

WORK3600: IR and HRM in Practice

Week 1: Welcome, onboarding

Week 2: People Problems

Week 3: Negotiation Time

Week 4: Analysing the Organisation

Week 5: Regulation of Work

Week 6: Organisational Change

Week 7: A Strategic Outlook

Week 1: Welcome, onboarding

Top 10 global HRM functions – future trends

- Organisational design, leadership, culture, engagement, learning, design thinking, changing skills of the HR organisation, people analytics, digital HR and workforce management
- It is becoming increasingly important to have a broad, interdisciplinary approach and understanding in HR – marketing, financial, analytical etc – to understand the impact of human talent on the organisation and retain the best people
- Analytics are used to predict future talent demands and to measure and anticipate performance and retention issues
- HR functions will become the driver of CSR activities
- Helps faster collaboration to design reward models
- HR acts as a guardian of the brand and culture of an organisation

Why we hate HR; Hammonds

- HR is the corporate function with the greatest potential – the key driver – and also the one that most consistently underdelivers
- HR people aren't the sharpest tacks in the box:
 - HR doesn't tend to hire a lot of independent thinkers or people who stand up as moral compasses
 - A wealth of people want to work with others and help them, thinking HR is the way to go, however, in reality, they should have moved into social worker roles
 - A smaller proportion of HR professionals today have some education beyond a bachelor's degree than in 1990
 - When asked what academic courses HR professionals should be engaged in, 83% said classes in interpersonal communication skills were of high value, employment law and ethics followed at 71% and 66% respectively yet change management and finance were at the bottom of the list at 35% and 2% respectively
 - Most HR professionals are not equipped to be business people which is where they fail to meet organisational needs
- HR pursues efficiency in lieu of value:
 - Because it's easier to measure
 - You're only effective in HR if you add value
 - HR can readily provide the number of people it hired, the percentage of performance evaluations completed and the extent to which its employees are satisfied or not with their benefits, but it rarely links these metrics to business performance
- HR isn't working for you:
 - The main reason for performance appraisals is the creation of a protection barrier between the employer and employee. This is so that everything can be documented and hence prove compliance with labour laws
 - Standardised processes make the lives of HR personnel easier in administering appraisals
 - HR should send the message that we value our high performing employees and are focused on rewarding and retaining them. Instead, HR departments benchmark salaries, function by function and job by job, against industry standards, keeping pay within narrow bands determined by competitors
- The corner office doesn't get HR (and vice versa):
 - Executives make assumptions of what HR does, however, if HR is not involved and integrated in their daily work, senior level management won't have an understanding of what HR actually does
- How to do right
 - Say the right thing – what HR tells employees has to match what the company actually believes and when it comes to pay and benefits, explain clearly what's being done and why
 - Measure the right thing – metrics on hiring, turnover, and training measure activity but not value so devise measurements that consider impact. For example, measure what staff learnt and

connect the data to business performance indicators such as customer loyalty, quality, employee replacement costs etc

- Get rid of the social workers – HR shouldn't be about cutting costs, but it's all about business. The people who work there need to be both technically competent and sophisticated about the company's strategy, competitors and customers
- Serve the business – the best employee advocates are the ones who are concerned with advancing organisational and individual performance
- Make value, not activity – must create value by fostering competence and commitment among employees, develop the capabilities that allow managers to execute on strategy, help build relationships with customers and create confidence among investors in the future firm value

