

July - August 2014 Essential Update

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This month's update has a focus on Operating Business Remotely

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Helpful Hint

The Pros and Cons of Distance Working

For many, particularly in this day and age, heading in to work for the usual 8 – 5 routine every day just doesn't work. There are many reasons for this: having young children; living significantly remote from the office; transportation times... Sometimes, “life” just stops an otherwise productive and highly skilled worker from coming in to the office every day – but in many businesses, this doesn't need to mean the complete loss of an otherwise productive employee – not permanently, nor even for one day. You've heard of distance learning – well now I want to introduce you to **Distance Working**.

Thankfully, we live in a time where working from home is easier than ever. Advances in telecommunications and the digital revolution have brought many tools that make it significantly easier than ever before, for normal office-based jobs to be worked from home. Using basic tools like email and smartphones, and more sophisticated ones like on-line project collaboration tools and Skype; and managing through techniques that focus on empowering staff instead of controlling them and on output instead of input; companies have added hours to the day for some staff.

The benefits are many for both employee and employer. It provides that extra layer of flexibility that employees in 2014 value extremely highly. Sick leave is reduced because having a child home from school does not necessarily mean a sick day for the employee. Several studies have found that working from home also boosts productivity, with a study conducted by Stanford University finding productivity on average 13% higher in call centre employees working from home compared to the rest of their office-based co-workers.

It's not all good though, and there are several challenges that employers must face if their employees work from home. One of the most significant is the potential loss of cohesive teamwork – being isolated from those you work most closely with can be a significant challenge, as “smoko” chats can be some of the most rewarding conversations (on both a work and a social level) and Facebook is not always as good. There are also health & safety risks to think about – employers must legally be satisfied that there are no risks to all of their employees in their place of work, including the home offices of any remote employees!

Want to make use of this idea? Contact us and we can help you plan.

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At least once per week we will post a short informative post on the website. You may subscribe to our weekly blogs using the “Subscribe” button on the “Keeping you posted” page,

<http://www.essentialhr.co.nz/news/>.

This month I have posted on:

- **Small Business Sector Report**
- **Get the 90-day trial right!**
- **Latest CPI data**
- **What if an Employee lies during a disciplinary investigation?**
- **When does a job offer become a contract?**

Mike's Whereabouts

Ashburton: September 3rd
10th, 17th, 24th

Westport: Still to finalise

Did you Know?

In the 2013 Census 29% of men and 17% of women aged over 65 were still in paid employment. And that part of the workforce is a rapidly growing one.

This raises interesting questions about just how long your older workers will stay around and how important it is for companies to have policies or processes for discussing eventual retirement. Honest conversations in a safe place are called for.

Legal Latest

Health and Safety Warnings

We are all aware that there will be new legislation with much greater teeth coming in the next few months. Yet so often we see examples of companies that are well short of what is even required currently. Recent cases include:

- **\$30,000 fine for not preventing a fall**

The company was using mobile scaffolding, which accidentally tipped over. Unfortunately the company's hazard register did not include controls that they could have put in place had they considered guidance in the ACC-issued "Best Practice Guidelines for Scaffolding" and the fine would have been much larger had they not been otherwise so compliant and helpful.

There are a huge number of such guidelines, codes of practice and regulations – do you know what applies to your industry or to the type of hazards you face?

- **\$25,000 fine for not installing a machine properly**

The company was using a mechanical folding machine, which was accidentally started while another employee's hand was inside. Unfortunately the company had not set up the machine optimally for H&S per the design specifications (in essence they had taken a short cut).

All machines are supposed to be considered in all aspects of their use – have all your machines been analysed for hazards?

- **\$50,000 fine for not putting controls in place they knew were needed**

The company was using a conveyor belt, and an employee tried a risky action to clear a blockage without turning it off. Unfortunately the company had not put certain guards in place, despite advice from an audit 18 months before. The fine was based on a simple principle that the company knew the danger – they were lucky the accident wasn't worse.

Are you sure all hazards you are aware of in your workplace are under control?

90-day Trials that aren't

I am aware that there are certain legal niceties that have to be complied with for your 90-day trial to be effective. Like it must refer to the Act, to the impact on PGs and the employment agreement must be **signed before** the employee starts work. But recent cases have added to the confusion. And get it wrong means you have dismissed someone unfairly and can owe them thousands. So:

- **Check the agreement is also complete**

If the employment agreement is missing a pay-rate, job title, working hours or location; or if the employer hasn't signed it, then even if the employee has signed the document with the trial period in it, it may still not be effective as the contract could not have been fully executed without the above details.

- **Check notice is given before the end of the trial**

Notice generally must be in writing. A meeting that tells an employee they are dismissed doesn't count and if you delay the written notice until after the 90 days it is too late!

Essential Essentials

Making Distance Working Work

The first thing you need to be clear on is what might be achieved by having someone work remotely (be it from home or from a remote office). It may give you business market access, or simply the chance to employ someone you value even though they live in a different city. It may provide the opportunity for unusual hours of work (e.g. accessing UK markets), or it may simply suit the employee. This understanding will help you with the procedures you design.

The next step is to draft some clear policy wording around working remotely. When (how frequently) do you want to allow employees to work from home? What employees can access this option? What times do you want them in the office – e.g. for meetings? How will you build their sense of team-belonging? Do you have, as a minimum, a H&S checklist for home-working? Who will provide what in the way of equipment and telecommunications (and is there a high speed internet connection available for them)? Have you sorted appropriate IT security for remote access?

And thirdly you need to put in place some measures for managing them. This is where I have seen most break down. Hold clear discussions with them before it starts – to agree on required outputs and measures. You need to know exactly what will make you feel comfortable, which may take some reflection, but will be well worth it.

I can assist you with any policy wording you need, plus any additional assistance rolling it out with individuals and fully integrating it in to the way that your company works.

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