INSIDE: THE RELOCATION LIFECYCLE | BEYOND EMPLOYEE ENTITLEMENT | HR BIG DATA | COMPLAINTS INVESTIGATIONS

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THE MAGAZINE OF HUMAN RESOURCES THOUGHT LEADERSHIP | JULY/AUGUST 2013

CHANGING WORKPLACES & HORIZONS

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ORIT SINAI, BHRM, LL.B.

Orit Sinai graduated from York University with a Bachelors of Human Resources Management and gained valuable HR experience in the retail industry. Realizing the number of legal issues to be dealt with as an HR professional, she subsequently earned her law degree from the University of Windsor and articled at Fogler Rubinoff LLP. Sinai joined ZSA after searching for the right opportunity to combine both her HR and legal skill set in a dynamic environment. Sinai discusses the benefit of legal training for HR professionals, on page 42.

PATRICK M. OGILVIE, CPP, PSP

Patrick Ogilivie is a regional manager of CKR Global's Risk Solutions Division, operating out of the head office in Toronto, Ontario. He is also the current chair of the executive committee of the ASIS International Toronto chapter. Ogilvie is certified in security management (CPP), and in physical security assessment; application, design and integration of physical security systems and implementation of physical security measures (PSP-Physical Security Professional). Ogilvie is also Level 1 and 2 CPTED (Crime Prevention Through Environment Design) certified. He has more than 20 years of security industry experience as the former manager of security at the CN Tower, a post-secondary law and security professor and a corporate consultant with an international security manufacturer. He discusses risk assessment and security when planning foreign investments, on page 26.

HEATHER DRANITSARIS-HILLIARD

Heather Dranitsaris-Hilliard is an expert in behavioural change, organizational effectiveness and leadership development. She has more than 20 years' experience helping organizations to transform their cultures and maximize their potential by providing pragmatic solutions that integrate people and systems to achieve superior results. Her expertise also includes strategy development, design and implementation of talent management systems and eliminating dysfunction to build high performance teams. She is the co-creator of the Striving Styles Personality System, a brain-based approach to expediting team and individual development that shows people why they behave the way they do and how to break patterns of behaviour that get in the way. She discusses the entitled employee, on page 32.

ANNE DRANITSARIS

Anne Dranitsaris, Ph.D., is a psychotherapist and expert in behavioural change. She helps leaders to deepen their ability to understand how personal dynamics and team dysfunctions ultimately affect the bottom line. She provides business relationship coaching and counselling for leaders and business owners having trouble with their business because of conflict in relationships. Her corporate therapy approach includes assessing, educating, training and coaching to develop greater self-awareness, awareness of others, improved team dynamics and overall corporate functioning. Co-creator of the Striving Styles Personality System, she works with individuals to develop self-awareness by understanding their personality, needs and behaviour and how their conditioning impacts their ability to thrive. She discusses the entitled employee, on page 32.

editor's letter

ACCESSIBILITY UPDATE

I continue to be impressed by the savvy of HR professionals, many, if not most, of whom closely watch legislative developments and changes. When our writer, Melissa Campeau researched the article on accessibility ("Right of Access") for *HR Professional's* May/June 2013 issue, she consulted a number of resources, including Government of Ontario websites and spokespeople. But, it took a reader who works as an accessibility coordinator for a municipal government to set us straight about the due dates for the "Design of Public Spaces Standards (Accessibility Standards for the Built Environment)", from O/Reg. 413/12, under the *Accessibility for Ontarians with Disabilities Act, 2005*.

Section 80.5 contains a schedule for meeting the requirements of the "Built Environment" regulation, which lays out the following dates:

1. For the Government of Ontario and the Legislative Assembly, January 1, 2015.
2. For designated public sector organizations, January 1, 2016.
3. For large organizations, January 1, 2017.
4. For small organizations, January 1, 2018.

Just after we went to press with that issue, the new Wynne government finalized its reorganization. If you have not already done so, please update your contact information as follows:

- For more information about accessibility standards, visit the government website at www.ontario.ca/AccessON
- To access the training resources for the Integrated Accessibility Standards Regulation, visit www.AccessForward.ca

Now, turning to our current issue, I think you'll agree is jam-packed with information as we all plan for the challenges of our changing world. As an editor, I try not to play favourites, but I was particularly happy when Patrick Ogilvie offered some insights into risk mitigation for organizations and their employees who travel or work abroad. Coming as it did so soon after the fire in the Bangladesh factory, it's a subject that needs much serious discussion.

As always, you can contact me directly at lblake@naylor.com, or post on our Facebook page, at www.facebook.com/#!/HRProfessionalMag.

Cheers,

hrprofessional

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As the premier HR association in Canada, HRPA is internationally recognized and sought out for its knowledge, innovation and leadership. With more than 19,000 members in 28 chapters in Ontario, and other locations around the world, HRPA connects its membership to an unmatched range of HR information resources, events, professional development and networking opportunities.

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BY PHILIP WILSON, CHRP, SHRP

CHRP GAINING CREDIBILITY

Earlier this year, HRPA and the Canadian HR Reporter released a Pulse Survey examining perceptions of the Certified Human Resources Professional (CHRP) designation among HR professionals, employers and the public.

The survey found the designation's credibility is growing—especially among HR professionals. Of the more than 1,000 respondents to the cross-Canada survey, 66 per cent said the designation is either noticeably more (33 per cent) or somewhat more (33 per cent) credible, valued and recognized than it was five years ago.

There are good reasons for this. The last few years have seen important changes to the CHRP, including the introduction of a degree requirement and phasing out of the National Professional Practice Assessment (NPPA) in favour of a three-year experience requirement. And with more than 1,000 respondents to the Pulse Survey, it is clear the credibility, value and recognition of the CHRP designation is a topic many HR professionals care deeply about.

The CHRP is also slowly getting traction with employers as they learn more about what human resources and HR professionals bring to their organizations—including the value of a designation that certifies knowledge in a profession that will only grow in importance as the workplace becomes more complex. In the Pulse Survey, six in 10 respondents who hire or engage with HR professionals said the CHRP designation is either "quite" or "highly desirable." Sixty per cent may not seem like a lot, but it's likely much higher than the response would have been five years ago—and no doubt it will be even higher in five years' time.

Last year's The Value of a CHRP survey backs this up. The national survey, carried out by compensation data specialists PayScale, found that in 2007, only 36 per cent of job postings on the Hire Authority HR job board specifically requested applicants be either CHRPs or actively working towards the designation. Five years later, in 2012, that percentage jumped to 67 per cent of postings—an 86 per cent increase in CHRP demand.

And similar are occurring trends in Alberta. CHRPs in that province have a higher median annual base salary ($91,800 vs $67,000—a 37 per cent premium) and are more likely to hold management positions, according to a survey by the Human Resources Institute of Alberta (HRIA)

Professional certification is the second most valued credential after obtaining graduate degrees, according to a recent study by the HR Certification Institute (HRCI)—an independent certifying organization for the human resource profession.

In my opinion certification enhances HR's professional reputation and credibility; it demonstrates to our stakeholders a high level of commitment to our field of practice; and enhances opportunities for career advancement. I believe that certification also increases employer confidence in the competence of HR professionals in regards to employment and business decisions. It also demonstrates that as HR professionals, we are committed to ongoing professional development to enhance our knowledge and skills. And for the public, the CHRP helps identify qualified service providers, which engenders trust and confidence in the profession. It also provides the public with a disciplinary process to follow in case of complaints.

Finally, I'd like to end this column with a shout-out to all the newly minted CHRPs whose names are featured in a two-page spread in this issue. Congratulations to all the new Certified Human Resources Professionals who earned the designation in 2012. Your knowledge and your commitment to the profession is an asset to your organizations and will serve you well in a future that will demand so much from the HR profession. ●

Phil Wilson, CHRP, SHRP is chair of the Human Resources Professionals Association (HRPA).

WOMEN'S ADVANCEMENT TO SENIOR ROLES STAGNANT, SAYS CONFERENCE BOARD REPORT

Attitudes about advancing women into senior management roles are still polarized along gender lines. Men in senior executive positions appear to be the least concerned about increasing the number of women in the top ranks of organizations.

Yet the stagnating advancement of women to senior positions in recent decades may be due to more than the attitudes of men. A new Conference Board of Canada report finds that a gap in opportunities between women and men emerges early in their respective careers—at the first level of management. Compared to men, women are less likely to feel they can obtain line management responsibilities, creating an experience gap at the earliest stages of their management careers.

Further, both women and men believe that leadership development and human resource management programs were not serving their intended purposes—identifying and developing the next generation of leadership candidates.

"Gender diversity in senior management is a strategic and cultural issue within organizations. Our research shows that barriers to women's advancement exist throughout organizations, but the responsibility starts at the very top—with the board of directors and the existing senior management," says Ian Cullwick, vice-president, leadership and human resources, with the Conference Board. "It will take more than neutrality on the part of senior male executives to bring about significant improvement in the advancement of women within organizations," Cullwick notes.

Eighty-six per cent of women believe there is still a glass ceiling. While 68 per cent of women managers think that the organizations are still run by an "old-boys club", only 43 per cent of men agree.

"Paradoxically, we may need more female leaders before we can increase the number of women in senior management," says Donna Burnett-Vachon, associate director, leadership and human resources with the board.

Most women (and men, for that matter) rank formal talent management programs at the bottom of the list in terms of having an impact on their careers. Further, mentors for women are more likely to have a lower organizational rank, and women are more likely than men to look outside their organizations for mentors.

"To advance, women need not just mentors, but sponsors—senior leaders who can advocate for them and help to open up career opportunities, often in an informal way. However, women are less likely than men to have sponsors as they work their way up the ranks," says Burnett-Vachon.

Based on a core focus on changing philosophies and values, recommendations for change fall into three categories, which together make up an integrated approach to promoting the advancement of women in organizations:

- **Governance:** Make women's advancement a formal governance and performance priority for the board; ensure that policies, practices and measures are all in place and consistently applied; communicate the business case for advancing women throughout the organization.
- **Leadership Development:** Engage senior leaders to identify emerging women leaders; ensure there are senior women role models in the organization; provide high-potential and emerging women leaders with strategic assignments.
- **Human Resources Management:** Identify actual or perceived barriers to career development; seek out high-potential women from the earliest career stages and provide meaningful support; regularly review talent management practices and educate supervisors and managers on such processes; provide more family-friendly policies and encourage all employees (men and women) to take advantage of them.

Some Canadian organizations do follow best practices and get exceptional results, but they are not the norm. Without the involvement of top leaders who champion, monitor, and measure organizational progress, the number of women in senior leadership ranks will not increase dramatically any time soon.

The publication, "Women in Leadership: Perceptions and Priorities for Change," is available at www.e-library.ca.

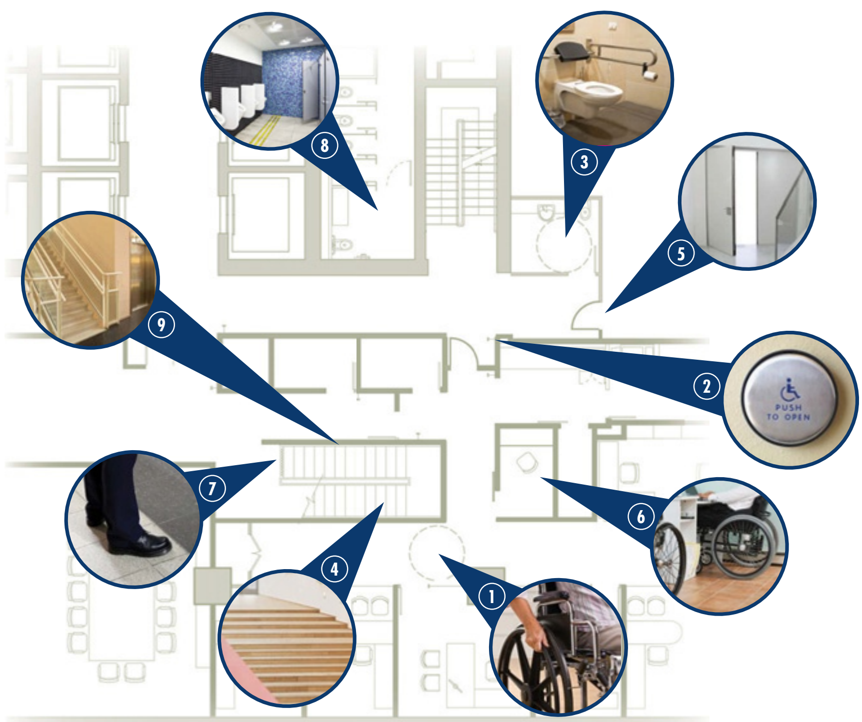
THE ACCESSIBLE OFFICE OF 2025

By now, every HR professional knows that Ontario has regulated new accessibility standards to provide more democratic and convenient access for all. Already developed are regulations in five areas: customer service, employment, information and communications, transportation and design of public spaces.

Ontario has decided to handle all necessary changes to the built environment through amendments to the Building Code. Most individuals responsible for office space are anxious to know what these amendments will mean to the way they are able to use their space and what it will cost them. Lynn McGregor of the McGregor Design Group (www.mcgregordesigngroup.com), a Canadian leader in professional corporate interior design with significant experience in creating accessible office space, says "fear not."

A contributor to several key committees reviewing the impact of the proposed changes, McGregor has verified through test cases that any need for increased space can be dramatically offset with the use of strategic, creative design. Here, she offers a sneak peek into just a few of the new code standards that may result from meeting the AODA's Built Environment requirements.

"Embrace these changes and allow yourself to benefit from them. It's not really about how much space you have. It's about how you use the space," McGregor says.



