



Employment Law update April 2018

How do you deal with religious holidays?

In the UK there are a wide range of different religions that may have celebrations or holidays, affecting the workplace.

Religious participation will vary with the individual's beliefs and the festival in question and employers are not legally obliged to grant requests for leave on religious grounds. Some participation during festivals and holy days may affect employees whilst they work and this requires planning and consideration.

Employers and employees who discuss and plan requests in good time are likely to minimise any impact of such requests – keeping the requirements of the business in mind will help to balance any requests against this.

Holy days and festivals may mean some employees wish to attend additional religious events. While some of these are tied to specific times, others may provide the opportunity to attend a service at different points during the day.

There is no right that guarantees employees time off to attend religious services, but it is good practice for employers to accommodate requests where possible, although this will depend on the overall level of demand for time off and the requirements of the business. Time off can be given as unpaid, or as holiday leave or with an arrangement to work back time – there is no obligation for paid time to be granted.

Employees remaining in the workplace may also wish for a private space for prayer or meditation. Employers may have prayer rooms for such purposes but if not, designating such a space temporarily at certain times of the day (based on employees' requests) can be a help.

Many workplaces have employees from different religious and non-religious backgrounds. Encouraging greater awareness and understanding of these



backgrounds can be rewarding, particularly in terms of team building. It can also help to reduce the chance of misunderstanding and help build a more diverse workplace.

How can you tell if your staff are disengaged?

We are hearing much about employee engagement and the importance of engaged employees as a means of driving productivity at work. But according to a new survey, only 10% of employees in Western Europe are engaged at work.

So how can you spot when employees are disengaged?

Missing deadlines

Employees who constantly make excuses for missing deadlines (or just don't care) are likely to be disengaged and the time to deal with this is at the first sign. Don't wait until the deadlines become critical – connect with your employees to ensure that they are on track, motivated and dedicated to meet the deadline.

Lack of communication

When an employee becomes withdrawn and stops sharing with colleagues and managers what they're doing, it indicates a certain lack of engagement. Just 12% of employees are asked regularly about what would improve their experiences at work. Simply by asking employees what makes a great employee experience can make a difference – not only can you find out how to design great experiences, but they'll appreciate being asked.

Regular complaining

Every company has those who may be more vocal about things they don't like than others, but recognising when an employee has valid complaints is important to understanding the culture in the organisation as a whole. Asking employees what matters most to them in the workplace is often a question that many businesses never ask.



Low quality of work

There could be a number of reasons why an employee may be consistently delivering poor work.

Ensure you're supporting line managers to give clear, concise and time-specific feedback so that employees know what is expected, how they can step up, and what they need to do next time to address this.

Lack of ownership

'It's not my problem' is a common response from someone disengaged with their role and the company.

Finding things that they do care about in their role, even if it's just one element, is key to changing the mindset of these employees.

Changing tasks among a team can often revive disengaged employees, with certain team members thriving do certain tasks that others really don't get any enjoyment out of.

Do your staff demand more opportunities for training?

New research has revealed that 2 in 3 UK employees have changed jobs due to a lack of training opportunities.

With unemployment rates at the lowest since 1975, employers are increasingly faced with a task of ensuring that they retain their existing talent and this research suggests that one way to do this is by using training. Alongside building employee morale, the research shows that the UK workforce is keen and looking to upskill, offering a potential alternative for bridging the UK skills gap with as many as 90% of workers suggesting that they want their employer to make more training available.



Importantly, four in five employers agree that their staff perform better after training, highlighting the positive impact training has on both businesses and employees, who benefit from refreshing existing skills and learning new ones. Besides the positive impact on an individual's career, businesses as a whole are reaping the rewards, with nearly 90% of employers stating that upskilling an individual team member also improves their wider team's output.

Understanding the importance of training opportunities will support individual growth and build professional development in the workplace.

QUESTION AND ANSWER CORNER

Q: One of our most valued employees seems to have walked out, saying he had resigned after a heated argument with a junior manager. He hasn't put this in writing but we haven't heard from him for two days. Do I just assume he has left?

A. Despite what the employee may have said at the time, it could be dangerous for you to conclude that he meant to resign "in the heat of the moment". If he has at least two years' continuous service with you he could claim unfair dismissal if you simply process him as a leaver.

The best response is to treat this two days' absence as a "cooling off" period and then contact the employee and establish whether or not he actually meant to resign and find out the facts relating to the situation as you may have to treat any disagreement as a grievance, or even a disciplinary situation. This way you may be able to resolve the problem and you can then agree with the employee that he returns to work. If you can't contact him, wait a reasonable time before writing to him to state that unless he confirms to the contrary, you will assume that his absence and verbal resignation mean that he is not returning. Give a date by which he should contact you, after which you can proceed to treat him as a leaver if he has not got in touch.



Q: Are we obliged to grant time off to a male employee whose partner is pregnant (even if she does not work for us)?

A. An employee who is the husband, partner or civil partner of a pregnant woman, or the father of the expected child, has the statutory right to take time off work to attend up to two antenatal appointments for a maximum of six and a half hours for each appointment. It is not, however, obligatory to pay the employee for such time off.

If you have a particular question that you would like answered email training@scottishwholesale.co.uk or call 0800 9995 121 and we will publish next month – all names will be removed to ensure confidentiality.