



Companies expect to keep lid on pay rises

SALARIES are predicted to rise by an average of 1.9 percentage points above inflation this year, according to a survey by Mercer Human Resource Consulting.

In almost two-thirds of the 70 countries studied pay is forecast to rise between 1 and 3 percentage points above inflation. However, a handful of countries can be found at the extremes. In Lithuania, India and Bulgaria, for example, salaries are expected to outpace inflation by 7.7%, 7.2% and 5.6% respectively.

Mark Sullivan, European Partner at Mercer, said: "As economies strengthen and unemployment rates fall, it is surprising that companies are resisting wage inflation. This year's pay increases are likely to be the same or lower than last year's. The question is, how long can corporations keep the lid on pay rises when the job market is becoming increasingly buoyant?"

The report reveals clear differences in trends across various regions of the world.

Of Western EU countries, Greece is expected to have the highest average pay increases – at 5.2%, with an inflation level around only 2.4%. Germany is expected to have the lowest pay growth, at 2.3%, with inflation of 1.5%.

More dramatic rises are anticipated for Eastern Europe – 9.9% in Lithuania and 9.1% in Latvia, while inflation remains comparatively low – 2.2% and 3.5% respectively. However, the pay rises of 15% expected in Turkey are offset by an anticipated 10.3% inflation rate.

Mr Sullivan commented: "Despite high pay rises in Eastern Europe, manufacturing is still migrating from the West to East to exploit the much lower labour costs. Going forward there will be greater wage pressure for key skills in Eastern Europe as multinationals compete for the same pool of talented employees."

While salary increases in the US and Canada are likely to remain in line with recent years, at 3.5% and 3.3% respectively, inflation is likely to rise to 3.1%.

Predicted pay increases in some Central and South

American countries are amongst the highest in the world, but are likely to be offset by high inflation. Employees in the Dominican Republic can expect pay rises of 22.5%, but inflation is likely to be 35%, and in Uruguay the respective figures are 10% and 12%.

Salary increases in many Asia-Pacific countries are expected to be high this year, outpacing inflation, albeit the survey was conducted before the tsunami. India and Indonesia were expecting pay increases of 11.4% and 11.3% respectively, against inflation of 4.2% and 7%. Meanwhile, pay in Japan is expected to go up by 2.3% which will be set against negative inflation, at -0.1%.

Australian pay is expected to rise by 4.3%, while inflation is predicted to be 2.6%. The figures for New Zealand are 3% with inflation at 2.8%.

• Copies of Mercer's 2005 *Global Compensation Planning Report* cost \$600/550, available from www.imercer.com/gcpr

Tsunami: a message from the President of the APFHRM

Following the tsunami which lashed Sri Lanka and other countries on 26 December 2004, causing unparalleled damage, death and disruption, the priority has quite rightly been to provide the injured with medical facilities and refugees with basic needs such as food and drink, clothing and shelter.

However, the psychological and emotional aspects of the tragedy have received much less attention. The Institute of Personnel Management Sri Lanka has responded by organising special coaching sessions on trauma counselling in order to help helpers and we have similarly offered to train HR people.

Courage, perseverance and resilience will be needed in

abundance to rebuild the nations affected. I appeal to HR professionals the world over to contribute in whatever ways possible to assist them to recover from this calamity.

Daya Bollegala



Daya Bollegala, who is President of the IPM Sri Lanka, was elected President of the Asia Pacific Federation of Human Resource Management in December and now joins the Board of the WFPMA.

Currently Head of Employee Relations at Seylan Bank, he began his career as a banker but has now been a full time HR practitioner for over 20 years.

CIPD moves

The UK and Ireland's Chartered Institute of Personnel and Development will be moving to new offices next month. The address will be: 151 The Broadway, London SW19 1JQ, England; Tel: +44 20 8612 6200; Fax: +44 20 8612 6201

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WorldLink

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Next issue

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Shake-up for Australian training

The Australian Government is to abolish the country's National Training Authority (ANTA) this July as part of a fundamental shake-up of vocational education and training, reports *Les Pickett*.*

Prime Minister John Howard said the move would bring about "significant administrative savings" with a possible reduction in funding for the Technical and Further Education system. At the same time greater emphasis would be placed on the value of vocational education and training.

