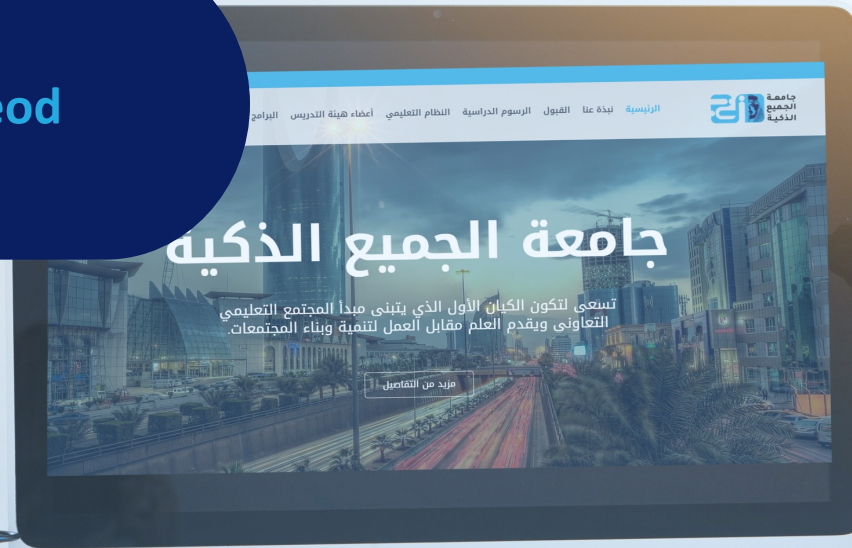


Human Resources Management

Prepared by Dr. Ibrahim Aboelseod

Lecture 15 & 16



Health, Safety, and Security
Employee Rights and Discipline



جامعة الجميع الذكية
EVERYONE'S SMART UNIVERSITY

Robert L. Mathis | John H. Jackson

Chapter 15

Health, Safety, and Security







Health, Safety, and Security



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2 injured as fire breaks out at Carrefour in
northern Egypt's Alexandria



Chapter 15 & 16

Imagine Inventory without health & safety Polices



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After you have read this chapter, you should be able to:

- Define *health*, *safety*, and *security* and explain their importance in organizations.
- Discuss several legal requirements affecting health and safety.
- Describe the Occupational Safety and Health Administration (OSHA) inspection and record-keeping requirements.



- Discuss the activities that comprise effective safety management.
- Discuss three different workplace health issues and how employers are responding to them.
- Discuss workplace violence as a security issue and describe some components of an effective security program.

الباب الثامن

الوقاية من مخاطر العمل والوقاية من
الحوادث الصناعية الكبرى وإصابات
العمل والخدمات الصحية والاجتماعية



Health, Safety, and Security

- Health
 - A general state of physical, mental, and emotional well-being.
- Safety
 - A condition in which the physical well-being of people is protected.
- Security
 - The protection of employees and organizational facilities.



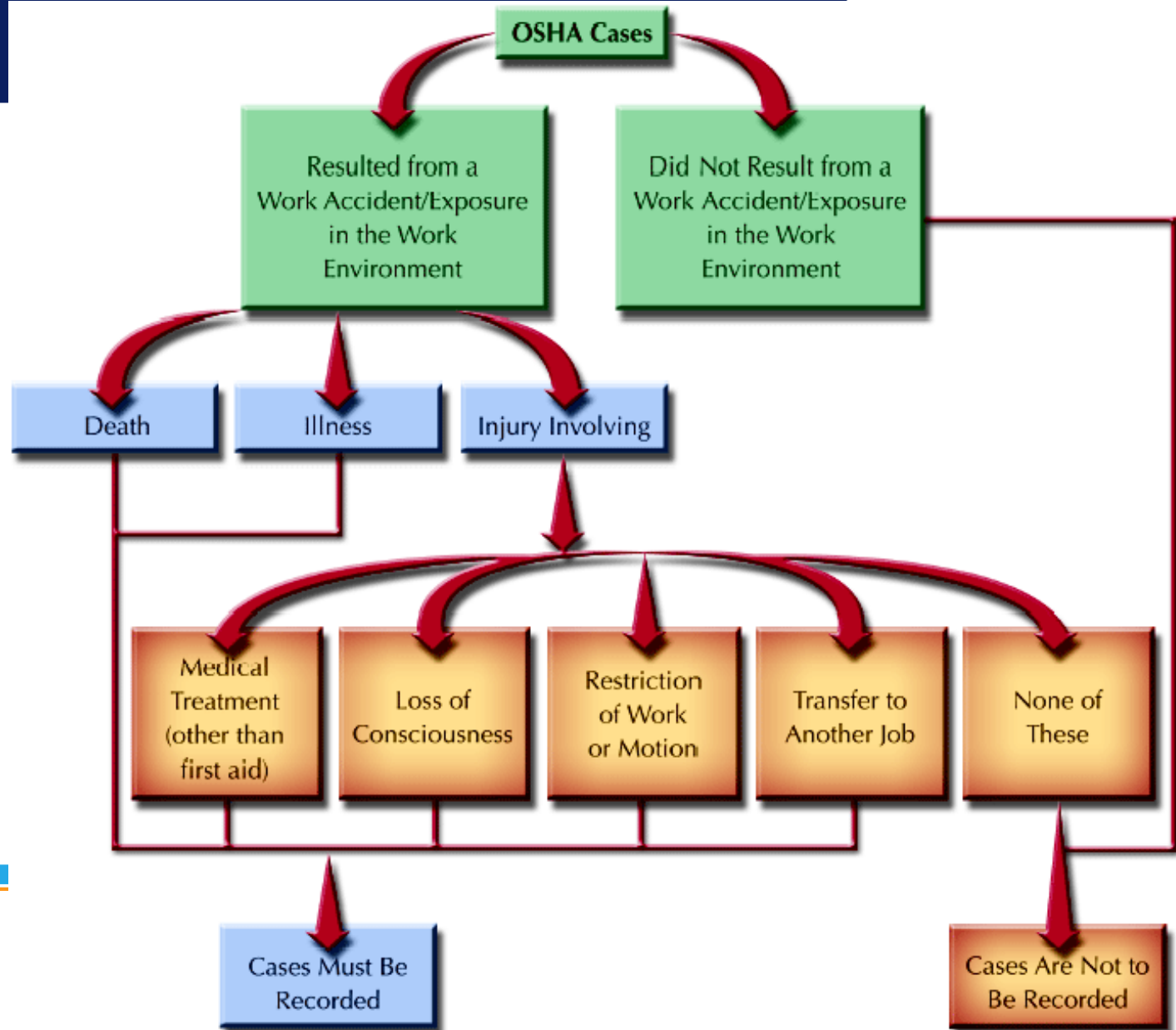


Typical Division of Responsibilities: Health, Safety, and Security

HR Unit	Managers
• <i>Coordinates health and safety programs</i> • <i>Develops safety reporting system</i> • <i>Provides accident investigation expertise</i> • <i>Provides technical expertise on accident prevention</i> • <i>Develops restricted-access procedures and employee identification systems</i> • <i>Trains managers to recognize and handle difficult employee situations</i>	• <i>Monitor health and safety of employees daily</i> • <i>Coach employees to be safety conscious</i> • <i>Investigate accidents</i> • <i>Observe health and safety behavior of employees</i> • <i>Monitor workplace for security problems</i> • <i>Communicate with employees to identify potentially difficult employees</i> • <i>Follow security procedures and recommend changes as needed</i>