1. **Larger Wheelchair Turning Spaces:** The accepted turning radius to change from 1500mm to 1800mm to accommodate manual and motorized wheelchairs and scooters
2. **More Automatic Door Openers:** Automatic door openers may be mandatory on all doors that anyone moves through to access the work environment
3. **Washrooms with Space for Assistants:** Co-ed private washrooms to be provided for individuals with personal assistants who may be of the opposite sex
4. **Easier-to-Climb Stairs and Ramps:** Stairs and ramps to become less steep, stairs having longer "runs" and shallower "rises"
5. **Clear Door Widths Increasing:** Minimum clear door widths will increase to accommodate those with assisting devices
6. **Larger Spaces Between Workstations:** Minimum passage ways increase to 34", to allow those with assistive devices to easily enter any workstation
7. **Floor Warning Strips:** Tactile strips with directional indicators are being proposed for use in offices to warn of an upcoming level change, floor opening or other hazard
8. **Larger Communal Washroom Stalls:** Handicapped washroom stalls will likely be bigger and will be better equipped for those with scooters
9. **Double Stair Hand Rails:** Hand rails on both sides of a stairwell are also being proposed to ensure individuals can be supported on either side of the stairwell

Source: McGregor Design Group (www.mcgregordesigngroup.com).

FINDING THE KEEPERS FROM THIS YEAR'S GRADUATE POOL

Very soon, a new generation of employees will be entering the workforce as students graduate from university and college. But how do companies weed out the future leaders of tomorrow from the zeroes?

There are four key competencies employers should look for in finding the keepers from this year's pool, says Rick Lash, national practice leader of leadership and talent for Hay Group Canada. In fact, Hay Group's research shows that job seekers who can demonstrate these competencies will grow into a "high potential" for future leadership roles. Look for these four competencies:

1. **The capacity to think conceptually about the big picture:** Look for candidates who understand the organization's strategic objectives and who can see how the skills they bring, however small, fit with and could help to achieve those objectives.
2. **Learning agility:** Look for evidence from these candidates that they are learning everything they can to increase their knowledge and skills and that they are willing to take on challenging assignments that stretch them to the very edge of their abilities.
3. **Resilience:** Growth by nature involves taking risks and sometimes making mistakes. Look for candidates who are able to not only learn from past mistakes, but who can also bounce back and stay focused on moving forward.
4. **Emotional intelligence:** When choosing from this year's graduates, look for how well do they create and manage their relationships with colleagues and supervisors. Can they empathize with others?

GLOBAL M&A:
HR LEADERS NEED NEW SKILLS/ INFORMATION TO ADD VALUE

Cross-border M&A activity comprises a significant portion of global deal activity and, more often than not, multiple countries are involved. In fact, according to Thomson Reuters overall deal activity in 2012 totaled US$2.6 trillion, with cross-border deals representing more than one-third (36%) of this total.* Given this emphasis on cross-border M&A, HR leaders need to be well-versed in the broad array of regulations, cultures and practices in those regions that might impact workforce requirements and overall deal success.

"When M&A deals cross borders, a foundational understanding of key people issues in a given country is critical to any M&A planning or decision-making process," says Bart Hermans, a Mercer partner and the M&A business leader for Canada. "What we often see is that the degree of complexity related to unique benefit plans, social programs, employment rules and cultural considerations requires expertise not available within most business organizations."

This complexity can be particularly acute when Asian-based organizations acquire assets outside their markets. "In the last year we have seen Asian-based multinationals make significant investment in Canada," says Hermans. "Acquisitions in Canada, and particularly in the oil and gas industry, pose unique people-related problems, which may not always be apparent to the Asian acquirer."

To help senior HR and other business leaders better understand and assist with the people issues inherent in cross-border transactions, Mercer recently published "M&A HR Issues Around the World" (http://tiny.cc/n25auw). This essential guide covers all phases of a deal, from due diligence and preparing for close, to closing, transition and integration. Specifically it addresses:

- Prevalence of employee benefits, compensation and other programs.
- Requirements with regard to employment contracts, consultation/negotiation/information with unions/works councils and other bodies.
- Availability and constraints of transition service agreements (TSAs).
- Cultural considerations.

By understanding the information contained in "M&A Issues Around the World," HR leaders can help their deal teams achieve greater value and accelerated results by effectively and aggressively managing the people risks and opportunities which are critical to deal success.

Information for the report was collected by Mercer consultants and other sources from 38 markets worldwide. To learn more and purchase a copy of this publication, please visit (http://tiny.cc/n25auw).

*Source: Thomson Reuters, *Mergers & Acquisitions Review, Financial Advisors, Full Year 2012*.

AVOIDING THE HEADACHES OF EMPLOYEE DEPARTURES

CHRISTINE M. THOMLINSON

Employees today are often compared to "free agents"—they view their careers as something that they must actively manage. Although estimates vary, employees are expected to change jobs between 10 and 15 times during their working life, and for some the number is even higher. When I first started practising law, it was not unusual to meet someone who had spent their entire professional life working for one company. Today, it is increasingly unusual to meet someone who has worked in one place for more than five years.

So no doubt that, as a human resources professional, you see your share of employees come and go. Some leave on good terms; some not so much. When the parting is sour, you are often left wondering, "How could this have gone better?" or "Was there something I could have done to avoid this pain?" If we examine the legal issues that come into play, we will see that there are definitely practical steps that employers and HR professionals can take to minimize the pain felt at this difficult time.

1. Searching for Work While Still Employed: The employee who has decided to make a move is often excited. In their zeal, they can sometimes forget that, until they have left, they still owe a duty of loyalty to their existing employer. This means that their working time should be spent on work, and not on their job search.

A quick search of an employee's use of the internet can reveal hours spent trolling job-search sites, e-mails to recruiters and potential employers and, in extraordinary cases, appointments in calendars for interviews held during working hours. Such activities, if discovered, may provide solid ground for the employer to terminate the employee for just cause. Legal advice should be sought before taking this step, but there may be an ability on the part of the employer to assume some control over how the relationship comes to an end.

2. Giving Notice: Since most employees are conscious of the fact that their search for other employment should take place outside of working hours, the first that the employer will often learn of their departure is when they provide their notice. Surprisingly, and perhaps again in their excitement to leave, many employees fail to provide their existing employers with proper and adequate notice of their departure.

Employees are expected to provide their employer with "reasonable" notice of their departure. Although this will be far less than what the employer is required to provide in the event of termination, some employees may be surprised to learn that a week or two is insufficient, if, for example, the position is highly specialized or hard to fill. Another way for employers to exert some control over the departure is to give thought at the time of hiring to how much notice of resignation would be needed to recruit, hire and train a replacement? Once determined, this notice obligation can be written into

"I'm concerned you might bail."

the employee's contract. There is no standard notice expectation—a two-week period might be appropriate to replace someone in a manual or hourly position; however, an employer should not hesitate to choose a longer period of notice for employees in more specialized or difficult-to-fill positions.

3. Moving to a Competitor: When an employee quits to work for a competitor, many employers are outraged and often wish to take immediate legal action. However, the employer's legal options are often limited. For there to be any hope of restricting the employee from going to a competitor, the restriction needs to be in writing and in an enforceable contract. These are difficult clauses to get right—employers who wish this protection should engage employment law experts to assist them with their contract preparation, and ideally before the employee is hired. The lawyer may advise that, for the particular employee in question, no such restriction is likely to be upheld if the employer's interests could as effectively be protected with a clause prohibiting the solicitation of customers and/or the misuse of confidential information.

> **AT THIS STAGE, THOUGHT CAN BE GIVEN TO THE IMPACT ON THE BUSINESS OF THE EMPLOYEE LEAVING.**

4. Enticing Customer/Client Contacts: Often, when asked, company management realizes that their concern about the employee leaving is not so much the fact that they join a competitor, but the risk that they will try to solicit away an employer's customers or clients. Again, the first place to look for legal ammunition to protect against such activities is any restrictive covenant language that may exist in the employee's contract that deals with non-solicitation. Provided that care and thought has gone into the drafting of this language in order to protect only the employer's interests and not to reach beyond that protection, such clauses often have a good chance of being enforced.

Even where no such contract language exists, it may still be possible to take legal action against a departing employee who proceeds to solicit the employer's customers. In certain cases, the employee may fall into a special category and be found to be either a fiduciary or a "key employee" and the employer may be able to secure some protection against their post-employment solicitation activities.

5. Use of Social Media: What happens today when an employee makes a move? They take to social media and announce it to the world. This can include negative comments about the employer's business and will often be received by all of the employees "contacts" or "friends," many of whom may be existing employer clients, customers, vendors or suppliers. Employers should be sure to turn their minds to the employee's use of social media on or following departure so as to not be surprised. Ideally, thought is given even before departure—such as in the form of a policy or language in individual employment contracts.

Although it may seem overly pessimistic, the best time to be thinking about how to avoid the pain of an employee departure is at the time of hiring. At this stage, thought can be given to the impact on the business of the employee leaving. Care and attention can then be directed at drafting language for a hire letter or an employment contract which will help minimize the impact. The pain may never fully go away, but significant numbing can be achieved. ●

Christine Thomlinson is a founding partner of the Toronto-based employment law boutique Rubin Thomlinson LLP, a firm specializing in providing optimal legal solutions to challenging workplace issues. Christine can be reached at 416-847-1814 or at cthomlinson@rubinthomlinson.com. For more information about Rubin Thomlinson LLP, please visit www.rubinthomlinson.com.

DO YOU FEEL LUCKY?

BY ALAN KEARNS

Often we think career success is tied to being in the right place at the right time, knowing the right person or just plain luck. You may have said or overheard, "Why am I having such a hard time advancing in my role or landing my first HR gig?"

I am fortunate to be able to travel across Canada, managing a boutique national career and leadership coaching company. I spend a lot of time in planes, trains and taxis.

Not too long ago, I visited our Halifax office, and had the opportunity to speak to a group of public sector employees on managing change in complex times. I was picked up at the Halifax airport by a taxi driver. On the way into the city, I had a nice conversation with him, and he asked if I needed a limo back to the airport. I agreed that would be handy, he took my cell number and booked me in his calendar for my return trip to Ottawa that Friday.

Some 24 hours before he was to pick me up, he texted me: "Hi, Mr. Alan, this is Lan, the taxi driver. I will pick you up at 5:30 am at Westin hotel. Is that still fine with you?" I responded with a slight change of time; every 15 minutes of extra sleep is a good thing when you're travelling. Lan truly did reduce some of my travel stress. Sure enough at 6:00 am Friday morning, he picked me up and took me to the airport. I asked him how many more trips he had booked that day. He had eight more trips after mine. I thanked him for his professionalism.

Fast-forward eight months: I'm in Victoria speaking at another conference, and picked up at the airport by a young, pleasant taxi driver. We had a lovely conversation; I asked him about his day and his business. He said, "It depends on the weather and how lucky I am today." He dropped me off at the hotel, helped with my bag, and left with a "Good luck and enjoy your time in Victoria!"

Taxi service is a commodity; there are many options and much competition. How do you differentiate yourself

in such a competitive world? Does this sound familiar?

There is more supply than demand for taxis, and there is more supply than demand for HR professionals. This is the truth about the world we live in, and it impacts all industries and professions. Welcome to globalization, outsourcing, contracts, onsite services and the streamlining of technology.

Which taxi driver are you? Are you creating opportunities or waiting for luck to strike?

In my experience as a coach I see many professionals leave their career up to "luck." Often when enquiring about options or a job search, I hear "It depends how 'lucky' I am." In a Gallop Poll, 72 per cent of people had some form of superstition, including numbers.

Does luck play a role in your career? I read a terrific book about this subject by Dr. Richard Wiseman, *The Luck Factor: The Scientific Study of the Lucky Mind*. He was curious about why some people categorized themselves as "lucky" while others saw themselves as "unlucky."

Wiseman conducted a research project looking at this question of luck. He examined the lives of over 400 people ranging in age from 18-84, from all walks of life. He discovered four qualities that were consistent with people who described themselves as lucky:

1. Lucky people are skilled at creating, noticing and acting upon chance opportunities. They do this in various ways, including networking, adopting a relaxed attitude to life and being open to new experiences.

2. Lucky people make effective decisions by paying attention to their intuition and gut feelings. In addition, they take steps to actively boost their intuitive abilities, such as meditating and other spiritual practices.

3. Lucky people are certain the future is going to be full of good fortune. These expectations become self-fulfilling prophecies, because lucky people persist in the face of failure and shape their interactions with others in a positive way.

4. Lucky people employ various psychological and spiritual techniques to cope with (and even thrive on) any ill fortune that comes their way.

The bottom line: luck is not really luck at all. It is a set of skills and behaviours. Some human resource professionals have them, so do some taxi drivers. As an HR professional your future is all about adopting those behaviours and creating your own opportunities. ●

Alan Kearns is head coach and founder of CareerJoy, Canada's career and leadership coaching company. For more information, visit www.careerjoy.com.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cover feature

The Relocation Lifecycle

How companies and employees can not only survive, but thrive, during a relocation BY J. LYNN FRASER

Call it "mobility syndrome," or "relocation stress," or "relo-shock," the fact is that most relocations fail within the first two years.

Family stress, financial strain, dislocation from support networks as well as the complete submersion into a new culture can cause a great deal of stress for a relocating employee. Over time, a relocation may fail if these stressors accumulate. Moreover, companies can face significant financial loss when a relocation fails, as it can cost anywhere from $50,000 to $250,000 to relocate an employee.