Accordingly, a new position of Minister for vocational and technical education has been created to oversee the implementation of the Government's election commitments in the area of skills training, including the establishing of 24 new technical colleges.

The Minister, Gary Hardgrave, will work directly with industry, trade unions, private and public training providers and the states and territories in funding and delivery of vocational education.

It is intended that each of the new technical colleges will be based on regional needs, local infrastructure and current and future economic circumstances. They will be located in regions which have skill shortages, a large youth population and a strong industry base.

Tenders are being sought from consortia of existing educational institutions together with local and national industry. The Department of Education, Science and Training (DEST) has already placed advertisements in the Australian press calling for expressions of interest in establishing these colleges.

"The Howard Government is challenging the view that new apprenticeships and vocational education are somehow 'second best' to university," said Hardgrave.

"Collectively these select high achievement colleges will provide tuition for up to 7,200 students each year in academic, IT and business subjects. They will graduate from the colleges equipped with the necessary trade, entrepreneurial and business skills to

be self-employed in the future or to go on to further education and training," he added.

The first of the colleges will begin accepting students in 2006. They will be linked to and endorsed by industry and run autonomously by principals who will be able to engage teaching staff on a performance pay basis.

Each college will specialise, but will offer at least four trades including:

- Engineering (machinists, fabricators, toolmakers, welders, sheet metal workers)
- Automotive (mechanics, auto electricians, panel beaters, vehicle painters)
- Construction (bricklayer, plumbers, carpenters)
- Commercial cookery.

Meanwhile, until new arrangements are in place, it will be 'business as usual'. "All stakeholders and ANTA committees will continue to be supported to our usual high standard," according to Paul Byrne, interim chief executive of ANTA.

"The skills and experience of ANTA staff have made a major contribution to the success of the national system", he said, "and will continue to be valuable to this ongoing work."

Difficult path

Since it was established back in 1992, ANTA has trodden the difficult path of trying to provide co-ordinated national leadership in a country of 20 million people, many of whom believe that training and vocational education is best co-ordinated at local level. It has made a contribution but it has had its critics.

Now we have a chance to reduce bureaucracy, minimise duplication, streamline expenses, step out of politics, power-plays and vested interests, and establish a truly needs-based focus on what really is in the short and long term best interests of the Australian people – and those from the many countries around the world who have utilised ANTA's expertise.

*Les Pickett is a former WFPMA Board member and is now president of the Asia Pacific Centre for Human Resource Development

Performance management under the microscope

Cultural traditions, labour market differentials and outmoded career patterns are all factors which can have an adverse effect on the strategic value of performance management systems in some countries, according to a new survey in the Asia Pacific region.

Based on the views of HR professionals in Australia, Hong Kong, Indonesia, the Philippines, Singapore, Sri Lanka and Thailand, the study was produced for a symposium held in December 2004 under the auspices of the APFHRM. It covered the nature, types, usage and perceived effectiveness of performance management, and analysed the similarities and differences of use in the seven countries. Further information from: *Alan.Nankervis@cbs.curtin.edu.au*

Personnel management in politics: profiling for a president

To what extent can professional personnel techniques be applied to other aspects of life than the workplace? Here Gerry Plana describes the use of competency profiling in last year's Philippine presidential elections

Early in 2003 the Personnel Management Association of the Philippines (PMAP), under the presidency of Ramon S. Medina, set out to identify the competencies required for effective leadership of the Filipino people. With elections for the country's president scheduled for May 2004, it was felt that such an exercise would help strengthen the democratic process. This desire to contribute to nation building by leveraging HR expertise had been verbalised repeatedly in the Association's conferences.