The manager's job: Folklore and Fact; Mintzberg

- When you ask a manager what they do, they may say that they plan, organise, coordinate and control however, this tells us little about what they actually do
- Folklore and facts about managerial work. There are four myths about the manager's job:
 - The manager is a systematic and reflective planner
 - Reality shows that managers work at an unrelenting pace and activities are characterised by brevity, variety and discontinuity and are strongly oriented to action rather than reflection
 - Managers want to encourage the flow of current information and appreciated the opportunity cost of their own time and they were continually aware of their ever-present obligations (mail to be answered, callers to attend to and so on)
 - The manager is a real time responder to stimuli and is conditioned by their job to prefer to live to delayed action
 - The effective manager has no regular duties to perform
 - Managerial work involves performing a number of regular duties including ritual and ceremony, negotiations, and processing of soft information that links the organisation with its environment
 - The senior manager needs aggregated information, which is a formal management information system best provides
 - Manager strongly favour the oral media – namely, telephone calls and meetings
 - Management is, or at least is quickly becoming, a science and a profession
 - The managers' programs – to schedule time, process information, make decisions and so on – remain locked deep inside their brains. Thus, we rely on words like judgement and intuition, seldom stopping to realise that they are merely labels for our ignorance
- Back to a basic description of managerial work
 - The manager's job can be described in terms of various roles or organised sets of behaviours identified with a position:
 - Interpersonal roles:
 - Figurehead role – as part of their position a head of an organisational unit, they must perform some duties of a ceremonial nature. For example, presenting awards
 - Leader role – because they are in charge of an organisational unit, they are responsible for the work of the people of that unit. For example, motivating and encouraging, hiring and training staff
 - Liaison role – the manager makes contacts outside their vertical chain of command
 - Informational roles:
 - Monitor role – scans their environment for information, interrogates liaison contacts and subordinates and received unsolicited information
 - Disseminator role – information they glean from outside contacts may be needed within the organisation. The manager passes this information on to their subordinates

- Spokesman role – managers send some of their information to people outside their units. For example, making a speech
- Decisional roles:
 - Entrepreneur role – the manager seeks to improve their unit to adapt to changing conditions in the environment. They initiate ideas
 - Disturbance handler role – shows the manager responding to pressures beyond their control
 - Resource allocator role – responsibility of deciding who will get what in the organisational unit
 - Negotiator role
- The integrated job
 - Manager roles require the integration of all of the above roles simultaneously or at any one time.
- Toward more effective management
 - The manager is challenged to find systematic ways to share their information – through debriefing sessions, newsletters, etc
 - The manager is challenged to deal with the pressures of superficiality by giving serious attention to the issues that require it, by stepping back from tangible bits of information in order to see a broad picture and by making use of analytical inputs
 - The manager is challenged to gain control of their own time by turning obligations to advantage and by turning those things they wish to do into obligations

Dynamics of parental leave in Anglophone countries: the paradox of state expansion in liberal welfare regimes; Baird & O'Brien

- Anglophone countries were comparatively late in introducing parental leave and even later in introducing paid leave
- Of the Anglophone countries, Canada, the UK and Ireland first introduced paid maternity leave and later parental leave
- In 1973 the Australian Labour government introduced 12 weeks paid maternity leave, but only for federal public servants.
- In 1979 and 1980, respectively, Australia and New Zealand introduced unpaid maternity leave for eligible women workers. Paid leave legislation came even later, in 2000 for New Zealand and 2010 for Australia
- Researchers and international bodies use different criteria to compare and rank parental leave policies
- Undertaking such comparisons and rankings is not an easy task because the country policy specificity makes like-with-like comparisons highly problematic.

Name of policy or policies

- Countries differ in relation to whether or not the name of the leave is gender specific, but one characteristic that is clear among the Anglophone countries (with the exception of the USA) is the gender-targeted nature of the paid leave policies
- Despite being called parental leave, both Australia and New Zealand provide paid leave to the mother in the first instance, transferable to a father or primary carer under certain conditions
- In the UK, Ireland and Canada the term maternity leave is still used, although in the UK, for instance, part of the 52 weeks can, since 2010, be transferred to the father or partner
- It is not uncommon for more than one policy to exist in each country, pertaining to mothers, fathers, parents or for paid and unpaid leaves

Table 1. Government policies as at 2014 in Anglophone countries (alphabetical).^a