Employee relocation has a lifecycle, with stages that go through a natural progression. Having established practices in place, as well as allowing for flexibility and customization in a relocation policy will provide a foundation for success throughout a relocation's lifecycle. It is crucial, therefore, to take the time to plan each stage of a relocation's lifecycle to ensure success.

MANAGE COMPANY AND EMPLOYEE EXPECTATIONS

Harmonizing both a company's and an employee's expectations for a relocation will reduce stress. Research reported in *The International Journal of Human Resource Management* (2008) found that employees may define a successful placement as personal enrichment, career growth and a different lifestyle. Companies, in turn, may view success as an ROI only. An HR department can ensure that the company and the employee can reach an understanding regarding what a relocation can achieve, ensuring that both parties have realistic expectations.

To help reduce stress for the relocating employee, and for the HR department as well, relocation services firms can be hired to facilitate selling/finding a home, choosing schools and understanding the physical and psychological "landscape" of the adopted culture. Relocation services can keep track of the snowstorm of paperwork that accompanies relocations.

"HR departments can see where and how relocating employees accumulates costs. This is a powerful tool to manage future relocation activities and change policies based on the numbers," notes Michael Deane, VP client services, with All Points Relocation Service.

Companies must develop relocation policies that are appropriate to a particular country or domestic location. "Twenty-one per cent of employers did not differentiate between their domestic and international relocation policies, according to a 2012 survey done by Atlas Van Lines," says Carol Davis VP, marketing and corporate communications, Atlas Canada. Companies also have to set a policy about how employees will be paid for relocation costs. Davis notes that "many corporations have different tiers of relocation policy dependent on factors, such as: position or job title; renter or owner; new hire or current employee."

PREPARING THE EMPLOYEE

Adaptability and resilience in an employee, and his or her family, are important considerations for a successful relocation. "There should be a personality profile done [beforehand]," notes Scott Perchall, United Way Toronto's former VP of communications and public affairs, who recently returned from an 18-month travel/work sabbatical in Asia. The employee's ability, and that of the employee's family, to cope with change will affect the success of a relocation.

"If you are unhappy at home, you will be unhappy abroad," cautions Perchall.

Don't let your employee parachute into an unknown cultural landscape. Understanding the nuances of the work culture of an adopted country reduces stress. North American assumptions about how to interact with clients and co-workers may not translate well in other cultures. "Our concept of meeting times and walking through an agenda are not universal. You have to change your style of working. Your listening skills develop as does your understanding of how to interact with people. As well, you learn to work through the difficult and the uncomfortable," observes Perchall.

HR departments should provide the relocating employee with up-to-date information for the country/city of relocation regarding:

- immigration requirements, forms, and deadlines
- required licences
- housing availability and costs
- school information
- currency, tax, and banking information
- cultural norms; local laws; language requirements
- access to Internet and Wi-Fi
- political issues in the country
- cultural norms outlined for dealing with co-workers and superiors in the office
- practical day-to-day information for: shopping, safety, and local transportation

Providing resources and information will give employees a strong psychological foundation for acclimatizing to a new living and work culture.

CLEARLY LAY OUT EXPECTATIONS OF THE EMPLOYEE

In stage two of a relocation's lifecycle employees should be made aware of their responsibilities. An HR department can provide checklists, on an intranet website or on an app, for:

- tasks to be completed at the home workplace: turning in identification; transitioning his or her replacement; notes for ongoing projects
- selling or renting the family home
- finding new-location accommodations
- preparing household goods for moving or storage
- reminders of what immigration forms need to be completed by certain dates

Providing benchmarks for when particular relocation-related goals should be accomplished will keep employees on track.

TAX ISSUES

Payment for costs incurred is usually either a lump-sum payment for costs made ahead of time or invoices for each expense. Each choice has a tax implication for both the company and the employee, and each can be a potential stressor.

"In Canada, a lump-sum relocation amount is taxable," comments Stella Gasparro CPA, CA, tax specialist and partner with MNP LLP's Toronto office. "Employees are generally not able to deduct moving expenses to move from one country to the other. Only moves within Canada may qualify."

To minimize the overall tax cost, Gasparro advises companies to consider paying directly for moving costs or reimburse upon presentation of invoices. There are many types of expenses that can be paid/reimbursed without creating a taxable benefit in Canada. The U.S. has its own rules on what is deductible in the U.S., which are more limited in scope than in Canada. Both countries have conditions to be met before you can exclude moving expenses from income or deduct them on a personal tax return. The relocation allowance can be taxable in both countries even if received prior to moving, she notes.

Don't make assumptions about taxes. Every country, even Canada and the U.S., has different regulations. "For someone temporarily working in Canada, the federal government allows a foreign tax credit. However, HR should be aware that there are many individual states that do not permit foreign tax credits. Because

Canadian income tax rates almost always exceed U.S. rates, the employee's total tax liability could be higher than anticipated," advises Gasparro.

If there will be an agreement to equalize, or make the employee "whole" on taxes, the company should first understand the additional taxes and cost that is involved. To equalize, the company would have to "gross up" the additional tax payment they are covering since the additional payment is considered employment income and subject to tax. "The overall cost could be quite expensive," notes Gasparro.

DOCUMENTATION

HR professionals should also be informed about current immigration documents required by Canada and other countries.

"Changes are fast and furious. HR professionals should always check with immigration counsel to ensure that they are on top of current requirements. Additionally, LMO (Labour Market Opinion) applications will [now] face greater scrutiny and a transition plan will be mandatory," notes Lainie Michelle Appleby, Guberman, Garson Immigration Lawyers.

TRANSITION EXPERTS: ENSURING AN EASY PATH FOR EMPLOYEES ON THE MOVE

BY WAHEEDA HARRIS

A smart corporation knows its culture—and even better, knows how to ensure its employees can benefit when they make a move within or move to join the company in a new city or country. Human resources professionals realize the added layer of a new environment paired with a career move can be a challenge for employees, but there are ways to make their transition easier.

Sue E. Johnson, CHRP, an HR professional for more than 20 years, knows the key to helping employees understand their new environment after relocation is as much information as possible. Housing options for the city, as well as schools and a write-up on the "culture" of the town, says Johnson, are essential information. She's benefitted from the growing number of web resources that can be accessed to find up-to-date information about a city—from neighbourhood resources to housing information.

Another consideration is information for assistance to the spouse. "Providing information on the labour market and employment search information is a definite benefit," explains Johnson, since many companies may have hired one person, but realize they are moving a family.

The focus should be on ensuring the employee and family are integrated into their new community, she says.

At KPMG, it's not the daily needs of employees that occupies Rajini Sahanandan's busy schedule. As a talent attraction leader, her focus within the HR team is the Globe Mobility program, working with those employees who want to transfer between offices. From short-term assignments of three to six months, to long-term moves of 18 months to two years, Sahanandan and her colleagues work with an employee about how to transition, covering details for the time period.

"We have on average 200 employees per month moving to new opportunities in Canada, from within the country and from our foreign offices," explains Sahanandan. From finding a home to setting up bank accounts and obtaining a social insurance number, the HR team collaborates with a tax team and outside agencies to help employees navigate financial, social and lifestyle complexities so they can happily make a move with minimal problems.

KPMG has encouraged employee moves for several decades—with many Canadian employees choosing to work in Australia, England and New Zealand, and employees from those countries coming to Canada.

"We're focused on helping the employee with their career path—as well as personal development and offering a support network," says Sahanandan. "But we're also there to work with the employee when they repatriate." It can be almost as difficult for employees who return to their previous office environments, she says, where things are the same but also different. Staff changes can result in a different culture and offer new challenges, which is why they're conscious of the full range of changes that an employee goes through within the company.

"It's important to be there for the employee's needs in conjunction with their manager—but it's also important to provide support for those intangible things that won't occur until the change is in action."

Two senior managers in the Calgary office created an International Club, as a way of welcoming short or long-term new employees establishing themselves in their new home of Alberta. The group organizes social activities—everything from after work meet-ups to skiing—an informal way to discuss and help those employees understand their new environment.

The key elements to provide a relocation 411 package seems to be to include as much as possible in it and to create updateable information packages that can provide ongoing benefits to relocating employees.

Issues affecting immigration include:

- an employee's country of origin
- where he or she will work
- the type of work to be done and at what level
- whether a visa is needed
- forms and type of work permit required

"Not filing all required materials, misrepresentation on forms or orally, and inadvertent criminality in the employee's background, such as DUI or an assault, should also be checked by HR managers," Appleby observes.

Nathalie Houle, a compensation service advisor with the International Development Research Centre, uses a relocation checklist that ensures that the IDRC employee's application letter, his or her letter confirming employment, as well as the exemption the employee qualifies under the Canadian government's foreign workers manual are all accounted for.

WHILE ON RELOCATION

Any work environment can be stressful to a new employee. In an unfamiliar culture, work-related stress can escalate. HR can designate a cultural mentor to guide the relocated employee. Someone of similar background, age, family situation, and training would be invaluable to an employee in the transition stage of his or her relocation. Prior training in the traditions and expectations of the business culture in a particular country is critical.

Encourage employees to set up work-related blogs to share their experiences. Blogs provide a sense of connectedness while keeping employees informed about home office events. This, in turn, aids their re-integration into the home office. While it is standard for employees who return to their home office to be debriefed about their experiences, blogs and other forms of work-related social media provide opportunities for HR departments to have 'of the moment' information about how well a relocation is progressing.

A SUCCESSFUL RETURN

Re-integration, the last stage of the relocation lifecycle, may involve a culture shock. Enabling a gradual re-introduction will facilitate the employee's adjustment. Debriefings and giving the employee the opportunity, through social media or meetings, to share what he or she has learned will benefit co-workers.

In turn, the home-office benefits from the employee's experience abroad. "There's a type of emotional intelligence," Perchall believes, "that develops when working successfully in another culture. "You develop ways of being in the world and you understand the experience of diversity." ●

feature

Mitigating Risk to Canadian Companies Whose Employees Travel Abroad

Canadian companies are pushing the boundaries of their enterprises, but are they really aware of all the potential risks?

BY PATRICK M. OGILVIE

As Canada's business borders and coastlines erode and Canadian organizations navigate and embrace the opportunity for global commerce, the inherent risks to protect people, property and Canadian brands escalate.

For many reasons, Canadian companies' business interests abroad have grown exponentially over the past several years; mainly due to our acceptance of the risks that coincide with foreign investment and the search for profitable ventures for our companies. To support and aid the economic growth of Canadian companies, we are exploring and working in foreign and sometimes unstable and hostile regions; investing in employees and resources that are available to us globally. Foreign governments welcome Canadian and other countries' investments in their countries, and in their human capital. These investments, along with monies gained from useage of resources, assists many such foreign governments with economic development and growth through increased tax revenues, civic infrastructure and local jobs.

The practice of foreign investment often allows for Canadian companies to offer a wider variety of products and services to its consumers at reduced operating and production costs, which, in turn, aids in the profitability and increased market share to Canadian companies both at home and internationally. However, legislative and industry standards that we have in place in Canada, generally, are not practiced, nor standardized in many of the markets we are investing in, and that is where there is increased risk to our organization's brands and to our people who we either relocate or send on assignment.

THE REALITY IS THAT CANADIAN COMPANIES' APPETITES FOR RISK HAVE GROWN TO MEET THE GLOBAL OPPORTUNITY FOR INTERNATIONAL COMMERCE AND PROFITABILITY...

RISKS OFTEN NOT FACTORED INTO FOREIGN INVESTMENT

The risks are numerous—not just to the company's brand, but to its employees, too. These risks include such areas as: human rights concerns, health, safety and environmental considerations and the personal safety and security of the employees.

At home, we have Canadian labour authorities, regulatory bodies and supporting legislation, both federal and provincial, plus corporate policy and procedure and other safety and security compliance tools. But, often when we send workers abroad, we don't follow the same risk identification and mitigation strategies. This, in part, is due to a lack of understanding of foreign risk and the costs associated, which are perceived to have a direct impact on the profitability of the investment.

In reality, there are many international locations that are hostile and unsafe, which expose our workers and our brands to a different form of risk than what we experience in Canada. For example, the April 2013 garment industry building collapse in Bangladesh, which killed over 1,000 local workers (at the time of writing), has had a direct impact on the brand, reputation and safety of many western companies and its workers. While we haven't learned of any Canadian fatalities from this occurrence, it's not unconceivable to imagine that Canadian-based workers have been in the region for work-related purposes, such as sourcing materials, performing audits, attending meetings or negotiating contracts.

PERSONAL SAFETY CONCERNS

In January 2013, five extractive industry workers for a Canadian company, including one Canadian, were kidnapped by rebels in a Columbian mining town. While the safety and security of the hostages was the primary concern, the company's stock prices dropped over 20 per cent overnight.

In June of 2012, two Canadian workers were kidnapped in Kenya. Fortunately, they were released; regrettably, a foreign colleague from their convoy was killed.

Thankfully, while incidents against Canadian business professionals abroad aren't plentiful, the need for medical assessment and assistance is much more likely where medical service standards may not be as robust as we have come to expect in Canada.

So with the knowledge that there is an increased risk to our workers and the business practice that sees us sending and relocating our workers to international markets, how can we identify risk and prepare our workers for their journeys?

FOUR-STEP RISK ASSESSMENT

A standard foreign risk assessment, when sending workers abroad to underdeveloped, hostile or unstable international regions, is a four-step approach that includes: identification

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HRPA

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of the threat and the vulnerabilities; analysis and prioritization of identified threats and vulnerabilities against the likelihood and impact of occurrence; selection and implementation of risk mitigation measures; and, lastly, the monitoring, evaluation and adjustment of selected risk mitigation measures against changes in the risk environment.