The main objective of the project was to profile the success factors for the Philippine president so that, once identified, they could be used by the voting public as a guide to help them make more informed choices when assessing the various presidential candidates.

Given the project's dependence on competency profiling and modelling, PMAP worked initially with one of its member companies, SGV-DDI, to identify the framework to be used. DDI is renowned worldwide as one of the pioneers in the analysis and identification of job competencies. This preparatory and research phase took almost a year to complete and involved several steps:

1 Training in competency analysis

SGV-DDI conducted a seminar-workshop on competency profiling for the members of the research team, all of whom were HR practitioners.

Topics included the identification and measurement of competencies, behaviour analysis, motivational factors, knowledge identification, methods of competency profiling, behavioural and critical incident interviews, and competency modelling.

2 Preliminary research

At the start of the project the members of the team under the chairmanship of Grace Abella-Zata conducted a number of reviews, including:

- The constitutional provisions in the job description of the president (based on minutes of the proceedings of the 1986 Constitutional Commission);
- The available information on presidential duties and responsibilities; and
- Memoirs and biographies of previous presidents of the Philippines.

In particular, team members were asked to summarise the different challenges faced by past presidents and the types of behaviour they exhibited in order to address these.

3 Role analysis

Based on the information gathered, the different behaviours exhibited were classified into competencies, which, in turn, were clustered into a new set of leadership roles in relation to the challenges that the past presidents faced. These roles were compared to the nine roles of strategic leadership that DDI has evolved over 30 years of work in the assessment, development and coaching of senior business executives. The roles were then streamlined into a new set of roles appropriate to the political setting. Guides were developed for the subsequent individual interviews.

4 Interviews

One of the most important steps in competency profiling is the interview of what HR professionals call job content experts (JCEs). JCEs include past or present holders of the job as well as people who have closely interfaced with them and have observed the kinds of challenges they have faced and the behaviours they exhibited. ►



Photo: EMPICS

▲ Philippine President Gloria Arroyo declined to be interviewed by the PMAP team when she stood for re-election but they were able to prepare a paper profile



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Gerardo (Gerry) Plana is Executive Director of PMAP and Secretary General of the Asia Pacific Federation of Human Resource Management

► For this project, the research team identified the following as possible JCEs: past and incumbent presidents, past and present executive secretaries, past cabinet members, leaders of key government bodies, respected newspaper columnists and reporters at the Malacañang (the Philippine president's official residence) and political scientists. A full-time trade union official was also interviewed to gather additional perspectives on the role of the president.

Based on the nature of the respondents, several types of interview questions were developed, including: 'day in the life' questions; critical incident questions; competency-specific questions; job challenges *eg* rebellion, insurgency, economic situation, globalisation, terrorism, etc; and 'vision of the future' questions.

5 Competency modelling

Based on the interview results, the research team started drafting the competency model for the Philippine president. Only four of the nine DDI roles were included, while an additional one was added, and these five roles were then formulated in terms of specific actions (see panel below).

6 Confirmation/validation through focus group discussions

In order to further refine and validate the results of the competency modelling process, two workshops were conducted.

The first was held with members of the Philippine Movement for Good Governance and consisted of about 20 representatives from various professional and civil society groups.

The second workshop was conducted with more than 100 PMAP members, all HR professionals from different companies and industries.

In both workshops, the participants were asked to review the list of roles as well as associated behaviours. They were asked to identify challenges that a Philippine president might face and the relative behaviour necessary to address those challenges.

If needed, additional roles could be formulated.

7 Presentation

The results of the competency modelling process were finally presented to the 1000-plus members of PMAP who attended the Association's September 2003 Convention in Cebu City.

The five roles of a Philippine president

Based on the study conducted, the following are the five roles which it was concluded must be performed by a Philippine president:

1 NAVIGATOR

Definition: Steers the ship of state to arrive at the 'destination' of a just and humane society.

