

Hiring and firing is costly

The changes in labour employment legislation in recent years have spawned a phenomenon that is having serious repercussions for employers: No matter how diligent the screening and interview process prospective employees go through before being made a job offer, there is always a risk that, come delivery time, they could fail to produce.

According to Laura Whitaker from Ad Talent, the law requires a lengthy and often costly route to rectify the situation: "Labour legislation makes provision for a probationary period - up to 6 months is considered acceptable. The purpose of a probationary period is for the employer to assess the skills and technical ability of the employee and see whether they are the right culture match for the organisation, something that usually takes time to evaluate."

The employer has serious responsibilities during the probationary period. They are required to provide the employee with a full set of documents regarding company organisation, reporting structures, policies and procedures, job description and so on.

They should, in fact, provide the employee with a written contract clearly stating the terms of the probationary period. In short, the employer has to provide the employee with every opportunity to be successful.

"Be careful about terminating a probationary employee. According to an article written by Derek Jackson on the labour relations website, an applicant who was dismissed after 11 weeks on the grounds of poor performance received eight months salary after arbitration by the CCMA. It was proved that the employer failed to give him the correct guidance and training to do the job effectively, even though he had the necessary qualifications," Whitaker says.