Chapter 15 & 16

Guide to Recordability of Cases Under the Occupational Safety and Health Act



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Log of Work-Related Injuries and Illnesses

Year 2010

U.S. Department of Labor
Occupational Safety and Health Administration



Form approved OMB no. 1218-0176

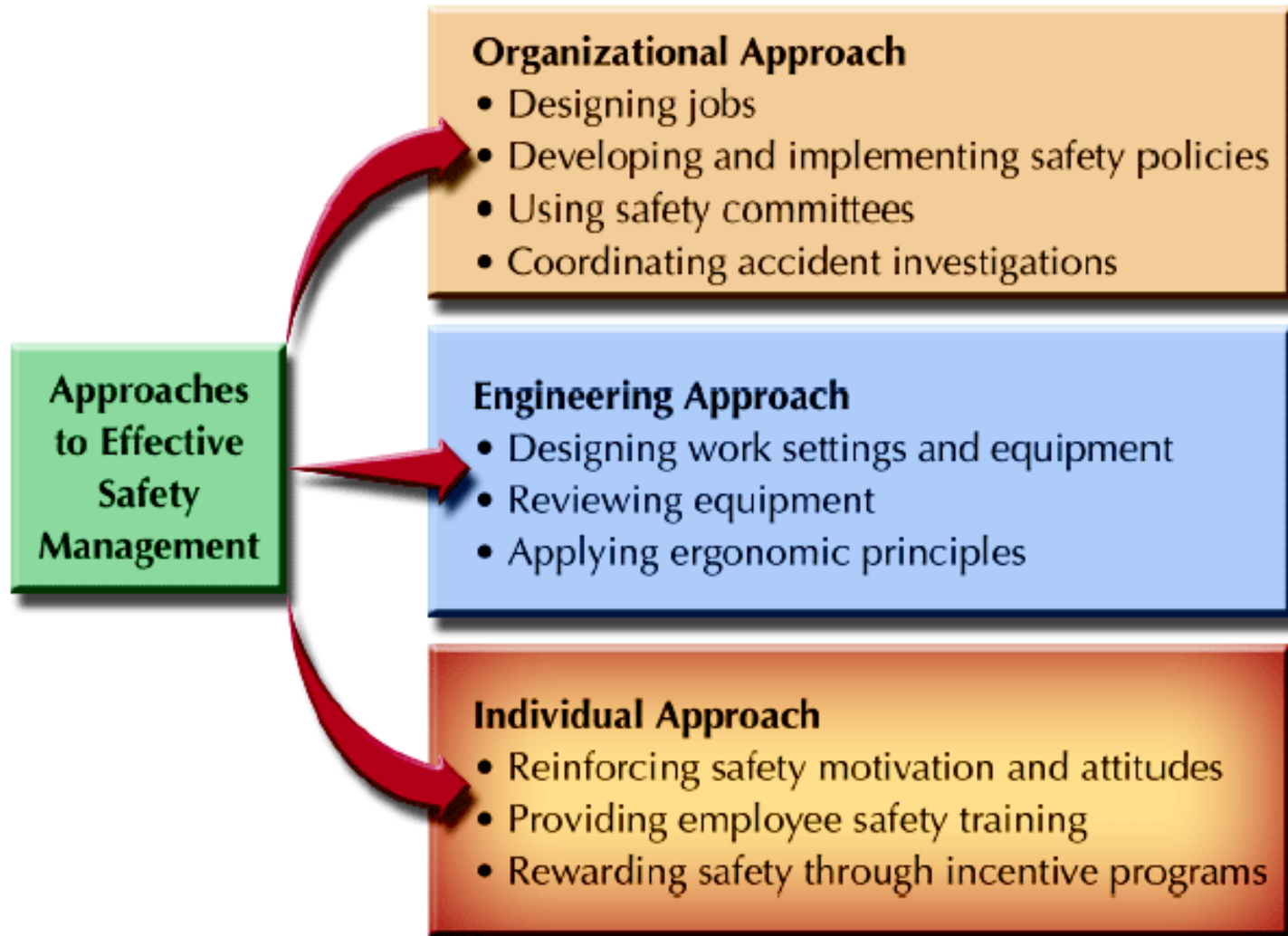
[illegible]

Injury	Skin Disorder	Respiratory Condition	Poisoning	Hearing Loss	All other illnesses
(1)	(2)	(3)	(4)	(5)	(6)

Page 1 of 1

- On-the-Spot Inspections
 - Compliance officers
- Dealing with an Inspection
- Citations and Violations
 - Imminent danger
 - Serious
 - Other than serious
 - Willful and repeated





