

HR case study

Managing unacceptable behaviour in the workplace

OVERVIEW

Our case study involves a client who was struggling with an employee who had a historical record of threatening and abusive behaviour. There was no documented evidence to support this, meaning there was a significant risk of liability for the client if the employee dismissal was handled incorrectly.

Vivienne Tolley, Director of HR Services at Smith Cooper, worked with the employer to agree and implement an exit strategy for the employee, resulting in a process that provided for an immediate solution.

“ Many employers seem to tolerate and excuse bad behaviour so the problem is ignored. This case study shows the importance of acting immediately with challenging employees, having policies in place that are adhered to and ensuring your managers are equipped and trained to deal with such matters.

Vivienne Tolley, Smith Cooper

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THE CHALLENGE

The client was struggling with an employee who made threatening and abusive comments to a colleague after being pulled up for failing to identify quality issues.

This was not the first time the employee had behaved in an aggressive way to both management and their work colleagues.

Unfortunately, the client had failed to follow proper processes in previous instances and

no investigation or appropriate discipline had ensued.

There was, therefore, no documentary evidence to support the history of unacceptable behaviour. Instead, there was only anecdotal evidence that the employee had consistently acted in this way in the past; he had “always been like that”.



THE RISK AND LIABILITY POTENTIAL

The client had recently received grievances from another member of staff regarding the employee, and this colleague was refusing to work with the employee concerned. The client needed to act, but to add to the lack of prior action, the Company’s HR documentation in terms of policies and procedures to support the discipline process were out of date and, in any case had not been adhered to.

Little supporting historical evidence meant that the client found themselves in a situation where a dismissal might not have been possible. If handled incorrectly, or ignored,

a dismissal could result in a significant award in favour of the employee.

In a challenging situation, the long-term impact of the employee’s behaviour also needed to be considered, with concerns that the environment might become toxic and dysfunctional if the employee remained in the workplace.

This is a scenario we see frequently where an employee’s unacceptable behaviour is tolerated and excused because it falls into the “too difficult” pile.



PROVIDING A SOLUTION

Vivienne Tolley, Director of HR Services at Smith Cooper, worked with the employer to agree and implement an exit strategy for the employee, resulting in a process that provided for an immediate solution.

In addition, we supported the Company in updating their disciplinary policies and procedures and also provided line managers with appropriate training.

As a result, line managers were equipped with the tools and skills to deal with and address such behaviours in the future.

Get in touch

To speak to one of our experts, please contact us on 03333 446306 or via our website.