

# HR Horror Stories

Having over 80 years of experience dealing with HR & employment related queries, Croner has seen its fair share of HR horror stories! With Halloween approaching, we asked our advisers provide examples of their worst HR experiences from throughout their careers.

*Anecdotes have been altered to retain anonymity.*

## Story 1

A team member raised a grievance with their manager due to being bullied by their colleague. With what started out as a joke about braces went too far. It went too far when a colleague was caught 'defiling' the team members toothbrush in work toilet.

### Advice Lines advice:

Well, this is certainly not a situation to smile at. Allegations of bullying should always be addressed as early as possible to prevent issues from escalating. In this instance, Croner recommended that a full investigation is conducted. It's suggested that the colleague is brought in for an official disciplinary meeting once the investigation is completed, with a view to terminate employment due to gross misconduct.

## Story 2

A health and safety manager wasn't meeting the expectations for the role. Their line manager tried to speak to them to resolve the issues informally. But this didn't solve the overall issue, so another manager was brought in to start the formal personal improvement plan process.

The meeting in question didn't go to plan, and the health and safety manager stormed out and almost caused a collision with another vehicle as they left the premises.

The managing director made the decision to verbally dismiss the employee as they left the site.

The employer is now facing a tribunal claim against them for unfair dismissal.

### Advice Lines advice:

Another example that proves the importance of acting quickly on concerns. There's lots of factors here that, if addressed sooner, could have prevented this issue from being exacerbated. If the H&S manager had been supported with a formal PIP sooner, then the company's expectations would have been clear, and the hard feelings could have been avoided.

Of course, there's always the possibility that an employee will react badly to performance feedback, so it's important to prepare for this outcome and ensure that professionalism is maintained even if emotions are high. Now, as there was no official procedure followed before the verbal dismissal, the employee does indeed have a valid tribunal case. Croner would be able to support by representing the business at tribunal, with the aim of awarding the employee the lowest reward possible and offering long term business support to prevent a scenario like this from reoccurring.

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## Story 3

A business came to us with an issue with a staff member who has been working more than 55 hours each week. After the business owner tried to have an informal chat about reducing their hours, the employee insisted on keeping their hours the same as it keeps them busy.

The employer didn't record the meeting, as they thought it was the end of the situation. However, in the following month, the employee in question was working overtime and had an accident that resulted in them significantly injuring their foot. The employee is currently in the process of suing their employer, on the basis that his excessive working hours caused exhaustion and resulted in the accident.

### Advice Lines advice:

It's unfortunate that this situation is a result of the employer trying to do the right thing by their employee. It's important that working time regulations are followed to protect your business from unwanted claims and impacts on staff wellbeing. This should have been enforced during the initial discussion about working hours, even if the employee had an argument as to why the additional hours are beneficial.

As there is no record of the informal discussion, the employee has a strong case against the business. In this instance, Croner would be offering reactive support to help mitigate any financial damages as a result of the tribunal. It would also be recommended to review all employment contracts of remaining employees to ensure the issue doesn't reoccur in the future.

## Story 4

Two employees faced life changing injuries when a side loader fork lift truck fell whilst they walked across the yard of a timber mill. This site in particular had no segregation between pedestrians and vehicles. It was later found that the lack of segregation led to the serious incident that injured the employees.

### Advice lines advice:

In this instance, Croner would recommend developing a Workplace Transport Assessment as a matter of urgency, to be implemented ASAP. A follow up assessment should also be developed, in order to address other potential concerns with the site. We're pleased to report that since the incident, Croner successfully carried out an audit of all three sites with only minor issues raised and addressed.

The need for HR, Health & Safety and Employment law advice can extend to all aspects of your business, with Croner's exclusive advice line you have access to FREE advice that could help you avoid the situations we've spoken about above, drop one of our trusted experts a call on [0844 561 8133](tel:08445618133) and quote your association number.

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