Other Safety Issues

**Safety Policies
and Discipline**

**Safety
Committees**



**Employee
Motivation
and Incentives**

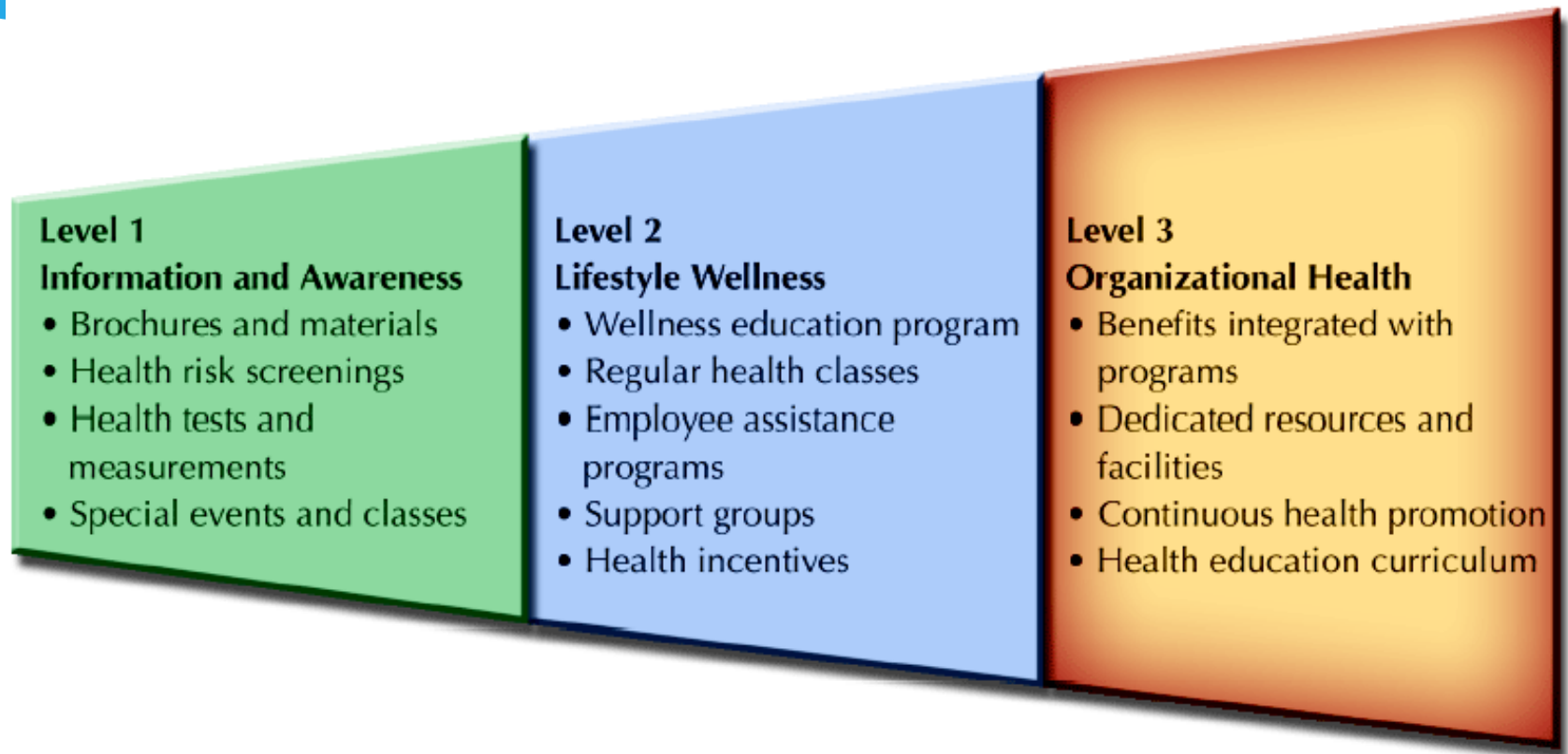
**Safety Training
and
Communications**







Health Promotion Levels





SITE SAFETY



Dangerous site



**Hard hats, boots and hi
visibilty vests must be worn**



**All visitors to this site
must report to site office**

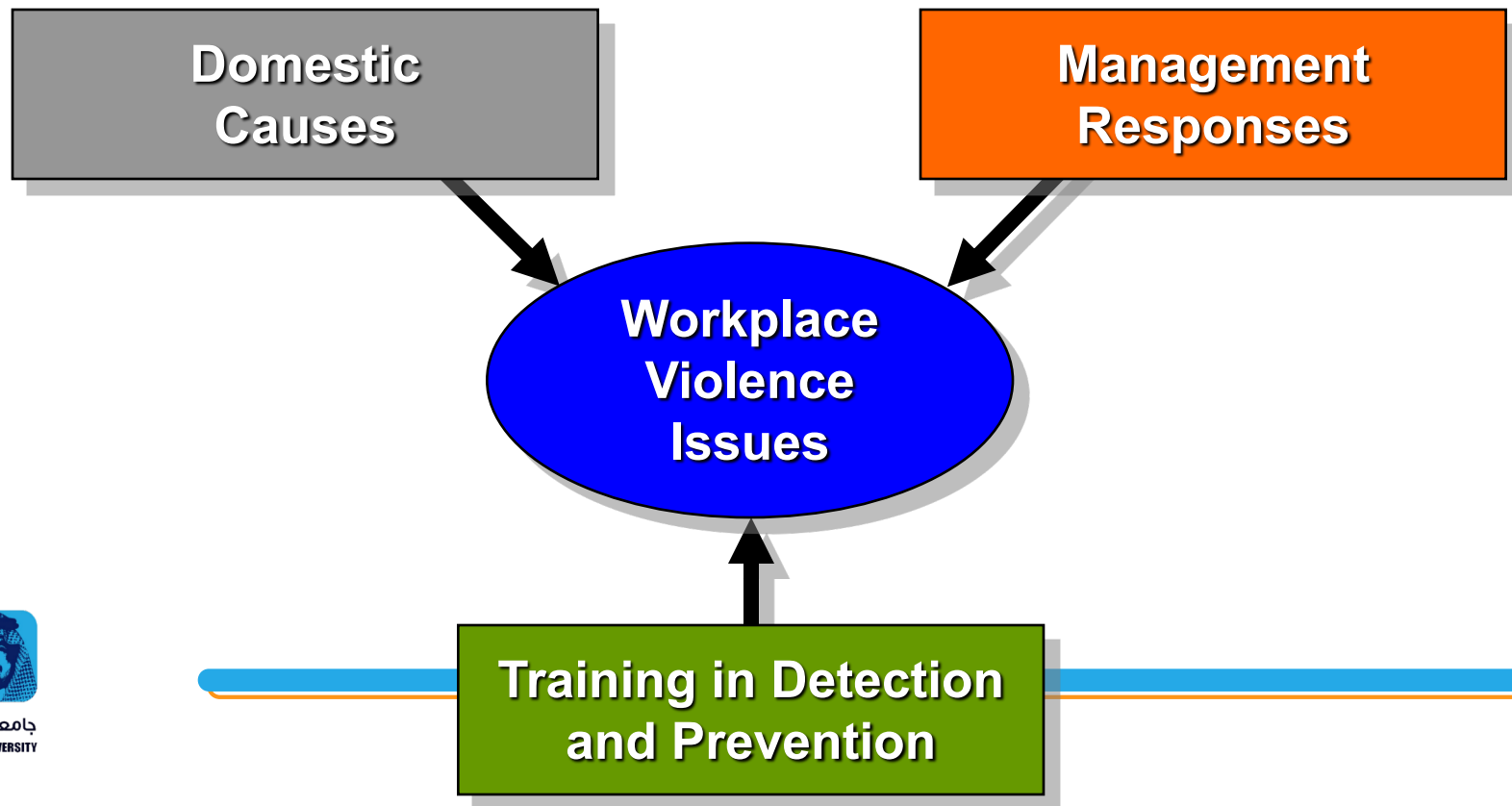


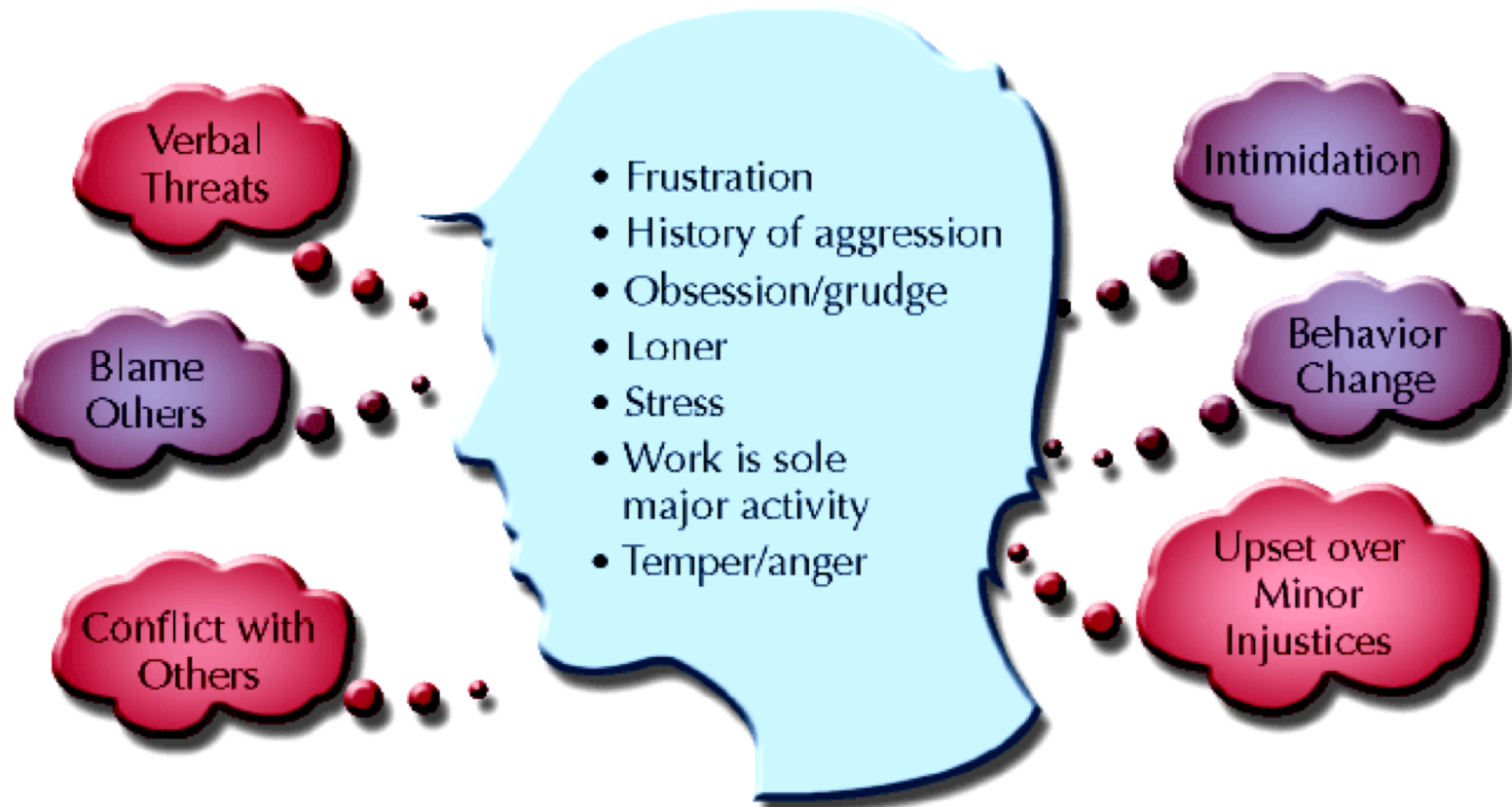
**No unauthorised
access**

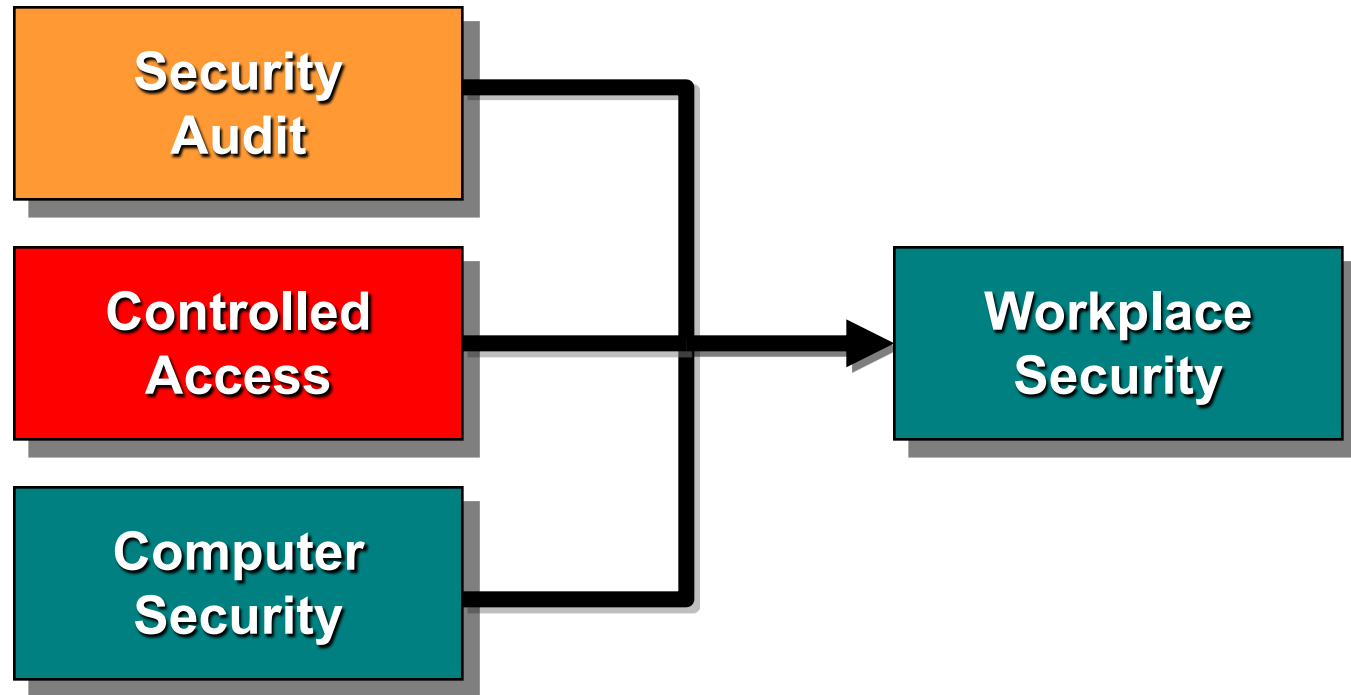


**Children must not
play on this site**

- Top Eight Security Concerns at Work:
 - Workplace violence
 - Internet/intranet security
 - Business interruption/disaster recovery
 - Fraud/white collar crime
 - Employee selection/screening concerns
 - General employee theft
 - Unethical business conduct
 - Computer hardware/software theft







Robert L. Mathis | John H. Jackson

Chapter 16

**Employee Rights and
Discipline**



Learning Objectives

After you have read this chapter, you should be able to:

- Explain the difference between statutory rights and contractual rights.
- Define employment-at-will and identify three exceptions to it.
- Describe what due process is and explain some means of alternative dispute resolution.
- Identify employee rights associated with access to employee records and free speech.