For example, if an organization is sending workers to an underdeveloped country to source material for the supply chain, here's how the risk assessment cycle should work.

Step 1. Identification of Threats and Vulnerabilities: Identify what known threats exist and what vulnerabilities are present that may pose a risk to the workers and the company. Such items may include: unstable political environment, existence of corruption or lack of essential health-care standards and coverage.

Step 2. Analysis and Prioritization of Identified Threats and Vulnerabilities: This is done primarily by understanding the "what ifs" and assessing those against the impact and consequences for employee safety and the company's brand; resources can be allocated to minimize an occurrence.

Step 3. Selection and Implementation of Risk Mitigation Measures: This is done based on the identified risk and change of occurrence. Measures may be introduced, such as: implementation of employee travel security awareness training programs; using only a vetted driver service or staying in certain hotels; advance arrangement and delivery of pre-programmed local smartphones (with emergency phone numbers and bookmarked internet links); and having assigned "check-in" times with headquarters.

Step 4. Evaluation and Adjustment of Selected Risk Mitigation Measures: Risk is fluid and always changing, so an established mitigation strategy needs to be audited for relevancy, where the strategy can be adjusted to meet any changes.

The reality is that Canadian companies' appetites for risk have grown to meet the global opportunity for international commerce and profitability, and we have more Canadian workers travelling beyond our borders as a result. The challenge will continue to grow to identify risk and adopt safe travel practices for our most important assets, our employees, to ensure our Canadian brands continue to be international business leaders. ●

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Getting Beyond Employee Entitlement

Helping employees shift from entitlement to engagement

BY ANNE DRANITSARIS AND HEATHER DRANITSARIS-HILLIARD

Employee entitlement is on the rise, especially among people between the ages of 18 to 30. Many in this generation were raised believing they should always win, be rewarded and recognized without having to work for it. They never learned to delay gratification, work through challenging situations or tolerate disappointment. As a result, many believe they have special qualities that need to be acknowledged, appreciated and valued. At work, they expect others will praise, accommodate and defer to their needs regardless of their effort, contribution or experience.

Entitlement is a characteristic of the narcissistic personality organization. Entitled people have a "what's in it for me" attitude; they have an inflated self-image and expect others to treat them as special. This personality organization is a result of developmental delays in childhood. It causes people to behave like children when they don't get their own way. While not all people who feel entitled are narcissists, they share many of the same characteristics. They don't feel they have to work hard to succeed and if they can find a way to get others to do their work, they will.

Entitled employees are often demanding and overbearing when they want things to go their way. They blame others for mistakes, and manipulate situations so they will look good. They lack empathy and don't consider the needs and feelings of others. Entitlement causes people to only think about what they are getting and don't concern themselves with what they are giving. Because of their sense of their own importance, they are not loyal to the company, their managers or their teammates.

THE DYNAMICS OF ENTITLEMENT

What compounds the problem with entitled employees is management's inability to deal with them. Most managers prefer to interact with employees in a rational fashion and expect adults to behave in what they consider a reasonable fashion. Entitled employees are singing from a very different song sheet, which catches managers off guard. They often don't know how to deal with the irrational responses to requests ("No, I can't do this by the end of the day. I was thinking of leaving early."). Or corrective feedback ("That way of doing it is too hard. My way is easier."). Easily devalued, a simple suggestion about their dress or attitude might trigger a disrespectful response ("You have no right to comment on anything about me, old man.") or an angry pout. Some go as far as to walk off the job, and don't come back until the next day. Because the manager didn't anticipate this type of irrational behaviour, they are shocked and don't know how to respond.

Entitled employees have little capacity to reflect on their own behaviour, which makes them rely on others to give them feedback about how they are performing. They have little ability to manage emotions, delay gratification and bear frustration when their needs are frustrated. This gets in the way of them developing and using their talents and abilities. Driven by the impulse to feel pleasure, they need to learn to accept being managed so they eventually learn to self-manage.

We would love to say that shifting employees from entitlement to engagement is an easy process, but it isn't. It can be done; however, it requires the employee and the manager to realize that it isn't something easily changed. They both must agree to engage in a process that ensures the employee's development over time.

WHAT IS A MANAGER TO DO?

The problem of entitlement increases when managers react emotionally to entitled behaviour instead of taking a disciplined approach. Because of their developmental delay, entitled employees have a way of pressing the "rage button" in most managers. It is just as important for leaders and managers to understand why they feel the way they do as it is to know how to deal with entitlement. You can't manage them when you are mad at them for behaving the way they do!

The following are things that leaders and managers need to do to shift the behaviour from entitlement to engagement.

1. Take a disciplined approach. Establish expectations, correct behaviour, deal with poor performance and give consequences. Otherwise, much time and energy goes into dealing with the fallout that entitled employees can cause when they fail to complete their work on time, take liberties that cause their peers to resent them and get others to do their work for them (including their managers).

2. Don't lose control. It is shocking how many managers prefer to do work themselves that they need to delegate, than ask this employee to do something for them. It costs the organization when entitled employees work with reduced productivity levels or when they have to be replaced.

3. Build self-awareness. It's easy to blame the entitled employee, but the reality is that their behaviour triggers a negative emotional reaction in the manager. Whether it is shock, anger, irritation or disbelief, these emotions can get in the way of the task at hand, which is putting boundaries around the employee's behaviour and giving consequences.

4. Managers may have a deflated sense of their own value and find their value by working hard and being productive. These are the same people who raised this generation and make the same mistakes at work as they do at home. Managers need to stop using their behaviour as a benchmark for how these employees should be behaving. This only leads to frustration and power struggles.

5. Respond, don't react. There is no place for emotional reactions with entitled employees. Nor do lectures about taking responsibility or telling them to think about others' feelings work. Their behaviour is a result of their developmental arrest and if they are acting like seven-year-olds, expect them to take your words in the same way a seven-year-old would. Blaming, complaining about, and staying in disbelief will not change the situation, nor will ignoring the issue.

6. Use a four-step performance correction model, such as the following. It helps managers stay focused on the performance issue, not on the emotional issue.

1. Describe the issue or behaviour.
2. Provide an example(s) of when the behaviour/issue was observed.
3. Describe consequences of continued undesired behaviour.
4. Develop a go-ahead plan for moving to resolving issues or changing behaviour including how it will be monitored

GET OFF ON THE RIGHT FOOT

People who are entitled do well during interviews because they are confident and come across as competent. Make sure you use a personality assessment in your hiring process that offers insight into the candidate's emotional development and brain style. Don't oversell the opportunity or the job because you think they are the perfect person and you don't want to lose them. That's what they want you to see. Check their references and ask questions about their attitude and behaviour and don't be afraid to push a little if you feel the person giving the reference is holding back.

Finally, start strong and stay strong. Keep a disciplined approach and don't walk past poor performance or unacceptable behaviour. You will end up paying for it in the end if you do. ●

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The (HR) Data Mine

HR departments are now in the position to collect more data regarding their workforce. The question is, now what?

BY JOEL KRANC

In the world of finance and number crunching, the use of analytics models and metrics to understand costs and spending is not new. Spreadsheets with qualitative data have always been the norm to identify patterns of return on investment and spend. Increasingly, however, HR departments are taking the same steps, and using this so-called "big data" to inform their decision-making. Metrics, analysis and numbers are being demanded by CEOs and CFOs of their HR departments to justify new programs and ensure the existing programs are doing the jobs they are meant for.


Benoit Grenier

"There is a trend right now and we are seeing some HR organizations moving towards what we call analytics and predictive talent management," says Benoit Grenier, a partner with Mercer in Montreal, which has been involved in workforce analytics for 20 years. "It is still in its infancy because the level of adoption is still quite low but there is a huge interest."


Ian Cook

Ian Cook, who is responsible for "product success" with Visier, a workforce analytics solution provider, says not only was there a lack of infrastructure available to HR professionals, there were a multitude of systems collecting data that were never housed under one roof. "A lot of organizations wouldn't have one data system that is holding all the relevant information about their people...and a lot of organizations have struggled even to use their own source of data as they would need to get it all into one place."

Grenier attributes the increased level of interest to the data and information technology infrastructure available to HR practitioners that may have not been available to them 10 or more years ago. Newer human resource information systems and enterprise resource planning software simply make it easier and cost-effective for the HR world to collect data about employees. "With this huge amount of data, some sense needs to be made out of it, but HR must now

OVERALL, HR PROFESSIONALS HAVE MORE, RATHER THAN FEWER, TOOLS AT THEIR DISPOSAL TO MAKE BETTER AND MORE INFORMED DECISIONS REGARDING THEIR TALENT POOLS.

learn to do [a better] analysis of the data that is available," he adds.

WHY NOW?

So the data is more accessible and can be used by HR managers to assess their own departments and human capital strategies, but why is the trend going in this direction?


Emree Siaroff

Emree Siaroff, managing director, human capital with BDO Canada, says HR departments have traditionally been good at the collection of employee satisfaction data and its subsequent analysis. However, he adds, satisfaction does not necessarily mean employees are engaged. With technology, results and improvements became easier to measure, as did "the ability to measure bottom line results as it connected to engagement," explains Siaroff. "That headed us down a [solid] path because not only can a good organization working with you measure overall engagement, you can break it down by demographics," and other categories, he notes. "What it forces us to do is to [look at] the policies, processes and plans to increase that engagement level and determine where to invest the money to have an impact on that," explains Siaroff.

Currently Siaroff and BDO are participants of the HR Metrics Service, a benchmarking service owned and operated by the BC Human Resources Management Association in partnership with the Human Resources Professionals Association (HRPA) and other provincial associations across Canada.

Perhaps because of the recent recession a few years ago and the volatile economy that has followed, during the past two to three years it has been increasingly difficult to find and keep good people. Cook says that senior managers are starting to look at this more seriously. "There is a growing understanding of business leaders, not just HR, across North America, that (a) people make a difference, and (b) good people have started to become scarce."

But not all industries are created equal. Grenier says specific industries, such as aerospace and defense, are concerned with talent shortages, namely engineering functions and other highly skilled workforce segments. The demographic is also getting older, so HR is being tasked with analyzing, more and more, the scope of those types of issues. "There needs to be a strategy to fill the gaps, and that is done through data-based analysis," he explains. In these scenarios, HR must look at the longevity of employees, and what is required in terms of numbers.

"All of this cannot be done without numbers or evidence-based analytics and HR had to go one step beyond a qualitative approach," Grenier says.

Demographics and the aging workforce have played a role in this, agrees Cook. What events such as the recession do is postpone the retiring of certain workers and changing the landscape of the workforce, but the events still occur, just at a later time. And now HR departments are feeling the affects of a recession and demographic shift that they might have felt a few years ago had it not been for the financial crisis.

Besides demographics, sheer numbers dictate the need for HR to dig deeper into its data to make informed decisions. Grenier says that talent represents about 40 per cent of the cost of running a business, noting, "It's important that you have the same level of rigor when you plan your workforce as when you plan your products, your investments or your operations and I think that message is loud and clear."

BIG DATA IN OPERATION

One of the issues with large amounts of collected data is what to do with it. HR professionals might look at the newly collected data and think so what? But Siaroff explains the ways in which it can be used can permeate many facets of HR life.

For instance, he notes, if an HR department has collected engagement statistics, those numbers can be cross-referenced with a host of other issues. Practically speaking, if a low engagement score appears for a certain demographic, Siaroff says one can look at that demographic in terms of the positions they hold and what can be done. Or, if people are unhappy with retirement and benefits packages, HR can once again look at the issues in light of the data and correlate it to turnover and/or cost of recruitment. "You're doing these things to make the organization more efficient, more effective and to add to the top and bottom line," he says.

The challenge, adds Siaroff, is the ways in which the data are correlated and compared. While he is confident the data he receives from his third party advisor are reliable, other companies might have to double check the data to ensure there are no anomalies in the information and that if any metrics are being compared, they are an apples-to-apples comparison.

The other side of the coin is the speed at which this data can be retrieved and presented. Cook says in the past, the biggest challenge for HR was moulding the data into the right "shape" to look at it. What his firm and others do is take data into one repository so that it can be sliced and diced into any issue or category the HR practitioner wants. It saves time, it save money and it allows HR to do its job with faster results. "It's a technology change that is quite disruptive," he adds.

BIG DATA STILL NOT WELL USED

Despite the power of the data being collected and the influence it can have on decision-making in HR and C-suite departments, "big data" and HR analytics is still not that widespread among companies in North America. Grenier says less than half of the companies in North America are using workforce data in their HR departments. "Our experience from working with HR departments show that the vast majority of them are poor or behind in HR analytics."

"What will make the difference is the speed at which HR professionals will develop new competencies," says Grenier. He adds that HR professionals don't need to be statisticians and analytics experts, but rather they need to learn the ability to interpret workforce data, the same way finance or marketing professionals are able to interpret financial and sales data. "The key driver of change, considering we have the tools which are much cheaper than they were, is the ability to use workforce and business data in the process of defining your people strategy—and have a strategic approach as opposed to a reactive and operational approach."

Separately, Siaroff says the trends also point to data collection and analysis being practiced not only at larger firms but at smaller ones as well—partly because CEOs are demanding it and partly because systems are more manageable at smaller companies.

Overall, HR professionals have more, rather than fewer, tools at their disposal to make better and more informed decisions regarding their talent pools. Data, and the collecting of it, is one of those tools that, once explored, can open a new world of opportunity into tracking and altering policy to better reflect the needs and wants of the workforce (and the bottom line). ●

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feature

Raising the Roof:

Engaging Business in Solutions to Youth Homelessness

BY ALYSON NYIRI

According to Raising the Roof, a national charity focused on long-term solutions to homelessness, estimates of Canada's true homelessness range from 200,000 to 300,000. At any time of the year as many as 65,000 youth are without a place to call home. The reasons for homelessness have grown; while substance abuse and mental illness play a role, poverty and lack of affordable housing are the most common reasons for youth homelessness.

