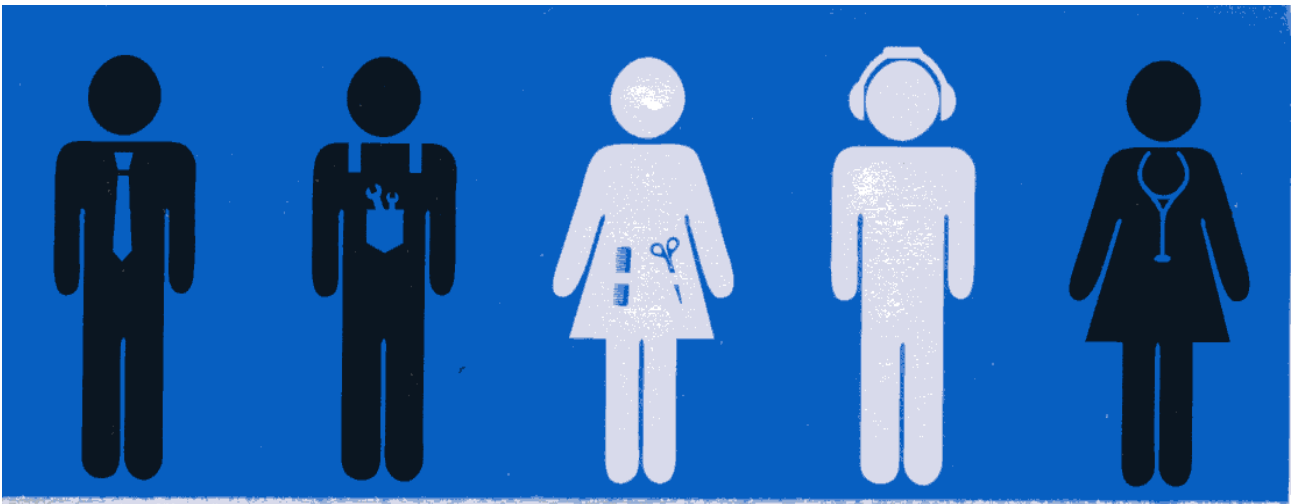


A guide for new employers

February 2016



When you are starting out as an employer there are lots of things to think about. For example, how do you go about hiring the right person? And once you've set them to work how do you get the best out of them?

Many small firms feel they don't have enough time or resources to devote to employment issues but, as this guide shows, looking after your employees can make you more effective and help you avoid costly and time-consuming tribunal hearings.

**For free, confidential and impartial
advice on employment law call the
Labour Relations Agency Helpline
028 9032 1442**

1.

Know the law

Unfair dismissal: you must have a good reason to dismiss someone and show that you have been fair in the way you have acted. This means:

- informing the employee of the problem you have with their conduct or performance
- holding a meeting to discuss the problem
- allowing the employee to be accompanied
- deciding on appropriate action
- providing employees with an opportunity to appeal.

Some reasons for dismissal, such as pregnancy and unauthorised deduction of wages, are automatically unfair and employees can claim unfair dismissal on these grounds regardless of how long they have been employed.

Notice: after one month's continuous employment an individual is entitled to one week's notice if you wish to dismiss them. This notice rises to two weeks after two full years and continues to increase by one week per year up to a maximum of 12 weeks. Notice periods can be extended by agreement.

Wages: it is unlawful to deduct money from a person's wages unless you are legally required to do so, have a contractual right to do so or a separate written agreement signed by the individual.

Holiday entitlement: employees are entitled to holiday leave from their first day of employment. For further details see [LRA Information Note No 3](#).

Maternity leave: an employee has the right to 52 weeks' maternity leave, regardless of their length of service. They also have the right to 39 weeks maternity pay. Find out more information about [maternity leave and pay](#) at nibusinessinfo.

Flexible working: employees have the right to request flexible working and you must consider any request seriously. For advice, go to [Flexible working the law and best practice](#) at nibusinessinfo.

Agency workers: are entitled to the same basic conditions of employment -notably pay and holidays - as comparable permanent employees after a 12 week qualifying period. For further details see the Department for Employment and Learning [guide to the Agency workers regulations](#)

2.

