miscommunication over task-related matters. In an organization you have people with different personalities, different working styles and diverse perspectives on how to approach a task. Helping teams understand the different working styles and how to work effectively will go a long way in improving team success. When I work with organizations to create Team Charters, set up conflict management systems or provide training on conflict management response and skills, I always take the team through a working style inventory. Immediately team members begin to see the value of knowing how to work differently with all the working styles. This information alone can reduce miscommunication and frustration and head off a difference in approach from turning into a dispute.

The other supports essential to advancing your workplace conflict management system include:

- 1) Training employees on communication and conflict resolution skills.

continued next page...

Feature



Charmaine Hammond will be presenting on:
Communicating for Success and Results – Difficult Conversations
at IPM's Halifax May 3, 2017 Conference.

FOR DETAILS, GO TO WWW.WORKPLACE.CA (CLICK ON EVENTS).

Support Transgender Employees

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5. Help Educate Co-workers and Others in the Workplace

Employers and employees alike may express discomfort with the transition of a colleague. It is important for employers to address feelings and concerns through education and discussion. Employers should provide

education and training on the topics of human rights legislation, relevant policies i.e. harassment and discrimination, and workplace respect to create awareness, show support and reduce discomfort.

Participating in these five initiatives can help create a more diverse, respectful and productive workplace.

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Termination and Disability Benefits: Protect Yourself

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3. Ensure that you obtain a signed release when terminating an employee, which references the fact that the employee relinquishes all rights to a claim for disability benefits.

4. Consider working notice of termination for as long as possible for employees who you perceive to be at risk of making a claim for disability benefits. Since they are still actively at work, they should still be eligible for coverage under most policies.

5. During any period of negotiations on the severance package, you may also want to provide a sum of money on a without prejudice basis that the employee can use to obtain alternate coverage.

Lastly, you may also want to place pressure on your insurer to extend coverage during the entire notice period. We have seen this done in the past, although the premium is considerably more expensive in our experience. If enough employers do so, the burden will be

shifted to the insurer, in the same way that it has during the ESA notice period.

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Keeping the Peace

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2) Ensuring that conflict is identified, addressed and followed up on quickly and effectively.

3) Provide coaching and mentoring to employees to help employees effectively prepare for situations when they must have difficult conversations or address a conflict.

4) Provide access to early neutral evaluation and interest based resolution processes such as mediation.

Organizations that commit to creating a culture based on respect and effective conflict resolution provide employees and leaders with the skills to address issues. This will result in the organizations

experiencing fewer turnovers, better managed conflict and a much happier productive workplace.

Charmaine Hammond is President of Hammond International Inc. and can be reached via email at charmaine@hammondgroup.biz.

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