A December 2012 article in *The Globe and Mail* offers some insight into one of the main causes of youth homeless when it reported that the unemployment rate of youth aged 15 to 24 in Canada stood at 14 per cent, almost double the national average for adults, at 7.2 per cent.

Moreover, a January 2013 Special Report by TD Economics noted that being unemployed at a young age can have a long-lasting impact on an individual's career prospects. According to TD senior economist Martin Schwerdtfeger, unemployment at an early stage of a worker's career imposes a persistent wage penalty that could last his/her entire working lifetime. This damage is known as "wage scarring."

Schwerdtfeger says economic research suggests that if policymakers want to reduce the long-term costs of youth unemployment, then training, educational upgrading and labour mobility to reduce the scarring effect caused by youth unemployment should be top priorities.

YOUTH INITIATIVE

Enter Raising the Roof-Chez Toit. Since 1997 the national charitable organization has allocated close to $3.3 million to more than 145 partner agencies across Canada. As one of its initiatives, Raising the Roof began exploring ways to increase private sector involvement in solutions to youth homelessness through its Private Sector Engagement Project, a component of its *Youthworks* initiative.

The project's recent report, *It's Everybody's Business: Engaging the Private Sector in Solutions to Youth Homelessness*, explores youth homelessness in Canada and offers concrete strategies for private sector organizations to integrate homeless youth into their workforces. Report author Amanda Noble, MSW, is the manager of research and community initiatives at Raising the Roof. The project has two main objectives: to discover how businesses and community agencies are currently working together to provide training, employment and mentorship opportunities for at-risk and homeless youth; and to use these examples to foster a change in attitude, policy and practice with the private sector.

According to Noble, nearly 700 youth experiencing homelessness identified that finding employment was a key issue. The report describes the societal, economic and structural barriers to employment for homeless and at-risk youth. Structural barriers to employment include things such as poor labour market conditions, the growth of part-time temporary positions with lower wages and no benefits, a shrinking manufacturing sector, increased outsourcing of low skill-level positions to developing countries and the gradual dismantling of public sector jobs contribute to the high unemployment rate of Canada's youth.

Through detailed interviews with employers, community employment program staff and youth program participants, the report highlights the importance of youth employment programs and illustrates how the private sector can and should play a role in integrating young people into the workforce.

"We profiled programs across Canada and looked for promising practices and level of readiness to provide support to at-risk and homeless youth," says Noble. She notes that while youth homelessness has not received a lot of attention yet, there's a growing awareness of how the private sector can help address social problems such as homelessness.

Community agencies across Canada are actively addressing the issue through preparing youth for employment by helping them secure their basic needs and develop valuable life and employment skills. The private sector has a unique role to play. Without access to jobs where youth can utilize their newly learned skills, few young people are able to penetrate the labour market. All youth starting out need someone to take a chance on them, and this is particularly true for at-risk and homeless youth who, the report says, often lack the invaluable connections and supports necessary to find entry-level jobs.

PRIVATE SECTOR INVOLVEMENT

Many companies today are interested in demonstrating corporate social responsibility within their community, and HR is often very involved in making this happen. Intact Financial Corporation, for example, is the lead partner for the Youthworks initiative and supports Raising the Roof in its goal to engage Canadians in pursuit of lasting solutions to youth homelessness.

In particular, Intact will be involved in creating replicable employment, mentorship and skills-training opportunities for at-risk youth and homeless youth across Canada and facilitation partnerships between the private sector and community agencies. According to Sarah Laidlaw, VP of HR at Intact Insurance, "Corporate Social Responsibility is part of our DNA."

To ensure success using the Raising the Roof Employer Toolkit, Laidlaw states the "organization needs to be committed to this, especially from the top." A critical question for Intact, she says, is how to demonstrate its commitment to its vibrant community of a nation-wide network of insurance brokers while understanding the challenges involved in working with at-risk and homeless youth. Intact did this by establishing relationships with local community agencies connected to at-risk and homeless youth. Through careful analysis of its diverse culture and matching appropriately, Intact brought six youth on board.

Laidlaw makes it clear that selecting disadvantaged youth is not simply another talent pipeline. As with any new hire, "the first 12 to 24 months are critical with any HR metrics." Ensuring that these youth are paired with a mentor who is knowledgeable, compassionate and willing to support the new hire is essential. "HR still needs to build a business case," says Laidlaw.

EMPLOYER TOOLKIT

An online searchable toolkit was developed to connect employers with community agencies offering programs, resources and support to employers. The toolkit allows an employer to search for and connect with community agencies in their area who can assist them in hiring disadvantaged youth. The benefits for recruiters include: wage subsidies for hiring youth; access to a pre-screened talent pool; ongoing coaching and support from the community agency; and workers already trained in health and safety and customer service. To find out which community agencies are available in your area, visit the Raising the Roof website (see sidebar) where you can search for ones in Ontario and across Canada.

BENEFITS/CHALLENGES OF HIRING HOMELESS YOUTH

The report found employers who hired at-risk or homeless youth did so for three reasons: the opportunity to give back to their communities; bottom-line benefits such as receiving a wage subsidy; and the positive reputation of the community agency used. The types of positions filled include roles in construction and associated trades, the service sector (e.g., retail and restaurants), hospitality/tourism and administration. These positions are entry level but some have progressed to become health and safety supervisors, forepersons and store supervisors.

Hiring at-risk youth has its benefits and its challenges. Employers profiled said that the challenges varied in frequency and impact. Some of the challenges experienced were difficulties in keeping youth interested in construction work during slow periods; difficulties with the youth's adjustment to the work routine; the need to provide additional support; and inappropriate work conduct (dress code, suitable language). These challenges, however, are not limited to at-risk youth and can occur with any new employee. Focusing on the youth's attitude and willingness to learn can go a long way toward developing specific skills needed by the employer.

For report author Amanda Noble and executive director Carolann Barr, the interest and support from private sector employers has been very exciting. They look forward to continued dialogue with employers. ●

The full report - "It's Everybody's Business: Engaging the Private Sector in Solutions to Youth Homelessness," is available at www.raisingtheroof.org.

Youthworks Initiative- "Youth Homelessness in Canada: The Road to Solutions" is available at www.raisingtheroof.org.

Canadian Homelessness Research Network is available at www.homelesshub.ca

TD Economics "Report on Youth Unemployment" is available at www.td.com/economics

Intact Foundation of Canada's role can be found at www.intactfc.com/English/In-the-Community

Partnership with Direct Energy and RBC hosting a searchable database of initiatives across Canada www.sharedlearnings.org

ARE EMPLOYEE ENGAGEMENT RESULTS TELLING THE RIGHT STORY?

BY DAVID S. COHEN

Driving west on Highway 401 in the evening traffic is bound to be horrible. Sometimes, it's the glare of the sun that seems to slow everyone down. At other times, it's the snow or the rain. But if you're going to blame the weather for the problem, how do you explain the bad traffic every other day of the year? As human beings, we find it very easy to confuse cause with correlation, thereby missing the bigger picture. This is certainly true when it comes to the issue of employee engagement.

The hot question for many in HR these days is: Does an increase in employee engagement scores lead to an increase in productivity or does an increase in productivity result in an increase in employee engagement scores?

In the *Journal of Applied Psychology* (Vol. 87, No. 2, p. 268–279, 2002) the authors, one of whom works for The Gallup Organization, conducted a meta-analytical study of the relationship between employee satisfaction and employee engagement. Not surprisingly the conclusion was that yes, there is a correlation. The authors asserted that, based on the data, companies could learn a great deal about the management talents and practices that drive better business outcomes if they study their own top-scoring employee engagement business units.

Simply put, the study concludes that employee satisfaction and engagement are related to meaningful business outcomes. Accordingly, every company should conduct employee engagement surveys and take appropriate actions to increase their scores. This will result in increased productivity, quality, customer satisfaction, and the like.

In fact, this conclusion is a classic example of confusing causation with correlation. Higher engagement scores are the not the cause of increased business productivity, nor vice versa, though there may be a correlation.

If the relationship was causal we'd all be in trouble. After all, many leading consulting organizations report very low engagement scores in the companies they study. According to Blessing White, for example, 31 per cent of employees are engaged while 17 per cent are actively disengaged. Meanwhile, Right Management reports that only 70 per cent of employees who are engaged say they have a good understanding of how to meet customer needs. Such statistics may be logically untenable but they encourage the presumption that engagement programs and activities will bring improvements to the business.

Companies that put a high priority on employee engagement usually try to improve the engagement scores in a number of ways. Typically, they use rewards and recognition programs, employee development opportunities and lifestyle and wellness programs—including babysitting, exercise training and the like. While these are positive efforts on the part of the employer to make the workplace more supportive, the question must be asked: Do those programs make employees more engaged?

At times, this can lead to a kind of arms race to provide ever more features creating an engaging work environment. At other times, engagement surveys look to measure the relationship between the employee and the manager. The theory here is that an employee who is happy with his or her manager must be engaged.

ENGAGEMENT IS INTERNAL

All of this amounts to more correlation dressed up as causation. What is the real cause of employee engagement? It's not external—as all these surveys and questions would have you believe—but internal.

I'm not saying that an employee has to be an extrovert, or have a relentlessly sunny disposition or be unquestioningly loyal and committed. People are different. We come in all varieties. We should be thankful for that. But the common characteristic of an engaged person—no matter the situation, personality, manager or engagement program involved—is whether that person finds meaning in the work they do and the contribution they make.

To understand, then, whether an employee is engaged, it's not necessary to ask them how they feel about their manager, or whether the workplace is providing enough support. Instead, you need to examine when that person feels most engaged by what they're doing—inside or outside the organization. Compare and contrast, for example, the difference in engagement when employees does their everyday job versus when they volunteer to take on a project or step up to do something for the greater good.

That level of engagement—the feeling of taking on something special, meaningful and helpful—is what organizations should be looking to create as often and as broadly as possible among employees.

Recently while working with a manufacturing organization I had the opportunity to conduct a series of focus groups with employees in Winnipeg. Prior to my visit, I was asked to explore with employees what issues or forces had led to low employee engagement results. Based on the low engagement scores, I expected to encounter unhappy individuals who were doing a poor job and producing poor-quality products.

Instead, I discovered employees with an extremely high degree of pride in the work they were doing, who had very high standards for the products they were making. They were especially proud of the fact that their company was a global industry leader in quality and output. This pride was so real to them that when I offered a hypothetical 10 per cent salary increase and better perks to work for a different company, they all said, "No way."

So why were their employee engagement scores so low? The answer was simple: those employees were asked the wrong questions.

The survey they took turned the lens on what the organization was doing to keep the employees engaged. This turned out to be decidedly beside the point. I had never encountered such a highly motivated and truly engaged group. If the survey, instead, had asked, "Do you take pride in your work? Do you find your work meaningful? Are you contributing to the industry-leading success of your company?" the scores would have been very different.

Companies should stop focusing on what can be done to make employees more engaged through external efforts. Instead, they should focus more on providing meaningful work or helping employees find meaning in the contributions they make.

Improving employee engagement scores does result in greater profits because enthusiastic employees don't leave the organization quickly, contribute discretionary effort when possible and feel that the contribution they make has meaning beyond their own job. But these scores are not lifted by doing more for the employee, or giving the manager a makeover.

When employees work with colleagues who share a common set of values and a common passion for the organizational vision, they are even more engaged. If you aim to have an engaged workforce you should do the following:

- Ensure that during the hiring process you interview for fit to the culture and vision of the company.
- Have newly hired employees "buddy up" with employees who have passion and pride in what they are doing to contribute to something bigger then themselves.
- Share stories of that enthusiasm and ask employees who are committed and engaged to influence and encourage others in how to find meaning.
- Focus on how the work contributes to something beyond the individual.

If you want to judge how a person really feels about their work, and not whether they think the organization or the manager is doing enough for them, ask the employee these questions*:

- Do I do my best to be happy at work?
- Do I find meaning in the work and contribution I make?
- Do I have goals that are clear and meaningful to me?
- Do I truly do my best to make progress toward achieving the goals, not just make an effort?
- Do I do my best to be fully engaged?
- Do I feel good about myself at work?

Remember, people who volunteer on their own time for a social or religious cause are never given engagement surveys. They are volunteering because of the satisfaction of doing something that they believe is for the greater good. Employees should feel that same level of engagement in their work. ●

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**Adapted, with permission, from engagement questions suggested by Dr. Marshall Goldsmith.*

LEGAL TRAINING AND ADVICE—A KEY HR SKILL FOR TODAY'S CORPORATE WORLD

BY ORIT SINAI

In today's corporation, the addition of a legal skill set to an HR professional's CV greatly enhances his or her capabilities, reputation and company profile. Understanding the essence of employment law will allow HR professionals to make more sound decisions and provide their organizations with better protection against future liability.

The strategic value in obtaining legal training and/or seeking outside advice is undeniable across organizations in an increasingly changing and challenging legal environment. This additional proficiency will enable HR professionals to be better equipped to contribute as a valuable member of the senior management team (SMT). As HR's position continues to become increasingly seen as that of a trusted advisor and a strategic partner across organizations in Canada, the importance of legal training continues to grow and attract attention.

The law plays a huge role in HR day-to-day decision making with respect to performance management, payroll, termination, policy drafting, investigations and health and safety. HR professionals who understand how basic legal principles apply to their decision-making can offer SMTs the knowledge and tools to minimize risk in the organization.