Country	Name of policy or policies	For mothers (individual entitlement in weeks)	For fathers/same sex partners (individual entitlement in weeks)	Payment level for mothers/parents	Payment level for fathers only	Maximum parental leave (paid and unpaid) per couple (in weeks)
Australia	Unpaid parental leave (with job guarantee)	52 weeks (transferable)	52 weeks (transferrable)	–	–	104 weeks 20 weeks in total paid
	Parental leave pay	18 weeks (transferable)	–	Paid at national minimum wage ^b of €425 per week	–	–
	Dad and partner pay (DaPP)	–	2 weeks (non-transferable)	–	Paid at national minimum wage of €425 per week	–
Canada ^c (excl. Quebec)	Paid maternity leave	15–17 weeks (non-transferable)	–	55% av. insured earnings, up to ceiling of €345 per week; €32,651 <i>per couple</i>	–	52 weeks 15–17 weeks in total paid
	Parental leave	35 weeks (shared with father)	35 weeks (shared with mother)	As above	–	–
Ireland	Unpaid parental leave (available to child's 8th birthday)	18 weeks ^d	18 weeks ^e	–	–	78 weeks 26 weeks in total paid
	Maternity leave	42 weeks		26 weeks × €230 per week	–	
New Zealand ^f	Parental leave					54 weeks 14 weeks in total paid

Table 1 (*Continued*)

Country	Name of policy or policies	For mothers (individual entitlement in weeks)	For fathers/same sex partners (individual entitlement in weeks)	Payment level for mothers/ parents	Payment level for fathers only	Maximum parental leave (paid and unpaid) per couple (in weeks)
The UK		52 weeks (unpaid except for 14 weeks)				
	Paid parental leave	14 weeks (transferrable)		€303 per week		
	Paternity leave		2 weeks (unpaid)		–	
	Unpaid parental leave (available to child's 5th birthday)	18 weeks ^g (non-transferable)	18 weeks ^h (non-transferable)			90 weeks 41 weeks in total paid
	Maternity leave	52 weeks (first 20 weeks reserved for mother)		6 weeks @ 90% income replacement + 33 weeks × €174 per week		
	Paternity leave Additional paternity leave		2 weeks		€174 per week €174 per week	

Table 1 (*Continued*)

Country	Name of policy or policies	For mothers (individual entitlement in weeks)	For fathers/same sex partners (individual entitlement in weeks)	Payment level for mothers/ parents	Payment level for fathers only	Maximum parental leave (paid and unpaid) per couple (in weeks)
	Shared parental leave (from April 2015)	Transferable from mothers after 20 weeks Transferable from mothers after 2 weeks			€174 per week	
The USA	Family and medical leave	12 weeks ⁱ (Unpaid)	12 weeks ^j (unpaid)			24 weeks

Duration and pay level

- Job protection is a key and fundamental element of parental leave policies, giving parents legal protection and security when taking leave from work
- None of the Anglophone countries provide replacement wages for mothers for their full period of leave
- None of the Anglophone countries have a long duration of explicit leave for fathers or a high wage replacement rate for fathers. Australia, with its recent changes and introduction of Dad and Partner Pay (2013), stands out now as the Anglophone country with the most generous unpaid leave period and designated paternity leave pay, with two weeks at the NMW, which is comparatively high

Maximum leave available to working parents

- Australia provides 52 weeks per working parent, that is, a total of 104 weeks of job-protected leave for working couples. The USA, on the other hand, provides just 12 weeks per individual, or potentially 24 weeks per couple. The other four countries provide 90 weeks (the UK), 72 (Ireland), 54 (New Zealand) and 52 weeks (Canada)
- In the Anglophone countries there has been and remains a strong maternalist interpretation of access to leave for parenting, shaped by historical pathways to protect working mothers' health and more recently by debates about the need to increase women's – principally mothers – labour market engagement.
- Less focus on men's role as carers in the Anglophone countries and correspondingly less attention to developing generous paternity or father-targeted leave policies.