Learning Objectives (cont'd)

- Discuss issues associated with workplace monitoring, surveillance, investigations, and drug testing.
- List elements to consider when developing an employee handbook.
- Differentiate between the positive approach and the progressive approach to discipline.



نماذج عقود الموظفين طبقاً لتعديلات المرسوم بقانون اتحادي رقم (17) لسنة 2016

رقم	العنوان	الحجم	الملف
1	نموذج تجديد عقد عمل مواطن	212KB	
2	نموذج عقد عمل مواطن بدوام كامل	216KB	
3	نموذج تجديد عقد تعيين موظف غير مواطن	182KB	
4	نموذج عقد تعيين بدوام كامل لغير المواطنين (الفئة «أ»)	212KB	
5	نموذج عقد تعيين بدوام كامل لغير المواطنين (الفئة «ب»)	204KB	
6	نموذج عقد تعيين بعقد خاص	137KB	
7	نموذج عقد تعيين بعقد مؤقت	204KB	
8	نموذج عقد تعيين بعقد دوام جزئي	202KB	
9	نموذج عقد تعيين الخبراء والمستشاريين (المواطنين)	207KB	

القانون واللائحة

قانون الموارد البشرية الجديد في الحكومة الاتحادية الصادر بمرسوم اتحادي رقم (49) لسنة 2022

اللائحة التنفيذية لقانون الموارد البشرية في الحكومة الاتحادية

نماذج عقود الموظفين طبقاً لتعديلات المرسوم بقانون اتحادي رقم (17) لسنة 2016

قرارات مجلس الوزراء

الأنظمة

الأدلة الاسترشادية

التعاميم

وثيقة مبادئ السلوك المهني وأخلاقيات الوظيفة العامة

للإشتراك بالإصدارات الدورية

- Rights
 - That which belongs to a person by law, nature, or tradition.
- Responsibilities
 - Obligations to be accountable for actions.
- Statutory Rights
 - Rights based on specific laws and statutes passed by federal, state, and local governments.



Employment Contract

- Terms and conditions of employment
- General job duties and expectations
- Compensation and benefits
- Confidentiality and secrecy
- Non-piracy and non-compete agreements
- Non-solicitation of current employees upon departure
- Termination/Resignation

Date:

Employee's signature:

Company representative's signature:



Contractual Rights

Key Terms	
Contractual Rights	Rights based on a specific contractual agreement between employer and employee.
Separation Agreement	Agreement in which an employee who is being terminated agrees not to sue the employer in exchange for specified benefits.
Employment Contract	Agreement that formally outlines the details of employment.
Non-Compete Agreement	An agreement that prohibits an individual who leaves the organization from competing with the employer in the same line of business for a specified period of time.
Implied Contract	The idea that a contract exists between the employer and the employee based on the implied promises of the employer.

- Employment Practices Liability Insurance (EPLI)
 - Covers employer's costs for legal fees, settlements, and judgments associated with employment-related actions such as:
 1. Discrimination
 2. Wrongful discipline
 3. Sexual harassment
 4. Wrongful termination
 5. Negligent evaluation
 6. Infliction of emotional distress
 7. Breach of employment contract
 8. Deprivation of career opportunity
 9. Improper management of employee benefits



Rights Affecting the Employment Relationship

- Employment-at-Will (EAW)
 - A common law doctrine stating that employers have the right to hire, fire, demote, or promote whomever they choose, unless there is a law or contract to the contrary.
 - Employees have the right to quit and get another job under the same constraints.
- Wrongful Discharge
 - Termination of an individual's employment for reasons that are improper or illegal.

Employment-at-Will (EAW)

Exceptions to EAW

Public Policy

An employee can sue an employer if he or she was fired for refusing the employer's demand to violate public policy ("break the law").

Implied Employment Contract

An employee can sue an employer if the employer's actions or inaction constitute an implied contract of continuing employment.

Good Faith and Fair Dealing

If the employer's unruly behavior breaks a covenant of good faith with the employee, then that employee can sue the employer.



Sample Employment- at-Will Statement

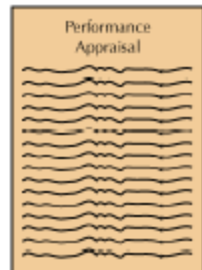


EMPLOYMENT AT WILL

The policies stated in this handbook are guidelines only and with the exception of our policy on at-will employment, as described below, are subject to change at the sole discretion of the Employer, as are all other policies, procedures, benefits, or other programs of the Employer. This handbook is not a contract, express or implied, guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be long term, either you or the Employer may terminate this relationship at any time, for any reason, with or without cause or notice.

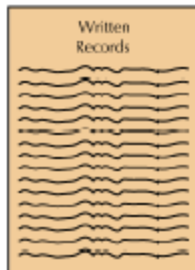
Please understand that no supervisor, manager, or representative of the Employer other than the [e.g., president] has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the [e.g., president] shall not be enforceable unless it is in a formal written agreement and signed by you and the [e.g., president]. Please also understand, that no supervisor, manager, or other representative of the Employer, has the authority to make any verbal promises, commitments, or statements of any kind regarding the Employer's policies, procedures, or any other issues that are legally binding on the Employer.

Keys for Defense in Wrongful Discharge: The “Paper Trail”



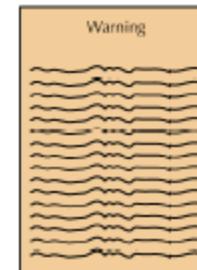
Performance Appraisal

Make sure performance appraisals give an accurate picture of the person's performance.



Written Records

Maintain written records on behaviors leading to dismissal.



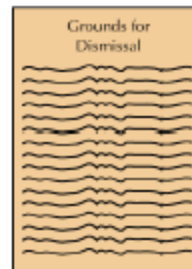
Written Warning

Warn employees in writing before dismissal.



Group Involvement

Involve more than one person in termination decision.



Grounds for Dismissal

Put grounds for dismissal in writing.

- Just Cause
 - Reasonable justification for taking an employment-related action.
- Constructive Discharge
 - An employer deliberately makes working conditions intolerable for an employee in an attempt to get (to force) that employee to resign or quit.

