



The CPD Fest 2020

HR and Employment Law – Key Considerations for Businesses

Presenter:

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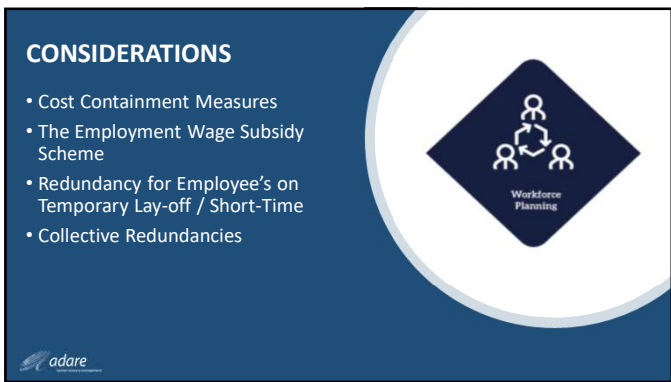
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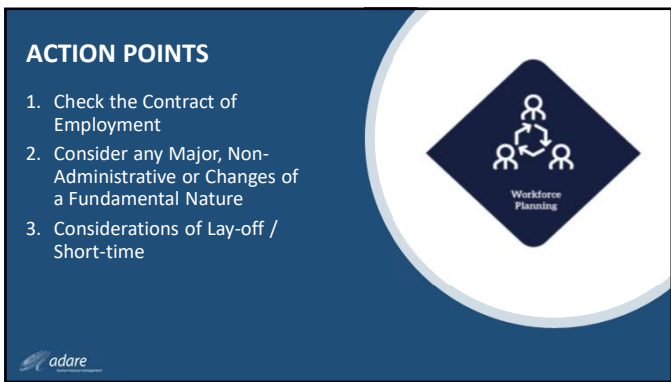
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KEY STEPS

1. Planning & Analysis
2. Determining the Alternative Practice – Fit for Future Purpose
3. Developing an Action Plan
4. Implementation
5. Embed, Review & Realign



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REMOTE / FLEXIBLE WORKING

- Requirements of the role
- Communicate changes
- Deal with performance issues as they arise
- Keep a record
- Consider training, mentoring and other supports



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Risks

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MITIGATION

- It is important that every employee is afforded **fair procedures and natural justice**.
- Follow the **key steps**:
 - Business Case
 - Action Plan
 - Selection & At Risk Process for Redundancy
 - Consultation & Engagement
 - Closing Out The Process
- **Communication & transparency**



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The Employment Claim



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WORKPLACE RELATIONS COMMISSION
How it Works: The Theory

All complaints heard by Adjudication Officer WRC – THE THEORY	Clear statement setting out details must be provided WRC – THE THEORY	Decisions within 28 days or as soon as is practicable WRC – THE THEORY
Complaint – within six months of contravention of legislation WRC – THE THEORY	Employer required to provide written response within 21 days WRC – THE THEORY	Appeal to Labour Court within 42 days of date of decision WRC – THE THEORY
Adjournment granted only in exceptional circumstances WRC – THE THEORY	Case scheduled within 6 to 8 weeks of referral WRC – THE THEORY	



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CASE LAW


- **Pay cuts:** *Santry Sports Clinic v. 5 Employees* [PW251/2001]
- **Constructive Dismissal:** *Employee v. Employer* [UD1967/2011]
- **Redundancy / Unfair Dismissal:** *Tolerance Technologies Limited v. Joe Foran* [UDD1638]
- **Redundancy / Equality:** *Rose Kelly v. Chivers Ireland Ltd* [DEC-E2011-177]
- **Redundancy Payment:** *L Connaughton and Sons Limited v. Yvonne Healy* [RPD205]
- **Collective Redundancy:** *Senior Customer Service Representative v. Customer Call Centre Service* [ADJ-00021532]



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Questions & Answers



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WHAT WE DO

HR and Employment Law Support (Partnership Programme)

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- 3 Representation
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- 5 Keeping in touch & Keeping you in the know

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- 2 Organisational Development and Change
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