Australia: policy and provision over last decade, 2004-2014

- In relation to the unpaid leave provision, 52 weeks' unpaid leave with a job guarantee was first made available to employed women in 1979 as the result of a major decision of the Industrial Relations Commission in recognition of the growing participation of women in the workforce.
- In 1990, the Commission extended the right to fathers and renamed it as 'parental leave' to indicate its application to both men and women
- Given that it is unpaid, a very low percentage (7%) of men utilise the entitlement
- In 2010, the main labour law (The Fair Work Act, 2009) was changed to allow both men and women to each have access to 52 weeks of unpaid parental leave effectively doubling the unpaid parental leave entitlement to a total of 104 weeks for employed couples.
- If one partner does not use their allocation, the other has the right to request an extension to their unpaid leave by the amount not used by the other partner
- In 2002 the Australian Human Rights and Equal Opportunity Commission (HREOC) launched a comprehensive review of parental leave. Their report recommended the introduction of paid maternity leave for a period of 12 weeks at the minimum wage. The federal conservative government of the time argued, however, that decisions about family and parenting were the responsibility of the individual and their employer. Thus, the provision of paid maternity leave was not seen as an area of state responsibility
- In 2004, the same government responded to the mounting pressure for a paid maternity leave scheme by introducing a new policy, called the 'Baby Bonus'
- Although a major policy change, it ran counter to the policy preference of the majority of women, unionists and policy lobbyists, which was to introduce a government funded, paid maternity leave scheme
- 2007 federal election – following the election, which the Labor Party won, the government announced an enquiry into the feasibility of introducing a paid maternity leave scheme
- Much of the debate now focused on women's increasing labour force participation and work and family pressures. Fertility rates and Australia's lack of compliance with international conventions were now less of a concern

- Although officially called 'parental leave pay', the scheme was explicitly targeted at mothers, as the primary carers of infants. While mothers can transfer the pay to the father or another eligible primary carer, the data show that 99.4% of recipients of the new scheme are mothers
- The scheme is fully government funded and provides minimum pay for 18 weeks
- All working women, including the self-employed and those with up to just one day's work per week in the ten months prior to birth are eligible
- In 2013, designated paternity leave pay was also introduced. Called 'Dad and Partner Pay' (DaPP) the Labor government provided all working fathers and same-sex partners with two weeks' pay at the minimum wage, on a use-or-lose basis. Under both policies, the mother and father must utilise their unpaid parental leave entitlement in order to receive the parental leave or DaPP pay
- This policy shift in Australia can be explained by the rise of concerns about ageing and shrinking labour markets and the need to attract and retain women in the workforce, along with changes in the socio-demographics of the workforce and the population as a whole

The UK: policy and provision over last decade, 2004-2014

- Historically, British leave policies need to be set against two evolving societal contexts.
 - First, the post-Second World War national welfare state provision of universal health and social security underpinned by a male breadwinner 'family wage earner' and female home-maker norm. Accordingly, by 1973 only mothers were entitled to leave from employment, notably for a long duration of 40 weeks, but from the outset six weeks were well compensated at 90% of earnings.
 - The second important UK context is inclusion since 1973 in a supranational European governmental organisation, the European Economic Community (EEC) of six countries, which has expanded into a EU of 29 countries by 2014. Since the 1970s EU measures to promote female employment, work-family reconciliation and gender equality have been formulated and, in cases of unanimity, adopted at country level.
- The Parental Leave Directive (1996), although a feature of the EU's social policy agenda since 1989, was only implemented in the UK after the Labour government was elected in 1997
- By the end of the Labour government's second term, in early 2010, the Additional Paternity Leave Regulation was introduced with an option for fathers to take unused maternity leave. Fathers and partners were not given individual entitlements to 'additional paternity leave' but instead allowed access to mothers' leave when they returned to work during the maternity leave period
- Transferability could commence after the first 20 weeks when the mother could transfer the remaining maternity leave to her partner (husband, biological father, civil partner) contingent on a return to employment
- Any unused maternity leave pay could also be transferred to fathers up until the end of the paid maternity leave period at 39 weeks
- The Children and Families Bill introduced in February 2013 included: the retention of maternity leave duration to 52 weeks and paternity leave duration to two weeks. Flexibility was introduced by permitting mothers to transfer maternity leave to her partner after the first two weeks, rather than 20 weeks as before under the Additional Paternity leave regulation, and, unlike the previous regime, mothers' transfer was not to be contingent on a return to employment. This new leave provision is termed Shared Parental Leave (replacing Additional Paternity Leave, under which mothers could only transfer leave to partners after 20 weeks)

The study of employment relations: analytical tools; Bray, Waring, Cooper & Macneil

What is theory?

