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## May 2017 Update

Welcome to this month's update - where we discuss the latest legislation and guidance.

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### Top tips for managing conflict - Part 2 (Part 1 in March 2017 update)

In the previous update, we looked at 4 tips to help deal with conflict in workplace. Often it is left to escalate beyond all proportion.

\* Try not to force change on others

It is almost impossible to fix a deteriorating or broken relationship by trying to control the person's behaviour. If you cannot have a full and frank discussion with a person on a reasonable basis, you need to consider trying to change the way you deal with, and behave towards them. However frustrating someone is being, try experimenting with different ways of interacting positively with them, and try to avoid being passively aggressive.

\* Let the other person talk, and listen hard!

If can often be very difficult to really listen to someone else in a conflict. It is even harder to really 'hear' what they have to say. It can also be easy to dismiss what they are saying. Try and listen carefully to the other person's point of view, while suppressing your own contrary views. It is not about taking turns to talk, it is about taking turns to attempt to explain and understand.

\*Tell them what they told you

A key skill to develop active listening is to reflect back to the other person what you understood. This helps the other person know you understood what they said.

\* Don't be impulsive

Take time to cool off and gather your thoughts. Don't assume a negative motivation for what they did, it could just be a misunderstanding.

\* Focus on the future

You may never agree with one another. You will almost certainly not agree on whose fault it is. Simply state how it made you feel. Focus on how to make things better, or at least different, going forwards rather than constantly going over old ground.

**Employers:** A lot of conflict arises from a failure to acknowledge another person's point of view. It is the sitting and listening, giving feedback, and focusing on the future rather than going over the past, which differentiates a good manager.

**Contact us:** We can assist with workplace confrontation to prevent it escalating to the grievance level.

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## The Right to be Accompanied

Employees have the right to be accompanied by a colleague or a trade union representative at a disciplinary hearing. If an employee is not allowed this right then they could claim up to two weeks' pay in the Tribunal. In the recent case of *Gnahoua v Abellio London Ltd*, Abellio had not allowed Mr Gnahoua to be accompanied at his appeal hearing by his chosen companion, one of two brothers from the PTSC Union.

The company had a policy that neither of these individuals were allowed to take part in a disciplinary/grievance hearing because of their association with dishonesty. Mr Gnahoua could chose a different Union member, but that did not happen.

The company had good reason to refuse to go along with his choice of companion. As Mr Gnahoua had not suffered a loss or suffered a detriment in this situation he was only awarded a nominal compensation of £2.

**Employers:** Should not see this as giving the green light to object to an employee's choice of companion. Objection is only justified if there are serious grounds to do so.

**Contact us:** We can advise on disciplinary and grievance procedures and how to conduct hearings.

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## Bank holidays

Jeremy Corbyn has this week announced that a Labour Government would seek to create four new UK bank holidays, St David's Day (1 March), St Patrick's Day (17 March), St George's Day (23 April) and St Andrew's Day (30 November). What impact would the creation of four new public holidays have for employers and employees in reality?

Basically, it will likely make little difference to the majority of the UK's workforce. Just because an additional public holiday is declared, it does not mean that all employees will automatically be entitled to receive an additional paid day off work.

Whether or not an employee will be entitled to take any additional bank holidays as a result of such a move, would be dependent upon the wording of their contract of employment.

**Employers:** Employees are entitled to 28 days holiday per year which can include bank holidays under the regulations. Even if another bank holiday is declared it does not mean their entitlement increase.

**Contact us:** We can advise on holiday pay and allowances particularly with zero hours / short term working

**For more information or assistance Email:** [enquiries@employmentlawsupport.co.uk](mailto:enquiries@employmentlawsupport.co.uk)

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Business Forum

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