Rationale: This role is particularly important because the Philippines has a powerful presidency and weak political parties. This combination puts the initiation of government policies into the hands of the president. (S)he must therefore have a firm understanding of the complex issues that hound Philippine society. Based on his/her in-depth analysis of these issues, (s)he must provide a clear vision of where (s)he wants to steer the country to and the way to go there. The challenge lies in working through the many contentious issues that need to be resolved to implement strategies. Most often, the president needs to consider various legitimate yet conflicting interests, and allocate scarce resources according to how (s)he defines the 'common good'.

Associated behaviours:

- Properly addresses the root causes of poverty and other social problems;
- Clearly works through the complexity of key national and

global issues to identify opportunities and solve problems;

- Discerns and prioritises conflicting interests, with the common good in mind;
- Effectively addresses crisis situations to minimise disruptions.

Associated competencies: analytical skills, judgement, decisiveness, tolerance for ambiguity and visionary leadership.

Possible predictors of future performance:

- 1 Provides a clear and detailed plan to address poverty and our major problems (budget deficit, infrastructure gap, impending power shortage, WTO commitments, education, etc)
- 2 Has demonstrated the ability to work through difficult political, economic, and/or social issues
- 3 Past success in dealing with crisis situations.

2 MOBILISER

Definition: Leads the executive department. Proactively builds alliances with concerned sectors to achieve complex objectives and build consensus.

Rationale: The President spends his/her time and energies on two major activities:

- managing the executive department
- applying political skills to achieve the objectives of government.

The President must be able to command the support of various interest groups and power brokers in the socio-political and economic arena to get key initiatives implemented. This includes being able to work effectively with both houses of Congress to get bills passed, the different political parties, sectoral groups (labour, women, youth, urban poor, business, etc), NGOs, various churches, media and other interest groups which have diverse and often conflicting agendas. S/he must be able to attract the best people to his/her cabinet and the bureaucracy and appoint the most competent people to the judiciary.

Associated behaviours:

- Attracts and empowers people with the right skills and motivations for government service;
- Ensures that agencies under the executive department attain

objectives;

- Anticipates and diffuses roadblocks to change initiatives;
- Uses appropriate persuasion techniques to gain support from interest groups and decision makers.

Associated competencies:

leadership and influence, judgement, selecting talent, results orientation and driving performance.

Possible predictors of future performance:

- 1 Past success in the management of an organisation (preferably similar in complexity to that of the executive branch of the government)
- 2 Past success in building good relationships with and influence over groups to achieve goals.

3 SERVANT LEADER

Definition: Serves the people with a genuinely caring heart. Works hard and well to achieve the goals of government.

Rationale: The Philippine president must genuinely desire to serve the interests of the Filipino people instead of simply using the powers of the position to enrich him/herself and his/her relatives and cronies. The president sets the tone for the entire bureaucracy. Government servants pick up the subtle and not-so-subtle cues from the president's speech and behaviour; thus (s)he should be beyond reproach. At the same time, the president's job

The second phase of the project was undertaken early in 2004, under the leadership of new PMAP president Oscar Contreras, Jr. Using the research results, the Association challenged all six candidates for the Philippine presidency to subject themselves to a 'job' interview to ascertain how they measured up to PMAP's new success profile for the role.

Four out of the six agreed to participate in in-depth interviews to be conducted by a panel of senior HR professionals. Of the other two, one was a movie actor who refused to participate in anything like a debate or interview. The other was the then President and ultimate winner of a second term, Gloria Macapagal Arroyo. She considered the movie actor to be her main rival and did not want to do anything he did not do. For these two we were able

to produce a paper profile based on readily available information, and thus complete the line-up.

The interviews were conducted in private in PMAP's offices. The results were reported in such a way that it was clear one of the candidates did not meet the criteria, while for the other three we talked about their strengths and weaknesses in each of the five roles.

Summaries of the resultant candidate profiles were made available to the public via a press conference attended by more than 20 key media representatives. In fact over the period of the exercise a series of press conferences was held and considerable responsible coverage was achieved on TV, radio and in print, making PMAP, the project and the candidate profiles highly visible to voters.