- Theory is an attempt to account for a given phenomenon, that is, to show what, how and/or why it is
- Theory has two characteristics:
 - First, it is general rather than specific. It aims to explain all situations rather than just some. Ultimately, if a theory cannot explain all examples of a type of event or phenomenon under investigation, then the theory needs to be changed and improved. This need for a theory to be

universal is one of the reasons why the language of theory sometimes seems abstract and complex, and difficult to read.

- The second characteristic of theory is that it is systematic in its approach. So, the ideas and concepts in theory need to be transparent and well defined, while the reasoning behind theory needs to be logical and internally consistent. This need for clarity and consistency means that scholars develop systems of terms and concepts which often seem almost a separate language (jargon)
- Lewins (1992) Types of theory

Table 2.1 Lewins' five levels of explanation

Level	Type of explanation
Causal theory	A complete answer to the 'why' question, which not only identifies the inevitable relationships between variables but also provides an account of the process by which one determines the other
Law	A statement of a relationship between two or more variables that inevitably produces the same outcome, in terms of events or phenomena
Model	A simplification or representation of relationships between events or phenomena that is designed to provide a clearer picture of the world
Taxonomy	A classification scheme designed for a particular purpose; it groups together events or phenomena on the basis of similar characteristics
Description	An account of an event or phenomenon from a particular standpoint, whether it is adopted consciously or unconsciously

- *What is description?*
 - To 'describe' is to give an account of, or state the characteristics of, a specific event or instance.
 - Description inevitably involves a process of interpretation and 'reduction'-selecting some 'facts' as important and worth reporting, while discarding others
 - The 'facts' of a situation can be subjectively selected, as well as subjectively heard, depending on experience and point of view. Simple description is seldom simple, particularly when there are strong emotions and serious consequences involved.
 - Theory can help to reduce some of the problems created by description based on common sense or vested interests or undisclosed viewpoints. It does this by providing a set of words-terms and concepts that are well defined and consistently used-to describe the events or phenomena under investigation - ensures we are all 'speaking the same language'
- *What is taxonomy?*
 - Taxonomies are classification systems which are designed to identify similar properties or characteristics in diverse events, situations or objects.
 - Discuss taxonomies in employment relations later in this chapter when we identify different types of rules (formal versus informal, and substantive versus procedural)
 - Taxonomies represent an attempt to move analysis from the specific to the general, considering specific events or social situations within broader categories rather than treating them as unique
 - Requires comparison between different events or situations to identify commonalities.
 - Still largely descriptive- they do not explain much about why events or situations occur.
 - They help us to simplify and bring some order to the complexity of the real world.
- *What is causal explanation?*
 - Explanation is something that 'make[s] clear the cause or reason' for an event or phenomenon
 - Lewins' three 'higher levels' of explanations (i.e. models, laws and causal explanation) progressively move closer to complete causal explanation but employment relations-and the rest of the social sciences-rarely reaches such heights
 - Three reasons that have been advanced for why this is so:

- Most social phenomena are extremely complex and it is difficult to devise procedures that will clearly identify which elements are causally important
- One cannot generally set up an experimental procedure with proper control groups
- Causal explanations cannot succeed because they assume that human beings are like natural objects when they are not, since their actions are partly determined by the meanings they give to the world.

Describing patterns of employment relations

- Defining employment relations – formal and informal rules which regulate the employment relationship
- *Rules and the employment relationship*
 - Rule is 'a principle or condition governing conduct, action'
 - Generally defined as regularities in social behaviour, whether they are intentionally made by social actors or operate without the actors' direct awareness of the rule
 - Presumption is that by studying rules, we can understand the behaviour of individuals, groups and societies.
 - Rules are needed to coordinate any human relationship, no matter how cooperative, but rules in the employment relationship also provide a means by which potential conflict can be prevented or subsequently resolved.
 - Rules agreed between the parties to the employment relationship allow conflict to be accommodated and cooperation to be realised.
 - There are many different types of rules and rules vary enormously across companies, across industries and across nations.

