



Welcome to the latest edition of our HR newsletter!

In this edition of our HR newsletter we will look at the new legislation surrounding retirement age and case law on this. We will also focus on Recruitment, Performance Reviews and Employment Documentation Review to ensure the smooth running of your business.

Retirement Age in Ireland

In early 2016, the retirement legislation in Ireland saw big changes due to the Equality (Miscellaneous Provisions) Act 2015. The amended legislation means that no employee can be forced to retire when they reach a certain age unless it is objectively justified to retire at that age i.e. the employee is no longer fit enough to carry out the duties of the role. Even if there is a retirement age set out for employees, they can no longer be forced to retire when they reach this age.

A case came to light recently where an employee was wrongfully dismissed on age grounds. The Company forced an employee to retire when he reached 65 years of age, even though he was happy to continue working and was capable of doing so. The Court decided that the employee was wrongfully dismissed on age grounds and he was awarded €6,500.

Upon employees reaching the age of retirement set out in the business, we would recommend that this is done by discussion, ascertaining whether or not they wish to continue working and go from there.

If you have any queries relating to retirement age or require assistance dealing with a similar situation, please feel free to contact the HR Solutions team.

Performance Reviews for Employees

Performance Management is about directing and supporting employees to work as effectively and efficiently as possible in line with the needs of the Organisation. Performance reviews are beneficial for both the employee and the business.

It gives the employee a chance to receive recognition for their hard work and assist with career planning. It is an opportunity for the Manager to acknowledge a job well done and to identify areas of poor performance (if any) and areas that need development.

Once the review meeting has been conducted and feedback given to the employee, it is important to ensure that the focus on performance is not neglected until the next performance review. Performance should continue to be monitored throughout the year.

Should you have any queries on performance reviews or require assistance in setting up a Performance Management System for your business, please do not hesitate to contact the HR Solutions team. We also provide training on "Best Practice when Conducting Performance Reviews".

Regular Review of Employment Documentation

It is important for all businesses to review their Contracts of Employment, Policies, Procedures and Employee Handbook on an annual basis to ensure that they are up to date and information contained in documents are in line with legislation.

For example, from 1st August, 2015, employees are entitled to accrue annual leave whilst on sick leave. If the business is unaware of this change in legislation and the documentation is not updated in line with this, the business may be exposed to a risk that they are not disclosing the employee's rights to them.

Therefore we would highly recommend all businesses review their contracts, policies and procedures on an annual basis and amend accordingly in line with any changes in legislation.

The HR Solutions team can review your employee documentation to ensure the information is up to date and relevant.

Getting the Recruitment Process Right

Looking for a suitable candidate to fill a position can be difficult especially when you are trying to get the right person-job fit for the role. It is important to have a plan in place to ensure that candidates are treated fairly and equally.

All candidates should be shortlisted using the same criteria and interview notes should be retained on file should they be required for future reference. Regret letters/emails should be forwarded to unsuccessful applicants in a timely fashion. It is important that interviewers are given guidance on best practice in relation to suitable questions to ask candidates, creating the right environment to conduct interviews etc.

The HR Solutions team at RBK can provide support and guidance if you are looking to recruit for a particular role. You can contact us on (09064) 80600 if you require further assistance.

Contact Us

If you are interested in discussing any of the above, please get in touch with a member of our HR Solutions Team.



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