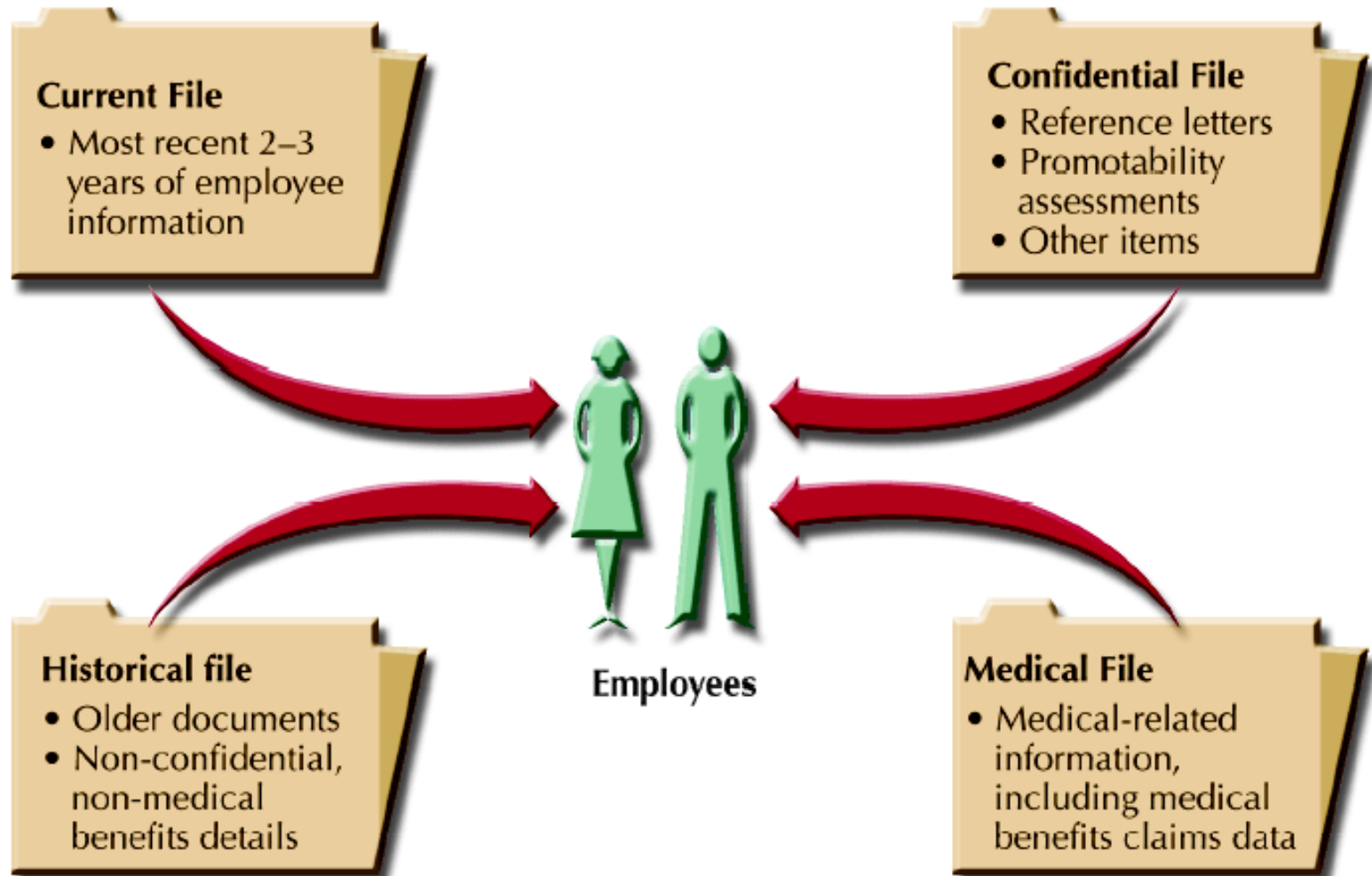
Balancing Employer Security Concerns and Employee Rights

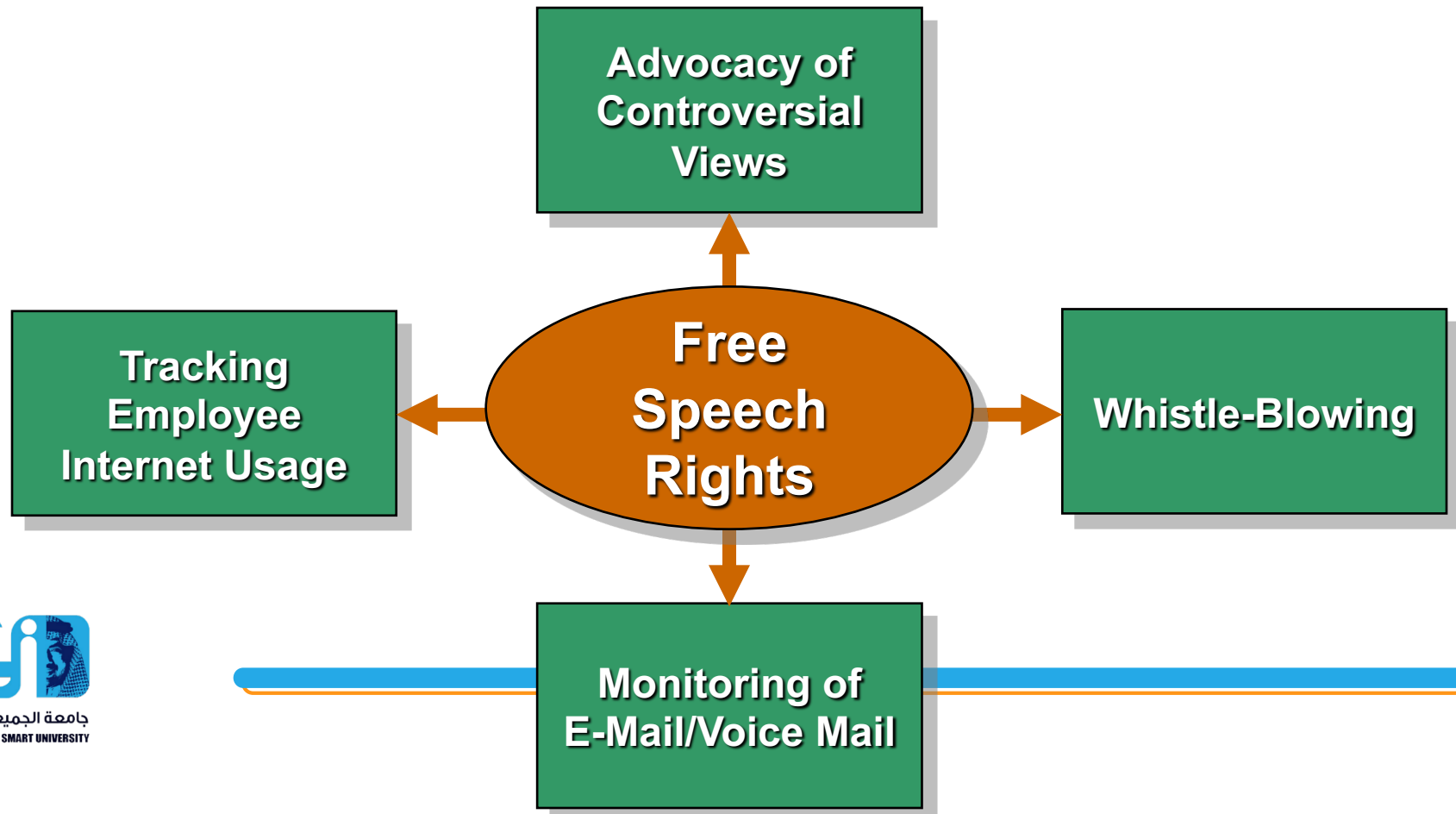
- Right to Privacy
 - Defined in legal terms for individuals as the freedom from unauthorized and unreasonable intrusion into their personal affairs.
- Privacy Rights and HR Records:
 - Access to personal information held by employer
 - Response to unfavorable information in records
 - Correction of erroneous information
 - Notification when information is given to a third party

