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Human Resources & Health and Safety



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Do you employ staff?

Severe Weather and Christmas Parties

Severe Weather

Floods, heavy rain, ice and snow: it is inevitable that every winter the country will be suffering from at least one of these four extreme forms of weather. With plenty of employees commuting to work in their own vehicles or relying on public transport, this can cause a problem. Last year we experienced a very cold, long and white winter thanks to the “Beast from the East” that brought public transport to a standstill rendered many people throughout the country unable to leave their homes. We have no way of knowing if this winter will be milder or filled with similar severe weather, so it is best to be prepared for all eventualities. As an employer, do you know how best to manage situations where employees cannot make it into work?

An employer is responsible for the Health and Safety of their employees. Because of this, it would not be appropriate to ignore the severity of the weather and pressure employees to come into work if they don't feel it's safe to do so. A realistic and flexible approach is needed when it comes to severe weather, it doesn't make sense for an employee to spend over half the day attempting to get to work when it may be possible for them to work safely in their own home. On the other hand, a Company will find it very difficult to operate if a large number of employees are unable to attend work, and this is why a policy expressing the Company's expectations and standards is good practice.

By implementing a Severe Weather Policy, you are providing your employees with a set of rules, expectations, and guidelines. It is important that you maintain a fair approach within your policy; if you come across as too forceful, it may damage the employer-employee relationship. No one wants to feel like they are working for an unreasonable employer who would expect them to drive to work through a snowstorm, thereby risking their own health and safety. Likewise, those employees who can make it in to work easily want to see that their efforts are rewarded, especially because they are going to be the employees picking up the slack.

Having a policy will also help you to manage expectations. Employees are likely to have questions surrounding how they will be paid if they are unable to attend work themselves, or if the business is fully or partially closed due to severe weather. If the Company has a clear stance on how these situations will be managed, then employees will be more aware / informed.

When managing employees in line with a policy, employers should remain aware that not all employees are the same. Severe weather can affect employees differently and one rule may not suit all. Vulnerable employees such as pregnant workers, or employees with a disability who rely on public / specially provided transport may find it more risky or difficult to travel to work in severe weather, and therefore managing them in the same way as more able employees may not always be appropriate.

Similarly, employers should also be mindful that not all employees work in the same environment or perform the same tasks. For example, employees who work indoors have a very different experience of working in severe weather when compared to those employees who work outdoors, and therefore different rules and guidance may need to be put in place. Employers should ensure all severe weather-related risks are considered when conducting risk assessments and employees may need to be given training to ensure they are able to recognise the symptoms of "cold stress". Appropriate protective equipment should be issued and reasonable adjustments such as more frequent rest breaks to seek warm refuge and a warm beverage could be given.

Christmas Parties

Holding a Christmas party is a great way to boost the morale of employees and make them feel part of a team. It enables employees to celebrate and blow off steam together and it satisfies an element of their reward package; social activities being a way for employers to show their appreciation for all the hard work completed throughout the year. Unfortunately, Christmas is also a time of year in which people may consume a large amount of alcohol and may therefore do or say things they later regret. If employees fall out with each other at a party it may then affect their working relationships, which may then lead to grievances being raised or claims of bullying and harassment. Without taking appropriate steps, you as the employer may be vicariously liable for any bullying, harassment or discrimination, which takes place at a work-related social event, or even at an "after party" of a work-related social event, as the recent result of the *Bellman vs. Northampton Recruitment (2018)* case has shown.

One of the best ways to avoid these dangers is to make sure you have the right policies in place. An "Office Party" policy would detail what behaviour is and is not appropriate. It would remind employees that whilst they are at a social event, it is also a work event, and therefore they should behave accordingly. If you combine this with a high level of communication outlining the Company's expectations and standards, you will hopefully have a problem free party. Many employers are also now choosing to limit the amount of "free" or Company supplied alcohol that is on offer, ensuring there is enough for people to enjoy themselves, but not so much that enables people to become overly intoxicated.

Employers also need to ensure that the party meets everyone's needs. By providing vegetarian options and alcohol free drinks, everyone should feel welcome and able to enjoy the party. Make sure the party is held somewhere neutral i.e. a venue that welcomes people of all religions and sexualities, as this will enable people to feel secure and respected. The most important recommendation, however, is that you deal with any aftermath of the party

appropriately. If you are unfortunate enough to encounter an employee issue as a result of the party, make sure you deal with this in a timely manner. Too often employees feel that complaints regarding an office party are not taken seriously, but you have a legal responsibility and a duty of care towards your employees to deal with any resulting complaints of bullying, harassment, discrimination or grievances as you would under any other circumstance.

How Can We Help?

If you have any queries relating to any of the subjects raised within this newsletter then please do not hesitate to contact us at hradvice@hasslefreehr.co.uk