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Do you employ staff?

A 'HR' Response to "Brexit" Concerns

Common Concerns

Since 23rd June 2016, the date of the "Brexit" vote, both employers and employees have been understandably concerned. Employers are worried that leaving the European Union may mean a loss of talent or skill for their company, whether this is through their own employees being forced to leave or due to a lower number of skilled migrants entering the country. Similarly, employers of seasonal workers are concerned that they will be unable to find British Nationals willing to perform the roles usually performed by EA Nationals, resulting in a problematic staff shortage. Employers are also unsure of what they should do about recruitment, with many already showing signs of hesitation when it comes to recruiting EA Nationals. As well as the people management concerns, employers are also worried about the loss of sales/profit that may come from "Brexit". They are concerned that leaving the EU may result in less business for them, which could potentially lead to redundancies in the future, or even the closure of the business. Above all, most employers are concerned about possible changes to employment law and the confusion that that may bring.

One of the biggest concerns for employees is the uncertainty for their future. Many EA Nationals believe the vote will result in their expulsion from the country. Some people are so concerned about this that they are already leaving; there has been a small but significant increase in the amount of EA Nationals who live in the UK but who are now looking for work in Europe. As well as this, most employees are worried about bullying and discrimination. It has widely been reported by the Police and in the media that there has been an increase in racism etc. since the Brexit vote. Indeed, there have already been issues in the workplace reported such as one employee arriving at work to find her desk cleared by colleagues, and another employee being greeted at work by a Nazi salute (Calnan 2016). But it isn't just the obvious bullying that worries employees, it is also the risk of discrimination. Some employees are worried that they may be overlooked for promotions by employers who "don't see the point" in investing in their future and others are worried that they may now be un-hireable.

The Current Situation

The important thing to remember is that nothing has really happened yet. Whilst the country has declared its intention to leave the European Union, leaving is a complicated process that will take several years to finalise. Firstly, the Prime Minister will have to initiate Article 50 in order to submit the country's resignation from the EU. What then follows will be two years of negotiations of *how* we will leave and what the relationship between the UK and the EU will be like in the future. During the negotiation period the UK will still be a member of the EU and therefore will still be required to operate by the rules of its current membership. The negotiations are expected to take two years, but in truth they can be shorter or longer depending upon how the negotiation period progresses. So really, nothing has changed yet, and there will not be any change for some time.

The Future

What happens in the future will mostly depend upon the agreements made during the negotiation period. It may be that the UK will completely leave the EU, losing rights to Free Movement and the Single Market, but it is more likely that it will take the "Norwegian Option" or something similar. This could result in retaining Free Movement or access to the Single Market, but as the Government is yet to explain what agreement they would like to achieve, this is pure speculation.

There may be changes to Employment Law in the future, but it is unlikely that the UK Government will 'rock the boat' unnecessarily. Many concerns have been expressed about the possible erosion of standard employee rights however this would be an unfavourable stance and would undoubtedly result in a negative backlash from the general public. Instead it is more likely that changes will be made to unpopular and confusing employment law such as the Transfer of Undertakings (TUPE) Regulations or the Agency Workers Directive.

Keeping Employees Happy

Change scares and unsettles employees, and one of the best ways to tackle that fear is with clear communication. If you haven't already, perhaps you should consider a "Post Brexit Memo" reassuring any concerned staff and also reiterating the rules we are all bound by; your company's policies and procedures surrounding bullying, harassment, and equality. It would be wise to ensure your management team are trained in spotting and dealing with employee tension in order to prevent disagreements escalating. It can also be a good idea to remind your employees of your Open Door procedure, let employees know they are more than welcome to voice any concerns they may have. Some employers are even going so far as to create a "Brexit Taskforce"; nominated persons to listen to and answer questions. Other employers are conducting well-being surveys to understand how their employees are feeling and how best to support them. Remember, you have a duty of care towards your employees. Nothing has legally changed at the moment, so please do your best to reassure and support them in this time of confusion.

How Can We Help?

As more 'HR' related information is released regarding Brexit, we will keep you updated. In the meantime, if you have any queries relating to the subject of this e-newsletter or any other HR related issue, then please don't

hesitate to contact us at hradvice@hasslefreehr.co.uk.

Sources

Calnan, Marianne (22nd July 2016) People Management Magazine. *Brexit: Calm the Immediate Tensions*. Accessed online: <http://www.cipd.co.uk/pm/peoplemanagement/p/paymentgateway.aspx?returnURL=/pm/peoplemanagement/b/weblog/archive/2016/07/22/brexit-calm-the-immediate-tensions.aspx&blogid=2&postid=100815> Accessed date: 25th August 2016