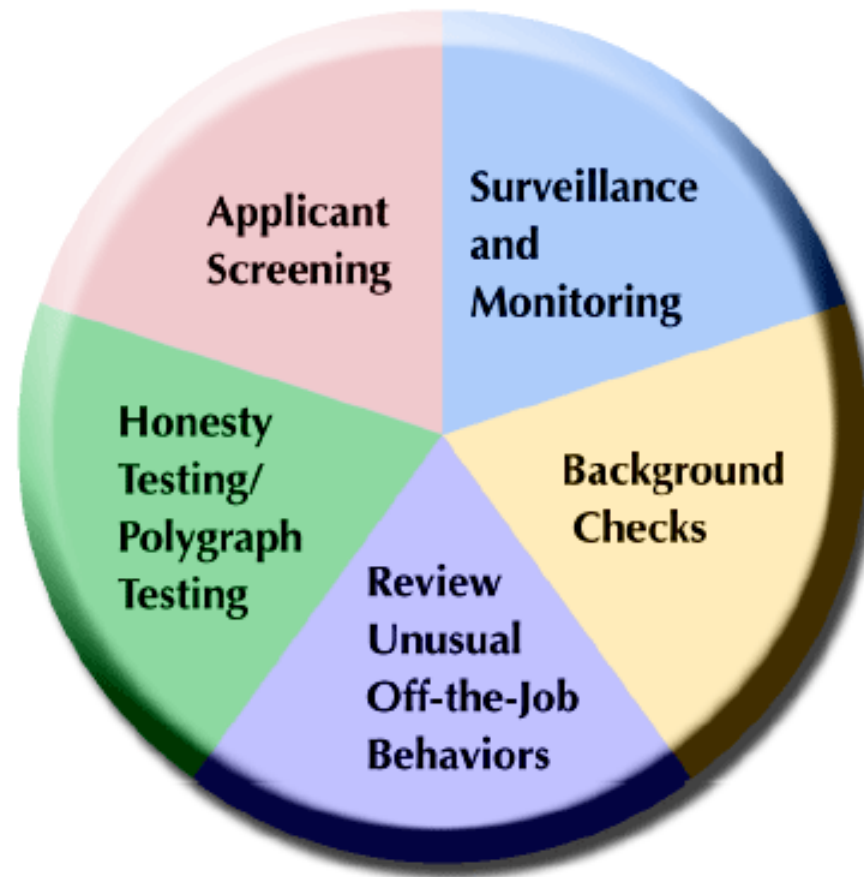
- HR Records' Security
 - Restrict access to all HR records
 - Utilize confidential passwords to HRIS databases
 - Place sensitive information in separate files and restricted databases
 - Inform employees of types of data to retain
 - Purge outdated data from records
 - Release information only with employee's consent