CEO and co-founder Christopher Sweeney, and president and co-founder Warren Bongard of ZSA Legal Recruitment know that business owners are turning to HR to help their organization increase its productivity and success.

"We understand that on an ongoing basis there are legislative changes to businesses across Canada that emerge, and we rely on our HR team to introduce those as seamlessly as possible. While we understand that some legislative changes are not beneficial to our business, an HR professional who has a better understanding of the law, can help provide us with viable solutions and reduce our risk," Sweeney says.

Bongard adds, "SMTs don't want to be told 'you cannot do that,' but rather to be presented with options."

Sweeney suggests, "Having an understanding of the basic laws and regulations must be coupled with an understanding of the goals and objectives of the business."

On a personal basis I have gained a different perspective after combining my Bachelors of Human Resources Management and LL.B degrees. My educational background has allowed me to help my management team better understand the consequences of their decisions and offer options that take management goals and the current legislation into account. Even with that educational background I turn to senior counsel so that I can continue to build our company's profile and learn more about employment law.

WORKPLACE RELATIONSHIP CRITICAL

Neal Sommer, a Toronto-based sole practitioner, is frequently consulted in the area of employment law and works with many HR executives. He stresses the need for HR to understand the legal implications of decision-making.

"For at least a generation, the courts and the legislatures in this country have taken a very interventionist role in the employment relationship," Sommer says. "Virtually every societal change, including the broader protection of human rights, the greater recognition of gender equality and the stronger emphasis on safety is introduced through the workplace relationship."

Sommers adds, "Often, obligations on employers are not clearly defined—think of the terms 'undue hardship' or 'reasonable notice.' Determining the extent of an employer's responsibilities requires a partnership between legal counsel and the HR professional. An error in applying workplace laws

exposes an employer to more than just penalties and damages; it can diminish the employee's perception of the employer, leading to reduced productivity and demoralization of employees. Advice from an effective, pragmatic employment counsel is always worth the investment."

CLAIM PREVENTION

Michael Donsky, partner at Fogler Rubinoff LLP, who has acted for employers and employees on numerous employment law files, explains the countless claims that could have been prevented had the HR practitioners had a better appreciation of the risks involved.

"The field of human resources, almost by definition, involves employment law-related services. The advice and direction given by HR practitioners can, as a result, have significant legal ramifications," Donsky says.

"In order to properly fulfil their function, HR professionals should receive at least basic instruction in employment law, human rights law, occupational health and safety and, more specifically, instruction around workplace violence and harassment legislation, as well as the Workplace Safety and Insurance Act," Donsky adds. "Further, technical knowledge is only a starting point. The ability to apply the law strategically in a way that furthers the interest of the organization may be expected of the HR practitioner."

That statutory knowledge can often be obtained through formal training, but HR can also reach out to legal counsel who may be willing to help educate them on recent developments in employment law. "Lawyers will also be happy to point out that most important point—when the HR professional should realize it's time to call in the cavalry and retain counsel," Donsky notes.

HR professionals are the ones who interact daily with employees and who can massage an issue before it turns into a claim. HR professionals need a solid understanding of the general laws governing the employment relationship and the legal risks that can arise as a result of every business decision made. Failure to follow the legislation and manage risk can result in fines, criminal and civil liability, Ministry of Labour investigations for an organization, its directors, officers, mangers and ultimately a poor reputation as an employer. Avoiding liability and making the right decisions are all part and parcel of the HR function.

Obtaining legal training is a way to expand the value of the HR professional, who should be encouraged to obtain more training and learn when to seek legal counsel. HRPA offers employment law professional development programming (see the HRPA.ca website for full details), including the Osgoode Certificate in HR Law for HR Professionals. This certificate offers practical advice and strategies on how to avoid costly errors. HR professionals may also reach out to their general counsel or external counsel for employment-law training. Each HR professional can play a large role in minimizing the organization's exposure and liability related to allegations of unfair employment practices.

Acting as a strategic ally means ensuring decisions that are made do not lead to increased costs. It is still important to contact a lawyer, as the law is complex and HR professionals are not expected to become an expert in the legal field. However, understanding the essence of employment law will allow every HR professional to act more fairly and consistently and provide their organization with better protection against future liability. ●

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HR101

THE NUTS & BOLTS OF COMPLAINT INVESTIGATIONS

ENSURING A FAIR, TIMELY AND LEGALLY DEFENSIBLE INVESTIGATION

BY MARK HERTZBERGER & ALYSON NYIRI

When a complaint is brought forward to a manager, health and safety coordinator, or to HR, the clock starts ticking. Employers are advised by the Ontario Human Rights Commission and the *Occupational Health and Safety Act* to have in place and follow a complaint resolution mechanism that ensures harassment issues are brought to the attention of the organization and are appropriately handled. The organization's design and implementation of its complaint mechanisms can impact the organization's liability for discrimination and harassment.

Typically, complaint resolution procedures should set out a clear, fair and effective processes for receiving and resolving complaints of discrimination and harassment. Depending on the nature of the business, its size, culture, and resources the commission (www.ohrc.on.ca) recommends that at a minimum, a complaint resolution procedure should build in the following:

- Complaints should be taken seriously;
- They must be acted upon promptly when received;
- Appropriate resources must be applied to resolve complaints;
- A viable complaint mechanism must be in place and communicated throughout the organization;
- The complaint procedure must ensure a healthy work environment is created and maintained for the complainant; and
- Decisions/actions taken by the organization must be communicated to the parties.

CONDUCTING INVESTIGATIONS

Mark Hertzberger of Hertzberger HR Consulting in Stratford, ON, has over 20 years of HR experience and is a trained specialist with extensive experience in human rights and interpersonal communications fields. He works as an investigator and as a neutral fact-finder confidentially interviewing the complainant, the alleged harasser and any witnesses to the alleged harassment and preparing a report for the employer. He offers the following guidelines for conducting investigations.

1. Take Complaints Seriously and Act Promptly

"No matter how well you feel you know the parties involved," says Hertzberger, "all allegations should be treated objectively and respectfully. This is a good time for managers to practice their active listening skills!"

Investigators are advised to listen attentively and to do so in a manner that does not betray their personal judgement about either party. "Compare what you hear with your internal policy as well as relevant legislation," he advises, then "determine whether, prima facie, the information at hand warrants further investigation." Hertzberger recommends complainants always be advised of their right to file a formal complaint under an organization's policy and relevant legislation.

Should there be insufficient evidence to constitute harassment in a strictly legal sense, Hertzberger notes that such complaints often serve as barometer readings for circumstances that brew under the workplace surface. Such circumstances often include personality conflicts, team dysfunction and mismatched leadership styles. These are better dealt with through more constructive interventions.

2. Investigator Should be Independent and Objective

According to Hertzberger both the actuality and the perception of objectivity are key to effective investigations. If the organization is large, it may be able to train its managers to conduct investigations, if they are from departments or branch offices that are external to the workplaces of the parties to the complaint.

He cautions, "There must be no direct or indirect supervisory or social links, actual or perceived, between the investigator and the parties." Even human resources staff can be perceived as supporting one of the parties, particularly if that person is a member of management.

In smaller organizations, providing reassurance that the investigator has no bias toward either party and no vested interest in the outcome can be more difficult. If it is felt that an internal investigation of the complaint is difficult to conduct objectively, Hertzberger advises it may be wise to consider an unbiased investigator or "fact-finder" who is external to the organization.

The investigator should not be in a position of authority over any of the parties and the findings should be reported to someone with sufficient authority to enforce them.

At Ingredion Canada Inc., for example, one of Canada's leading producers and suppliers of high-quality food ingredients and industrial additives, Lisa-Marie Sobisch-Taylor, health and safety coordinator for the London plant, conducts investigations into near-miss and incident reports. It is critical to her role that she is seen as a neutral party, providing an opportunity for the parties involved to "talk about it [the incident] in their own words." The goal of her investigations is to "ensure the safety of all employees; physically and psychologically," by determining root causes of the incident and developing corrective actions. Her role is not to administer discipline but to determine what corrective action needs to be taken to ensure the safety of all employees. HR and health and safety are an "intertwined role" and "full co-operation with all other departments and personnel is a way of life at Ingredion," Sobisch-Taylor notes.

3. Set Up the Investigation Process in Advance

All parties to an investigation should be advised of their right to have a support person present during the interview. This could be a legal representative, a union representative or simply a friend. "Some complainants are even accompanied by their spouses," comments Hertzberger.

This step demonstrates transparency, raises the comfort level and may make the difference between whether a witness will agree to participate or not. The ground rules should be set in advance: that the support person is there as an observer and the interviewee must answer the questions him or herself. Hertzberger suggests that if the interviewee wishes to confer privately with their support person before answering a question, this may be permitted.

Written notes for each interview conducted are essential. These may initially be recorded via a sound recorder or directly transcribed by the interviewer or an administrative assistant. Regardless of the method used, the interviewee must be provided the opportunity to review their notes and asked to confirm in writing that these records accurately convey what was stated to the investigator.

At the outset, all those employees involved in the investigation should be advised in writing of the need to maintain confidentiality. It should be clear that they are not to discuss the matter with anyone. It should be explained that this is to respect the privacy of the parties involved and to ensure that witness statements are kept separate and untainted by gossip and speculation. Consequences for violating confidentiality should also be clearly explained.

Ensure that you collect "similar fact" statements from witnesses. Often, incidents of harassment occur in private but witnesses can be asked whether they have experienced or observed similar behaviour on the part of the respondent. This is then used to determine whether it is probable, based on previous patterns, that the behaviour alleged by the complainant actually occurred. Sometimes unexpected revelations emerge during witness interviews.

"In some cases that I've investigated, the complainant's behaviour matched the definition of harassment more closely than the respondent's did," notes Hertzberger.

4. The Investigation Report

A thorough report includes:

- Background/context of the complaint
- Allegations and responses
- Scope of the investigation
- Review of witness statements and supporting documentation
- Comparison of the evidence with relevant policy and legislation
- Impact on the parties and the work environment
- Findings/recommendations

Some employers ask for additional observations and recommendations which can either be included in the investigation report or in a supplementary report. ●

Mark Hertzberger of Hertzberger HR Consulting offers a range of services dedicated to assisting Ontario employers to create respectful workplaces that are free of conflict, harassment and bullying and are characterized by respect, co-operation and effective teamwork. He can be reached at www.hertzbergerhrc.com. Alyson Nyiri is a frequent contributor to HR Professional.

WHEN TO CHOOSE AN INTERNAL OR EXTERNAL INVESTIGATOR

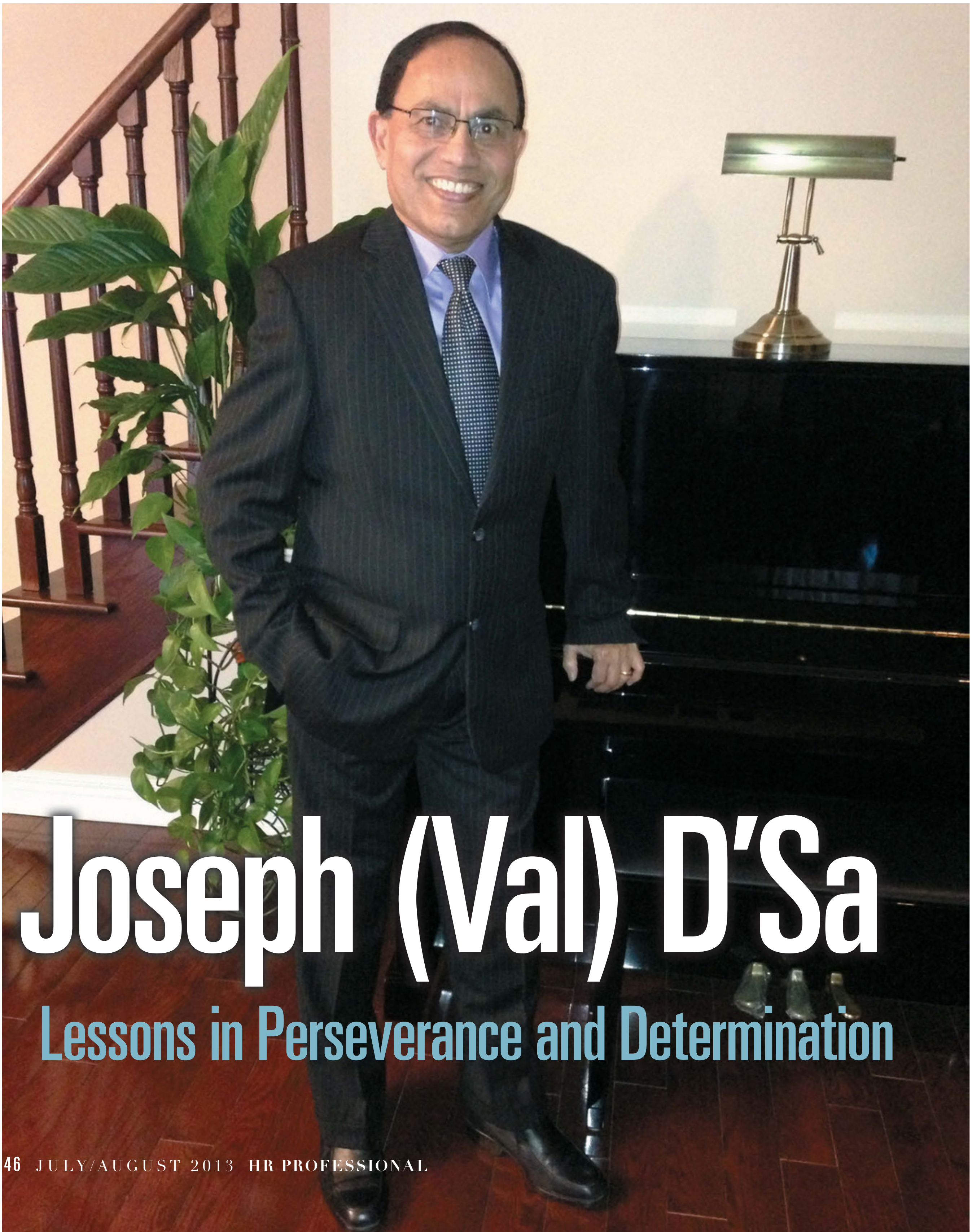
Employers often struggle with whether to handle investigations themselves or bring in an external, neutral third party. I generally advise my clients to consider the following key questions:

1. Do the allegations suggest a serious, imminent threat to an employee's physical safety or psychological health?
2. Do you have sufficient human resources to carry out an investigation in a timely and thorough manner?
3. Does your internal investigator have sufficient depth of knowledge regarding relevant legislation and your organization's policy.
4. Does your internal investigator have the required interpersonal and organizational skills to conduct effective interviews?
5. Does there exist, or is there potential for, external involvement by government authorities?
6. Is a union grievance involved?
7. Is there a likelihood of legal action by any of the parties?
8. At what level of the organization does the alleged offender work?
9. Is the case likely to become high profile and draw damaging media coverage?