	Formal rules	Informal rules
Definition	Rules that are official, consciously determined and enforced through deliberate social processes and usually written down	Rules that are unofficial, determined and enforced through more casual or even unconscious social processes and usually not written down
Examples	<ul style="list-style-type: none"> – Collective agreements approved under the <i>Fair Work Act 2009</i>, such as the Australia Post's enterprise agreement with its unions (see the Case Study 'Working life at MailCo' in Chapter 1) – Written individual employment contracts, such as the one posted to Terry at PastaCo (see the Work Story 'Individual contracts and change at PastaCo' in Chapter 1) 	<ul style="list-style-type: none"> – Unwritten agreements between union job delegates and supervisors, such as the free meals that Li Wen gets at work (see the Work Story 'Uneasy times at Seaside Restaurant' in Chapter 1) – Shared understandings between employees and managers over appropriate behaviours or 'custom and practice', such as the covering practices at Happy Valley Local Council (see the Work Story 'Absenteeism at Happy Valley Local Council' in Chapter 1)

	Substantive rules	Procedural rules
Definition	Rules governing the essential or material terms under which employees sell their labour and the conditions under which they work	Rules governing the processes or actions to be taken in response to different circumstances at work
Examples	<ul style="list-style-type: none"> – Wage rates, such as those contained in clause 43 of the <i>Happy Valley Council Enterprise Agreement</i> (see the Work Story 'Absenteeism at Happy Valley Local Council' in Chapter 1) – Minimum standards, such as the National Employment Standards contained in the <i>Fair Work Act 2009</i> (see Chapter 8) 	<ul style="list-style-type: none"> – Grievance procedures, such as those contained in the <i>Happy Valley Council Enterprise Agreement</i> (see Work Story, p. 11) – Modes of expected behaviour, such as Terry's 'open door' policy in which he encourages employees under his supervision to talk with him about issues at work (see the Work Story 'Individual contracts and change at PastaCo' in Chapter 1)

- *Who are the parties to the employment relationship?*
 - Parties – the social actors who create and enforce the rules that regulate the employment relationship
 - Employees and employers must be party to the rule-making and rule- enforcement process, whether acting singularly or through collective representatives
 - First, employees often do not participate directly in the rule-making process but engage a range of other agents to act on their behalf and to represent their interests. The extent to which employees act alone or join with others to form collective organisations is a central issue in employment relations. When employees act individually, we can anticipate highly individualised rule-making processes. When employees form collective organisations to represent their interests, collective forms of regulation will likely follow.
 - Second, the way that employers are represented and thereby contribute to the making of the rules of the employment relationship varies. The size of an employing organisation, for example, can affect who within the organisation takes on the role of employer. In small organisations, the owner of the business is often the manager and is therefore directly involved in employment relations. However, as the size of the organisation increases, there is a growing separation between ownership and management and between managers with different specialised roles. In addition, employers often join with each other to form collective organisations, usually referred to as employer associations
 - Third, beyond the employees and employers, state agencies are major parties to employment relations.
 - Finally, there are many other social agents that sometimes become involved in the making and enforcing of rules that regulate the employment relationship. This might include: community-based organisations representing particular cultural interests; consultancies offering advice on employment matters ranging from diversity to safety; educational providers; and private employment arbitrators.
- *Who makes the rules?*
 - This raises another taxonomy that is useful in aiding description.
 - Each of the parties may independently make rules that regulate the employment relationship, or they may come together in various combinations to make and enforce rules.
 - It is possible to identify three main alternative ways in which rules may be authored:

- Unilateral rule-making-occurs when one party is able to create and enforce rules independently of the other parties.
 - Bilateral rule-making-occurs when two parties jointly make or enforce rules. The most common example is collective bargaining between employees, represented by a trade union, and employers, negotiating autonomously or as part of an employer association.
 - Multilateral rule-making- occurs when three or more parties jointly make rules.
- It indicates where the power lies in the employment relationship.
 - Joint rule-making suggests a more balanced situation in which employees and employers enjoy some power and must therefore negotiate a compromise between them.
 - Second, the authorship of rules can have important consequences for the effectiveness of rules in influencing the behaviour of the parties to the employment relationship. In everyday social situations we are all more likely to accept rules that we have helped to formulate than rules that have been forced upon us. Employees feel more committed to, and more readily accept, rules that they have helped to make