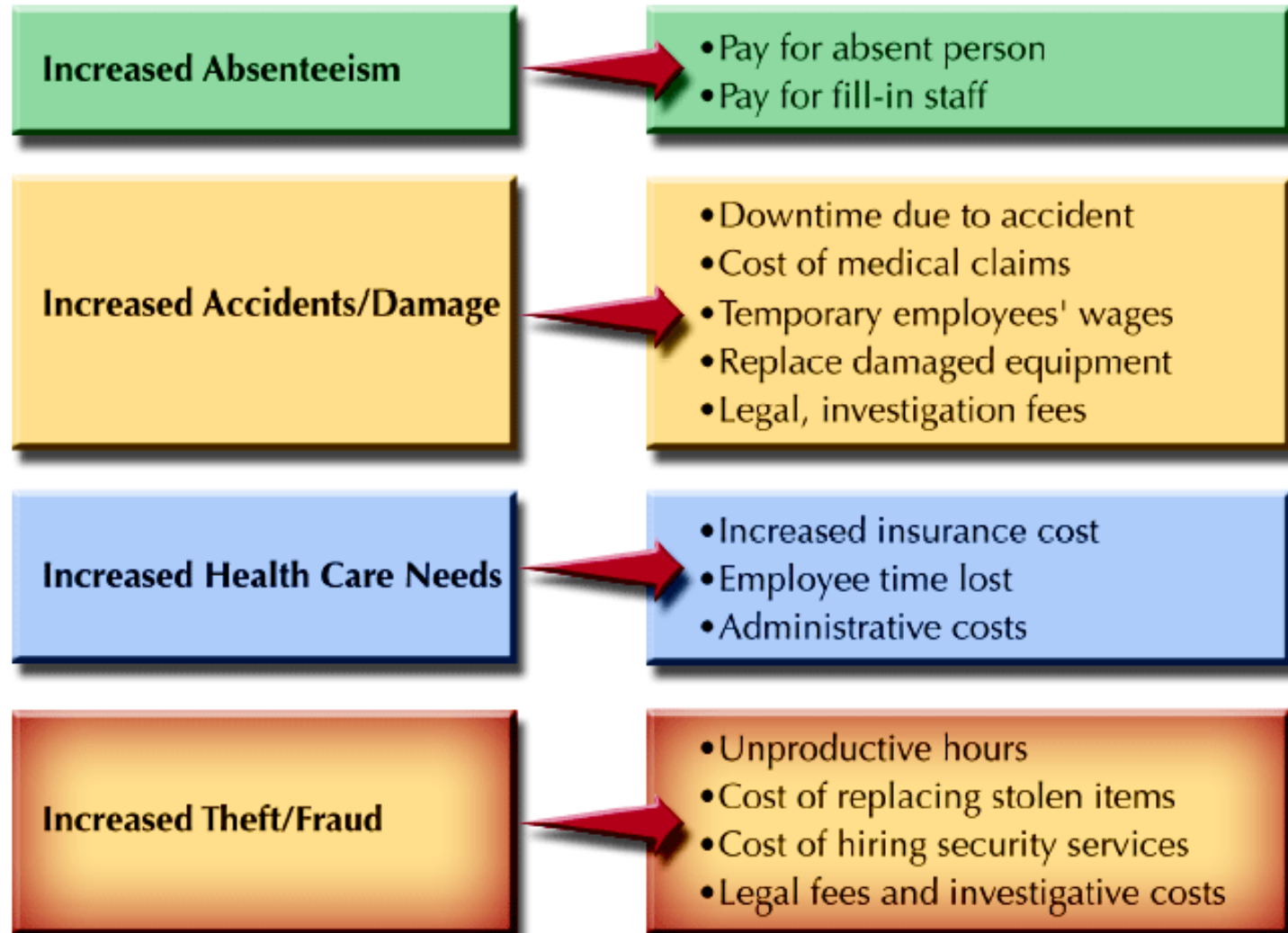


Employee Record Files







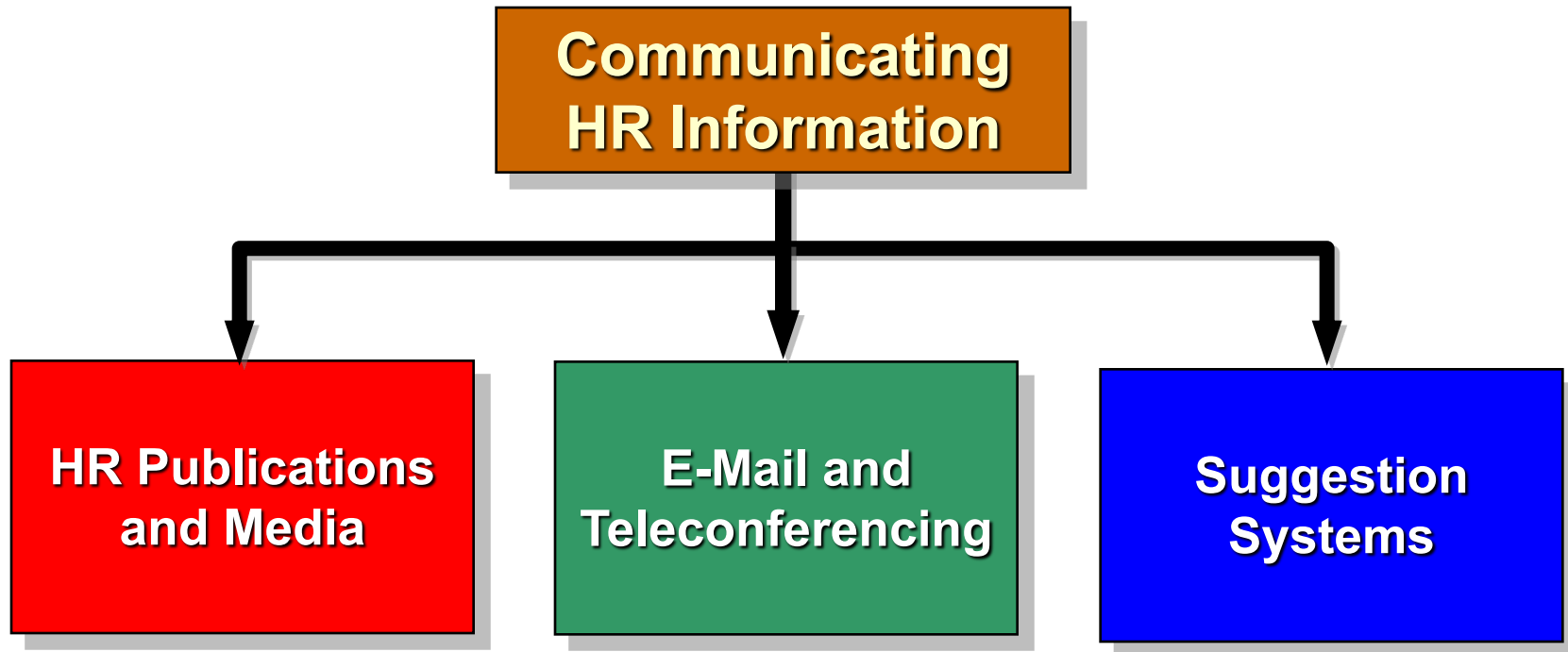


- Arguments Against Drug Testing
 - It violates employees' privacy rights.
 - Drugs may not affect performance in every case.
 - Employers may abuse the results of tests.
 - Drug tests may be inaccurate.
 - Test results can be misinterpreted.

- Conducting Drug Tests
 - Random testing of all employee at periodic intervals
 - Testing only in cases of probable cause
 - Testing after accidents
- When to Test (Conditions)
 - Job consequences outweigh privacy concerns
 - Accurate test procedures are available
 - Written consent of the employee is obtained
 - Results are treated confidentially
 - Employers have a complete drug program

- Policies
 - General guidelines that focus organizational actions.
 - “Why we do it”
- Procedures
 - Customary methods of handling activities
 - “How we do it”
- Rules
 - Specific guidelines that regulate and restrict the behavior of individuals.
 - “The limits on what we do”

- Legal Review of Language
 - Eliminate controversial phrases in wording.
 - Use disclaimers disavowing handbook as a contract.
 - Keep handbook content current.
- Readability
 - Adjust reading level of handbook for intended audience of employees.
- Use
 - Communicate and discuss handbook.
 - Notify all employees of changes in the handbook.



- Discipline
 - A form of training that enforces organizational rules.
- Positive Discipline Approach
 1. Counseling
 2. Written Documentation
 3. Final Warning (decision day-off)
 4. Discharge

Progressive Discipline Procedure

First Offense

Verbal Caution



Second Offense

Written Reprimand



Third Offense

Suspension



Fourth Offense

Discharge

- Organization culture regarding discipline
- Lack of support by higher management
- Guilt
- Loss of friendship
- Time loss
- Fear of lawsuits



- Handling Discharges
 - Provide discharge warning at last disciplinary step before termination.
 - Provide the employee with written notice of the discharge that clearly states the reason(s) for the discharge decision, do not try to “sugarcoat” the reason(s).
 - Have an HR representative attend the termination meeting as a witness.
 - Inform the employee of HR or benefits issues.
 - Maintain a professional demeanor at all times.





مكافأة نهاية الخدمة

إذا انتهت علاقة العمل وجب على صاحب العمل أن يدفع إلى العامل مكافأة
عن مدة خدمته تحسب على أساس :

أجر نصف شهر عن كل سنة من السنوات الخمس الأولى.



أجر شهر عن كل سنة من السنوات التالية.



يتخذ الأجر الأخير أساساً لحساب المكافأة.



يستحق العامل مكافأة عن أجزاء السنة بنسبة ما قضاه منها في العمل.