When cost is a factor, a less expensive alternative may be to purchase external coaching and coordination services to set a solid framework for an internal investigation.

Interview WITH AN HR HERO

BY KIM SHIFFMAN



Joseph (Val) D'Sa

Lessons in Perseverance and Determination

We've all heard of the challenges that many educated immigrants face when they come to Canada. Chartered accounts working as taxi drivers; family physicians delivering pizzas—an inability to find a job in the industry in which they are educated and experienced.

It was no different for Joseph (Val) D'Sa. Although he now heads up a 13-person HR team at one of the largest school boards in the province, the India-born executive was almost forced to give up his dream and change careers completely upon his arrival to Canada 20 years ago, when he couldn't get a single interview. This, despite having held several senior HR roles at major corporations in Bombay.

Luckily, D'Sa persevered—and achieved his dreams. We chatted with him to find out what it's like having to rebuild a career from scratch when moving to a new country, and what he learned from the experience.

HRP: DID YOU ALWAYS WANT TO BE IN HUMAN RESOURCES?

D'SA: Growing up, I was fascinated by the doctor who lived next door, and my dream was to become a medical doctor. However, for a variety reasons, I could not fulfill it. After a lot of research, deliberation and consultation, I decided to pursue a career in HR.

HRP: WHAT WAS YOUR VERY FIRST HR JOB, AND WHAT DID IT TEACH YOU?

D'SA: After I completed my master's degree in Human Resources Management (then called Personnel Management and Industrial Relations) in Bombay, I was hired by a tire manufacturer as Plant Personnel Trainee for one of its largest plants. The plant was unionized and employed over 3,000 hourly and salaried employees. Before I was entrusted with any responsibility for human resources functions, I was put through an on-boarding program that focused on the process of manufacturing a tire from start to finish and the people component involved in it. The orientation taught me the importance of learning the ropes of a business, which is pivotal to the success of any design, formulation and implementation of human resources strategy and practice.

HRP: YOU IMMIGRATED TO CANADA FROM INDIA ABOUT 20 YEARS AGO. WAS IT CHALLENGING TO LAUNCH YOUR CAREER IN A NEW COUNTRY?

D'SA: When I moved to Canada, I had a master's degree in Human Resources Management, a degree in law, and I had worked in progressive human resources roles including leading the function as a vice president for large corporations.

in a nutshell

FIRST JOB: Door-to-door data collector for a marketing survey organization. It taught me a life-long lesson of perseverance and determination despite rejection and failure.

MOST INFLUENTIAL BOSS: The head of manufacturing of the tire plant who was my boss in the early years of my career. He was a person who had a great knack or technique for identifying the strengths in employees and helping them realize their fullest potential. He was the boss who engrained in me the belief "never lose hope and never give up." He always believed in the goodness in people. He focused on their strengths, never their weaknesses.

MENTOR: A priest who guided and counselled me from an early stage of my life. He's now 93, and lives in a retirement home in Chicago.

SOURCE OF INSPIRATION: My wife and two children are my constant sources of inspiration. The very thought that they recognize and appreciate the immense sacrifices I have made in my life in order to provide them a better future motivates me every day and keeps me going.

FAVOURITE WAY TO RELAX: Playing tennis, occasionally golfing (despite very rusty skills), jogging when the weather is good, playing piano and guitar.

BEST PIECE OF ADVICE I EVER GOT: It came from my daughter: "Never open your mouth if you do not have a good thing to say about someone."

IDEAL RETIREMENT DESTINATION: If my plans work out, I'll retire and stay at a place at the foot of Himalayas.

LAST MUSIC YOU LISTENED TO: Dire Straits is one of my favourite bands. If given the opportunity to see Mark Knopfler in concert, I would be the first to buy tickets.

FAVOURITE BOOKS: *Quiet: The Power of Introverts in a World that Can't Stop Talking* by Susan Cain, and *When All You Have is Hope* by Frank O'Dea and John Lawrence Reynolds.

As soon as I landed in Canada, I started my job search with full vigour. I researched, consulted friends, contacted employment agencies, registered with the Human Resources Professionals Association, volunteered and sent out hundreds of resumés. But I didn't get a single interview. As I intensified my job search, I realized that my education and experience were the biggest barriers for finding even an entry-level HR position. My fears were further compounded when a friend of mine told me, without intending any gender bias, that it was very hard for a male immigrant to find a job in human resources.

Finally, just as I had decided to change my career path and pursue an MBA, I got a break: I found a temporary opportunity to work on special human resources projects for an office-products company. The assignment was initially for three months, which got extended beyond a year. During this period, I gave up the idea of pursuing an MBA, and instead took courses towards my CHRP designation. Once I had the initial Canadian work experience, I quickly changed jobs in different industrial sectors (automotive and IT) to move into progressive HR roles and acquired experience in most functional areas of human resources management. In 2000, I obtained my CHRP designation; and in 2011, I was certified as Senior Human Resources Professional (SHRP).

HRP: YOU'RE NOW IN A SENIOR HR ROLE AT THE YORK REGION DISTRICT SCHOOL BOARD (YRDSB). WHAT ARE YOUR MAIN AREAS OF RESPONSIBILITY?

D'SA: I have been with YRDSB for 13 years in different leadership roles within human resources. YRDSB is one of the largest school boards in the province, with approximately 12,000 employees in six unionized employee groups and in one non-unionized employee group.

As manager of administration, compensation and benefits, I have an enterprise-wide responsibility for the design, development and implementation of policies and programs pertaining to compensation, benefits, pension, job evaluation, long-term leaves and retirements.

HRP: WHAT DO YOU LOVE ABOUT YOUR JOB?

D'SA: I love the opportunity to interact with people at all levels, both within and outside the organization, and problem-solve a variety of issues related to employee compensation and benefits. This includes working with unions, government agencies, elected officials, professional associations and legal pundits.

HRP: WHAT ARE THE CHALLENGES IN YOUR JOB?

D'SA: Being a publicly funded organisation, the ministry determines the allotment of dollars for various operations, including employee-related costs. So there's hardly any flexibility or dollars available for introducing any pay-for-performance programs or incentives or for recognizing star performers or high flyers through monetary reward systems.

HRP: HAS BEING AN IMMIGRANT TO CANADA HELPED YOU IN YOUR HR ROLE?

D'SA: My work experience in India with large unionized corporations having global presence, and having held senior HR roles prior to emigrating to Canada, has helped me to look at HR from a global perspective as opposed to within the narrow confines of an organization. Also, having worked in a few countries, I can confidently say that the human resource practices across the globe are similar excepting some variation in legal jurisprudence and framework. So, my past HR knowledge, skills and experiences have been very helpful in dealing with a variety of human resources issues including dealing with unions.

Secondly, being an immigrant to Canada and having gone through a lot of challenges and struggles myself in my early years in the country, I can better relate and appreciate employee issues in true perspective and help address or resolve them accordingly.

HRP: WHAT'S KEY TO LEADING HR DURING A DIFFICULT TIME FOR A CLIENT ORGANIZATION?

D'SA: Key to leading human resources in a difficult time is having an open, caring, compassionate, fair and professional approach when dealing with people and allied business issues. Generally, when the going is tough, the majority of employers engage in or look to downsize human resources as a cost-cutting measure. While this action in most situations is justified and imperative, what matters most to employees is how transparent and considerate an employer is when implementing such action. This is a situation where a human resources professional has a significant leadership role to play in informing, guiding, advising the CEO and the members of the senior management, so that the organization is able to weather the storm and come out successfully without jeopardizing employee needs, morale and business interests.

HRP: WHAT SKILLS ARE IMPORTANT FOR SUCCESS IN HR?

D'SA: Besides strong knowledge and skills in all functional areas of human resources management, one should possess a fairly sound understanding of the business the organization is operating. This would mean for a human resources professional wearing two hats: one of a business manager and that of a human resources manager while supporting business managers in addressing people issues.

In this day and age, businesses are changing at lightning speed. In order to successfully manage change, a human resources professional must possess strong adaptation, influencing, facilitation and leadership skills. The other business leaders in the organization look to the human resources professional to collaborate and assist them in facilitating change with the least disruption to business or straining relationships with other stakeholders.

HRP: WHAT TIPS DO YOU HAVE FOR NEW GRADS OR THOSE IN ENTRY-LEVEL HR JOBS WHO WANT TO MOVE UP THE LADDER?

D'SA: It's a tough job market right now. There are very few options for new grads to choose an employer based on industry, size of the organization and opportunity for further growth and development. The first and foremost goal is to find any gainful employment and get a foot in the door.

But if new grads were given the opportunity to choose an employer, I would suggest they start with a small to mid-sized organization, where there are greater opportunities to be exposed to and work in all functional areas of human resources management and gain valuable experience than at a large organization, where the human resources department is highly structured into functional areas and therefore has limited opportunity for intra-functional exposure and experience. Gaining an all-round experience at an early part of one's career is so essential for moving into progressive HR roles with higher responsibilities.

I would also recommend that the new grads look for volunteering opportunities at the Human Resources Professionals Association or its chapters. It's a great place to meet with HR professionals with diverse backgrounds and learn from their experiences. It may also provide them with an opportunity to connect with a mentor.

For those in entry-level HR jobs, I would encourage them first to engage in a thorough understanding of the business of the organization; second, build strong relationships with internal and external customers including other functional leaders or colleagues; and third, look for opportunities to critique existing HR practices and recommend/implement best practices.

More importantly, be professional, fair but firm, and never engage in organizational politics. This approach not only will go a long way in establishing credibility and buy-in for any new HR ideas you bring to the table, but also will pave the way for success and growth within the organization.

HRP: WHERE DO YOU THINK HR IS GOING? WHAT'S THE FUTURE OF HR?

D'SA: To comment on the future of HR, it helps to take a peek at its past.

Over time, HR has evolved from a humble record-keeping function, to a corporate-policing department, to an integral part of the organization. With this evolution, the role of an HR professional has also metamorphosed from a record keeper to corporate cop to a member of the board of directors.

Secondly, unlike the past, today's business world is without borders. So, HR is increasingly becoming global. HR professionals are now required to problem-solve a variety of complex human resources issues across geographical boundaries that demand a high degree of professional knowledge and skills, business acumen and, most importantly, understanding of people and culture.

Given the impressive track record of the HR profession across the globe, I see a bright future for HR. While I have seen HR professionals at the helm of organizations as CEOs in the developing nations, I am looking for it to happen in the developed nations also. I am confident that one day, we will see HR professionals leading organizations in this country as well. ●

"SOLUTIONS" TO HARASSMENT AND VIOLENCE ISSUES CAN MAKE THE PROBLEM WORSE

INFORMAL, ALTERNATIVE DISPUTE RESOLUTION MAY BE THE BETTER SOLUTION

BY JOHN CURTIS

There's an old saying, "The cure can be worse than the disease." Sometimes, that's what happens when employers implement their policies and procedures for harassment and violence in the workplace.

For example, consider Ontario's Bill 168, which requires employers in the province with more than five employees to devise workplace violence and harassment policies, develop programs to implement such policies and engage in assessments to measure the risk of workplace violence.

Two years on, we find that in some cases, the resulting procedures may be too strict or "informal" options are ill-defined. As a result, employers and managers may feel they have little choice but to escalate situations into full-blown investigations.

PROCEDURES MUST NOT LEAD TO ESCALATION

Most policies start with trying to resolve the conflict "informally" through steps such as having the people involved sit down and try to find a resolution. If this does not work, a formal process of investigation is launched, in which an independent or external resource is called in to do interviews with the affected parties and anyone else involved. A report is prepared determining if harassment has occurred.

As the number of steps increase, sometimes tensions in the workplace also escalate—both sides bring in supporters, involving more people until the whole workplace is polarized. The end of the process will be a report, but there are often no clear-cut findings of who is at fault or resolution steps that can be taken. Frequently, the parties in the conflict must go right back to working together again, setting the stage for continued conflict.

Often, the option of starting a formal investigation gets used when the person assigned to deal with conflict situations—frequently, someone on the HR team—is not in position to take effective action at the informal stage, or it has simply gone too far by the time HR gets involved. HR may also be seen as too aligned with management to act as an effective neutral in the informal resolution process, offering yet one more reason to move to a formal resolution process.

