

BACK TO SCHOOL SPECIAL EDITION: TEACHING SUPERVISORS WHEN TO CONTACT THE HUMAN RESOURCES DEPARTMENT

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Employment Law Reporter, Ervin Cohen & Jessup LLP

It's September. Traffic has swollen to new highs—kids are back in school. Many have forgotten what they learned. Many need to learn things for the first time. We're not just talking about the kids, but your company supervisors too.

Did some of your supervisors get promoted from within without formal management training? Did some of your supervisors get hired from elsewhere without you knowing if they've ever had management training? You try to meet with them, but it is difficult when they have so much other work in front of them.

Frustrating? Absolutely.

So what do you do? Send them to school.

- Schedule some basic management training.
- Schedule the requisite sexual harassment/bullying training.
- Review their written reviews of employees and correct them before they repeat the same mistakes.
- Give them a cheat sheet of when to call you.

The importance of knowing when to call human resources cannot be over-emphasized. No matter how many times you train them to involve the HR Department in decisions that are likely to affect the company's bottom line, it is often not happening. Typically, HR is brought in to "problem situations" when they've already gotten quite beyond repair or, worse, when a plaintiff's attorney demand letter has landed in your inbox. The consequences of a failure in this area can be disastrous; getting it wrong often means that the company and the supervisor are exposed to claims that might have been resolved in the workplace if a seasoned professional had simply been brought in at the appropriate stage.

PROFESSIONALS

Kelly O. Scott

PRACTICE AREAS

Employment

How do you increase the chances of HR getting brought in at the right time? Give your supervisors guidelines that are both broad and easy to use. Make sure the guidelines are in writing. Make sure you refer to the guidelines and remind supervisors to use them often. Lastly, make sure that any failure to follow the guidelines is noted and appropriately disciplined.

To get you started with your own “school supplies,” we’ve put together below our own top twenty list of the basics. Feel free to use the below list as-is or revise it as may be needed for your workplace.

To: All Supervisors

From: HR Department

As a reminder, you should contact the Human Resources Department when:

1. An employee has contacted you regarding an absence or tardiness;
2. An employee has suffered an injury in the workplace;
3. An employee has complained to anyone about a co-worker, supervisor, customer or vendor;
4. An employee has violated a company policy;
5. An employee is complaining of a health condition that could interfere in some manner with their work;
6. An employee seems to be impaired in some way (e.g., drugs, alcohol, injury);
7. You suspect an employee to be in a romantic relationship with a co-worker, supervisor, customer or vendor;
8. You believe an employee is involved in some type of theft;
9. You learn that an employee is pregnant or is planning an adoption;
10. You learn that an employee is planning a surgery or medical procedure that will require an absence from work;
11. You learn that an employee needs to be absent from work in connection with some type of court proceeding;
12. You learn of an employee’s activities outside of work that would violate workplace policies or could adversely impact the workplace;
13. An employee expresses a need for any type of leave of absence;
14. An employee makes threats of violence against anyone;
15. An employee discloses the serious health condition of a family member;
16. An employee believes a condition, tool or procedure in the workplace is unsafe;
17. An employee expresses fear of a co-worker, supervisor, customer or vendor;
18. An employee is not performing all of his or her job functions adequately, after having been told about it at least once;

19. An employee requests an accommodation at work (e.g., change in schedule, workplace environment, location, or duties); and
20. An employee complains to you about something or someone at work, but asks you not to do anything about it or to keep it a secret.

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