Not only was it the first time presidential candidates had been challenged to a professional 'job' interview, but the project resulted in the introduction of terms like success profile and competency-based interview into the national vocabulary of politics.

With this project, we were also able to introduce HR concepts like competency profiles and the value of a job interview into the public consciousness. But, above all, PMAP would like to believe that this initiative was able to help those voters we were able to reach to make better political decisions.

Right now PMAP is driving the creation of a National HR Agenda to continue our advocacy for good governance and to address other issues of HR in the country. ○

follows an exacting work pace. Equally important tasks demand his/her attention notwithstanding constraints of time. Thus, s/he must be able to exemplify very good work habits and continuous learning to discern and act effectively on the critical issues of the day.

Associated behaviours:

- Sacrifices personal, family or other vested interests for the common good;
- Displays humility and reaches out to all sectors;
- Practises good work ethics;
- Learns continuously.

Associated competencies:

integrity, humility, continuous learning, decisiveness and stress tolerance.

Possible predictors of future performance:

- 1 Genuinely cares for the welfare of the Filipino people
- 2 Displays humility and reaches out to all sectors
- 3 Has developed good habits of study and work.

4 CAPTIVATOR/INSPIRING LEADER

Definition: Inspires unity, trust and optimism among the people. Moves people away from cynicism. Builds trust in the presidency and the government.

Rationale: Given the fractious nature of Philippine society today, where divisiveness tends to get

in the way of progress and development, the Philippine president must be able to inspire trust and hope from a majority of the population. S/he must be able to win the hearts and minds of an increasingly cynical citizenry.

Associated behaviours:

- Understands the ideals and aspirations of the ordinary Filipino;
- Conveys a simple but compelling picture of the country's vision and goals;
- Effectively partners with media to inform and build support for programmes and advocacies;
- Shows consistency in speech and action.

Associated competencies:

personal charisma, visionary leadership, influencing skills, communication skills.

Possible predictors of future performance:

- 1 Understands the conditions and hopes of the ordinary Filipino
- 2 Inspires optimism in the future and trust in the government
- 3 Works effectively with the media to inform the public and build support for his/her advocacies or programmes.

5 GUARDIAN OF NATIONAL WEALTH, PATRIMONY, LAW AND ORDER

Definition: Ensures that the national wealth and resources are used properly. Demonstrates

strong political will. Champions the fight against graft and corruption. Ensures a level playing field. Promotes competence and professionalism. Upholds the rule of law.

Rationale: Corruption has become endemic in the bureaucracy. The compulsion to pay back political debts has resulted in 'booty capitalism', poor governance and a weak state. The Philippine president must be the role model as well as the decisive leader in the fight against graft and corruption. A level playing field must be created in the economic sphere to stimulate growth and investment. Many non-partisan groups and individuals also believe that radical political reforms are necessary to create a more effective political party system that is less susceptible to vested interests. The president must also exert decisive efforts to stamp out lawlessness and provide peace and security to the general citizenry.

Associated behaviours:

- Advocates and practises meritocracy in government
- Champions reforms to stamp out graft and corruption in bureaucracy
- Champions necessary political reforms
- Refuses to trade long term for short term gain
- Displays courage in making unpopular but necessary decisions

- Is committed to the democratic process
- Upholds law and order to provide protection for all Filipinos.

Associated competencies:

integrity, analysis and judgement, initiative and innovation, communication skills, decisiveness, leadership.

Possible predictors of future performance:

- 1 Has shown integrity in private and public life
 - 2 Displays sincerity and transparency when talking about matters that may affect the integrity of his/her government (campaign contributions, advisers etc)
 - 3 Takes a clear and unequivocal stand on current controversial issues (such as population growth)
 - 4 Has a clear and detailed plan to address graft and corruption in the bureaucracy
 - 5 Respects the rule of law.
- And for candidates with public service experience has:

- Demonstrated the will to make politically unpopular but sound decisions
- Appointed honest and competent people to government
- A good track record in establishing peace and order.