Unfortunately, another root cause likely arises from a skills gap: few are trained to conduct an effective informal resolution process. As a result, managers or staff may not feel confident enough to take on this task, and may want to move the task off their desk by encouraging an investigation.

BETTER CONFLICT-RESOLUTION TRAINING NEEDED

It is often best to avoid the problem in the first place. The challenge can lie with the difficulty that many front-line management staff—who are frequently the "first responders"—have in dealing with workplace conflict. It may be due to a skills gap or simply a preference for conflict avoidance, based on the notion that conflict takes us away from our "real work."

Many employers have set up a training program in conflict resolution, but all too frequently this is limited to an annual presentation that does little more than describe the organization's violence and harassment policy. The opportunity for training is there—and must not be wasted. Press for truly effective skills development around recognizing the causes and signs of conflict among employees, and developing ways to defuse conflict. Training should focus on learning better communication skills to foster understanding of those with whom employees may otherwise find themselves in conflict.

Context-specific conflict resolution skills can be taught. If the problem is harassment from a client or customer across a service counter, for example, this is different from the same kind of harassment over the phone in a call-centre cubicle. Conflict between employees is even more complex and potentially poisonous for the workplace.

Because an investigation may be disruptive, long and costly, employers must do what they can to keep conflict resolution at the informal level—in part by writing the organization's policy so the investigation process is not launched before the informal process has had a chance to work. At the same time, it is important to make it clear that the informal part of the process is not an attempt to push the problem under the carpet and that the people managing this informal process have the necessary skills, and are perceived by the parties as sufficiently neutral to do so. ●

John Curtis is a lawyer based in Kingston, ON, who has a mediation and ADR practice and has worked as an adjunct lecturer in ADR at Queen's University Law School. Contact him at john@johncurtis.ca, 613.328.4015 or visit www.johncurtis.ca.

technology

HOW MOBILE APPS CAN TRANSFORM HUMAN RESOURCES

BY NEIL WADHWA

Mobile apps have become valued tools for many organizations wishing to make a measurable impact on the processes of their HR teams. Seeing the success that apps have had with sales and marketing, HR-specific apps have quickly gained ground over the past year.

Whereas marketing and sales apps are traditionally used for sales enablement, lead nurturing and demand generation, organizations use HR apps for creating better onboarding and recruiting methods, and to directly engage with HR teams.

Industry researcher Gartner reports that mobile devices are currently outselling PCs by a ratio of 2:1, while Flurry (app platform provider) reports that Americans are spending 94 minutes a day on mobile applications. The added element of social media, in which sites such as LinkedIn are used to engage with employees and organizations, has led to this: the desktop has become an inefficient and outdated medium for HR professionals. They need to be able to work from anywhere with all the updated resources at their fingertips, while organizations need to communicate with HR teams on-the-go. The solution is taking shape in the form of mobile apps.

One of the processes that has traditionally been limited to the desktop is onboarding and recruiting. Reaching quality prospects, creating and maintaining job postings, as well as arranging interviews all take up a signification portion of time, require layers of documentation and don’t reach a highly targeted audience.

A global study of 694 top employers done by Potentialpark showed that only 110 of them have a mobile career website or app. Portentialpark also interviewed 25,000 job seekers and found that 26 per cent of respondents already use their mobile devices for career-related endeavours, with the top three uses being to look for job openings, track the status of their applications and research companies. Some 56 per cent noted they would use a dedicated career app instead, if available. There is a noticeable gap between how job seekers want to look for jobs, and what organizations are offering—an impact that is most felt in HR departments.

The important thing to note is this: by virtue of people actively seeking out a specific organization and downloading an app, the job seekers aren’t treating this as another job opening, but one with an organization they truly want to work with and for. This leads to less resumés, but the ones that come will be from better qualified applicants. There will be no need to post on multiple job sites, but directly to one app with no approval or wait times. Follow ups about the status of applications, will be done through the app.

Onboarding presents similar benefits for HR teams, as notes, first-week guidelines, a company directory and more can be used in an app. This frees up more time for HR teams for focus on other tasks and responsibilities.

For organizations looking to use HR applications for multiple purposes, user management within the app can be used. Job seekers can log into the app and see one screen, for recruiting, while internal employees can log into the app and see a different screen with the resumés that are coming in, as well as resources that they need on a day-to-day basis.

Actively engaging employees can present a similar situation to onboarding, from an organizational standpoint. Organizations use mobile apps to engage with their employees to retain valued team members through the use of quality infrastructure, while increasing productivity by streamlining daily processes.

Also included in these HR processes is feedback and employee engagement through the use of surveys. Surveys can be used within the app to gather valuable insights and feedback from all internal departments—moving away from traditional paper or desktop surveys and questionnaires.

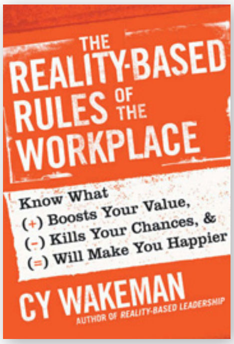
While some organizations are still debating the value of mobile apps, others have taken the leap with much success: Orange and PepsiCo are just a few organizations with dedicated mobile HR apps. Apps will never replace HR teams, but can be valuable tools to go alongside the knowledge and first-hand experience that HR professionals have accumulated over the years. ●

Neil Wadhwa is the marketing manager at Panvista, a mobile software provider in Toronto. He can be reached at nwadhwa@panvistamobile.com

off the shelf

WHAT'S WORTH READING

BY ALISON NYIRI



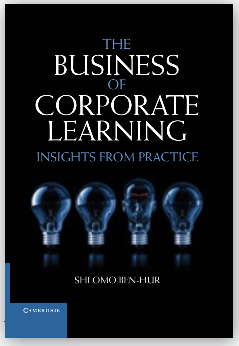
THE REALITY-BASED RULES OF THE WORKPLACE: KNOW WHAT BOOSTS YOUR VALUE, KILLS YOUR CHANCES, & WILL MAKE YOU HAPPIER

Cy Wakeman
Jossey-Bass, 2013

Wakeman argues that we are the cause of our own suffering and only we have the power to end it. She offers five reality-based rules of the workplace: don't hope to be lucky, choose to be happy; ditch the drama; your action, not opinion, adds value; change is opportunity; and despite circumstances, succeed anyway. The key to happy employees, she says, is not better opportunities but high levels of accountability.

TALKING POINT

Having a sense of control and a belief that you make an impact on your circumstances alleviates a great deal of unhappiness. Do you believe that employees are entirely responsible for their happiness at work?



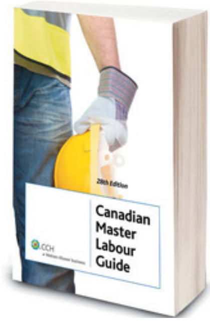
THE BUSINESS OF CORPORATE LEARNING: INSIGHTS FROM PRACTICE

Shlomo Ben-Hur
Cambridge University Press, 2013

A 2012 survey of line managers revealed that more than half believed that if the company's learning function were eliminated, employee performance would not change. The number-one challenge reported by learning executives today, Ben-Hur writes, is demonstrating the value of learning. As skill shortages and decreasing opportunities to achieve competitive advantage drive companies to look internally, learning leaders are moving from a responsive service function to a value-producing enterprise. Ben-Hur offers strategies to make this transition. (Also see Ben-Hur's article, "The Fragile State of Talent Management," in the February 2013 issue of *HR Professional*.)

TALKING POINT

What changes to do you see that need to be made to the corporate learning function?



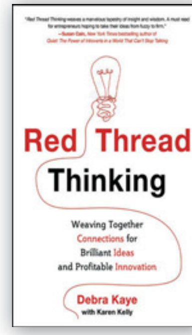
CANADIAN MASTER LABOUR GUIDE: 28TH EDITION

Eds. Jaime Latner, Edward Noble, Carol Dakai
CCH Walters Kluwer, 2013

A comprehensive, up-to-date reference on Canadian labour and employment law, the guide provides commentary in all areas of labour and employment law across Canada. Specific areas of reference include the division of legislative powers, employment standards, human rights, pay and employment equity, trade unions, collective bargaining, occupational health and safety, and employment insurance. Included are relevant decisions of courts, labour relations boards, and human rights and pay/employment equity commissions and tribunals.

TALKING POINT

The last two years have seen numerous changes to the legal and legislative landscape. How challenging is it for you to stay ahead of these changes and modify human resources policies and practices?



RED THREAD THINKING: WEAVING TOGETHER CONNECTIONS FOR BRILLIANT IDEAS AND PROFITABLE INNOVATION

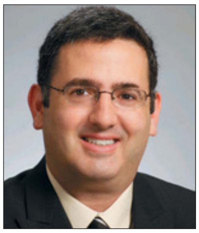
Debra Kaye with Karen Kelly
McGraw Hill, 2013

Red Thread Thinking proposes that the best innovations are the result of unexpected connections among history, technology, culture, behaviour, needs and emotions. While other books on innovation look at how to create an innovation culture, this book starts with the individual, teaching us how to develop insights that can drive our own ideas and innovations. Kaye argues that innovation is democratic and open to anyone, providing the opportunity to create a business that speaks to people's lives, needs and sense of humanity.

TALKING POINT

There is an explosion of books on innovation and creative, new ways of thinking. Social media has transformed how individuals, crowds, companies and countries innovate, enabling collaboration in ways never seen before.

index to advertisers



THE FIVE-WHY METHOD OF CHANGE

BY MOE GLENNER

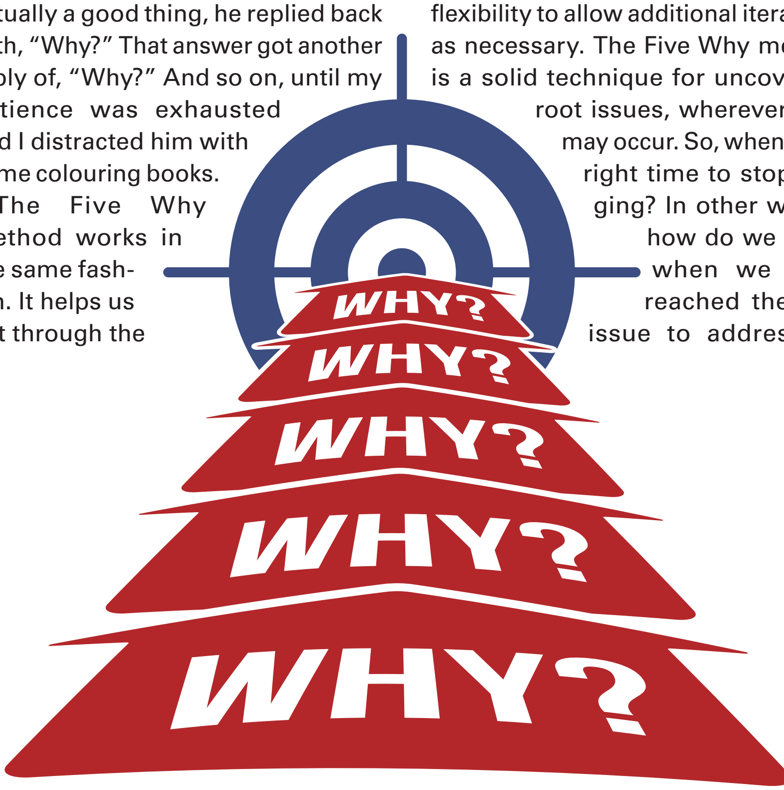
Success in any change is largely dependent on identification of the real problem or issue. Many times, the obvious problem is masking an obscured larger issue. This is true in both our personal lives and professional organizations. Within either environment, tough questions need to be asked and answered honestly. One of the more effective methods for successfully digging through the obscuration is through the Five Why Method of Change. Think of the method as the grown-up version of the over-inquisitive child.

For instance, one of my children was upset that it was raining outside, thus preventing him from playing in the backyard. When I told him that rain is actually a good thing, he replied back with, "Why?" That answer got another reply of, "Why?" And so on, until my patience was exhausted and I distracted him with some colouring books.

The Five Why method works in the same fashion. It helps us get through the obscuration and shines a light on the real issue. For example, a division of a larger company is struggling with the company's revenue.

Q1: Why are we losing money?
A1: Because we don't have a cohesive sales and marketing effort.
Q2: Why don't we have this effort?
A2: We don't have the manpower and resources available.
Q3: Why don't we have the resources available?
A3: We are on a tight budget that doesn't allow for these resources.
Q4: Why are we on such a tight budget? And so on.

The method doesn't have to stop with just the five iterations of why. It is a suggested minimum with full flexibility to allow additional iterations as necessary. The Five Why method is a solid technique for uncovering root issues, wherever they may occur. So, when is the right time to stop digging? In other words, how do we know when we have reached the real issue to address? If there remains an answer to a "why" question, then there is still buried treasure in the dirt. When the only answer to a why question is 'I don't know', then the real issue treasure will be exposed. At this point, the focus should shift from digging through the dirt to better understanding the newly uncovered issue.



Many times a "why" answer will tread close to prematurely divining a solution. Going back to the organizational Five Why example, a reasonable person might conclude that if we somehow achieve cohesion the problem will be solved. But is the only reason that the division loses money due to lack of sales and marketing cohesion? Or are there other reasons as well? If we assume that this lack of cohesion is truly the only reason for the losses, than a single iteration of the method should suffice to detect and identify the real issue. However, it is probable that there may be other primary and contributing factors as well.

By making every effort to avoid answering a why question with a possible implied overall solution, we are likely to get to the most significant factor. Once the real issue has been detected and identified, we can repeat the Five Why Method of Change process as many times as needed to uncover additional contributing factors and influencers. ●

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