Sort out an employment contract

Put the details of an employee's contract in writing. It saves misunderstanding later.

The law requires employers to provide most employees, within two calendar months of starting work, with a written statement of the main terms of the contract. This should include things like pay, holidays and working hours.

Further information: See Small employers [Leaflet 6 - The employment contract](#)

3.

Pay the right rates

Find out what the going rate is and think about what you can afford.

Remember that 'total pay' is often more than annual salary or weekly wage. It can include pensions, loans, travel and meal subsidies.

From day one of employment your employees have the right to be paid no less than the National Minimum Wage. Rates are reviewed each October.

Further information: see the LRA Small business [Leaflet 5. Pay the right rates](#)

4.

Recruit the right people

Recruit the right people by drafting a description of the job you want performed and a list of all the personal qualities and skills required.

Advertise effectively using a variety of sources such as JobCentre Plus, employment agencies, local press and the Internet.

Potential recruits have the right not to be discriminated against on grounds of sex, race, disability, sexual orientation, religion belief, age, gender reassignment, marriage and civil partnership, pregnancy and maternity.

Further information: see the LRA Small business [Leaflet 2. Plan your employment needs](#) and [Leaflet 3. Recruiting people](#)

5.

Start on the right note: training and induction

Settle new recruits in quickly - getting them familiar with their role, colleagues and work environment.

Training needs to be an on-going concern - line managers, in particular, can benefit from training to help develop their staff.

Further information: see the LRA Small business [Leaflet 4. Induction programme](#)

6.

Set your boundaries early on: discipline and grievances

Company rules should cover things like absence, health and safety, standards of performance, timekeeping and use of company facilities. If the rules are broken you need to take action using a clear, written disciplinary procedure.

You also need to give employees the chance to raise concerns and problems through a company grievance procedure.

All workers have the right to be accompanied at a discipline or grievance hearing by a colleague or a trade union representative.

Further information: see LRA Small business [Leaflet 7. Rules and procedures.](#)

7.

Control costs by managing attendance

Manage sickness absence by keeping in touch with employees on sickness absence. Always talk to your staff when they return from sickness absence and check that they are able to resume normal duties.

Help your staff to return to work more quickly by considering flexible working or an altered routine or duties.

Further Information: See the LRA Small business [Leaflet 8. Controlling absence.](#)

8.

Communicate

Employees need to know about their jobs, the business and its products or services. They also need to know about their terms and conditions of employment, disciplinary and grievance procedures and how they are performing in their jobs.

Communication also plays a much bigger part in giving employees a sense of control over their work and increasing their levels of commitment to the organisation.

Further information: see LRA Small business [Leaflet 9. Workplace communications](#).

9.

Managing the performance of your staff

Effective performance management can bring about many benefits to your business, including improved staff performance, greater productivity and stronger employee engagement.

To manage your employees effectively, you will need to be able to set clear goals and objectives, and provide regular and constructive feedback to your staff.

Further Information: See the LRA Small business [Leaflet 10. Managing the performance of your employees](#).

10.

Resolving disputes

The Labour Relations Agency can help to solve disputes at work before and after any claim to an industrial tribunal.

Disputes are resolved through individual or collective conciliation, mediation or arbitration. These services are an alternative to the use of the law or industrial action. The Agency offers these third party services on a voluntary and confidential basis.

Further information: See [Resolving disputes](#) at the LRA website.

11.

Handling redundancies in a small business

This leaflet is aimed at employers where fewer than 20 staff are at risk of redundancy. It explores alternatives to redundancy, covers the legal basics and takes employers through the process they need to follow to be fair and stay within the law in this situation.

Further information: See [Handling redundancies in a small business](#) at the LRA website

In a situation where more than 20 employees are at risk of redundancy follow the advice given in the LRA Advisory Guide - [Advice on handling redundancy](#)

Labour Relations Agency
Head Office
2-16 Gordon Street
Belfast
BT1 2LG
Tel.028 9032 1442

Labour Relations Agency
Regional Office
1-3 Guildhall Street
Londonderry
BT48 6BB
Tel.028 7126 9639