Preventing psycho

Six months after the coming into force of Quebec's new legislation to combat psychological harassment in the workplace, Guy Poirier reviews the intentions and anticipated impact of the Act, which is a first in this field in North America

Two years ago, the Government of Quebec passed legislation – unique in North America – to combat the harmful effect of psychological harassment in the workplace. Bearing in mind the impact this legislation was bound to have on businesses and industry, a 17-month period was allowed for before it came into force on June 1, 2004. This period was intended to give all stakeholders, and businesses in particular, the time they needed to develop mechanisms to deal with and prevent various forms of psychological harassment.

The Act respecting Labour Standards defines psychological harassment as: "...any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment."

The Act guarantees the right of every employee to a workplace free from psychological harassment and makes the employer responsible for providing such an environment, as well as putting a stop to such behaviour when it occurs. It also sets out simple and effective means of recourse for employees to exercise their rights.

Before the new legislation came into effect, an employee who had lost his or her job and been the victim of psychological

harassment was – and is still – entitled to claim a remedy in damages against the employer under the *Quebec Civil Code*. But, as the then Minister of Labour pointed out when presenting Bill 143, which introduced the new provisions, "civil remedies are often long and costly procedures for employees." The new Act is intended to enable the employee to be reinstated, compensated for the salary lost and to obtain any other fair and reasonable redress given the circumstances in question.

Responsibility for implementing the legislation was entrusted to the Commission des normes du travail du Québec¹ (Quebec labour standards commission) and this body will act on an employee's behalf at no cost.

Response to change

This legislation did not spring up overnight. It is, in fact, a direct outcome of the rapid and dramatic changes that have been sweeping the working landscape in recent years. Since the early 1980s, we have witnessed a number of developments such as diverse free trade formulas, globalisation, economic restructuring in industrialised countries and large economic production units. New information and communication technologies have also significantly altered the pace of knowledge acquisition.

These rapid changes have all had an impact on work organisation. New workplace rules require workers to be more flexible and productive and have substantially increased their stress levels. In addition, over the last 20 years, there has been a

steady rise in temporary or non-standard employment in various industries.

As a result, growing numbers of employees have become insecure and vulnerable to unemployment. In turn, this insecurity and vulnerability has been reflected in increased incidences of psychological harassment. The ensuing consequences are important for both employees and employers. The financial cost of psychological violence in the workplace is considerable, not only for businesses but also for society as a whole.

Accordingly, in December 2002 the Government of Quebec decided that it was

Effective intervention

Norman is an industrial mechanic. A few colleagues find him too conformist for their liking and enjoy misleading him about the places where he is supposed to work. Often, thanks to the silent complicity of employees in other workshops, these colleagues see to it that Norman does not appear at the right place and at the right time.

Shy by nature, Norman does not know how to react and whom to trust in the plant. His unjustified presences in departments that he was never summoned to or in meetings

time to take steps to ensure adequate protection for all workers. Although some legislation already included provisions in this respect, it tended to focus on physical injury and harassment based on discrimination and was considered insufficient as a recourse for victims of psychological harassment.

By putting the onus on the employer to provide a workplace free from psychological harassment, the Act focuses squarely on prevention. Employers are required to take reasonable action to prevent psychological harassment in their organisation and, when they become aware of vexatious behaviour, they must take action to stop it. To do so, they need to develop tools like psychological harassment policies or guidelines and to involve all their employees and union associations.

Recognising that the situation differs from one organisation to the next, the Act does not determine which actions employers should take. Preventive measures

The European scene

In Europe the term commonly used for what Canada calls 'psychological' harassment is 'moral' harassment. France and Belgium, for example, passed legislation against moral harassment in 2002. In both these countries, the provisions are particularly aimed at the perpetrator of the harassment, who may incur penalties and, in the case of Belgium in particular, be required to pay damages. Through the European Social Charter, the Council of Europe expresses its clear intent to combat moral harassment. In Quebec, by comparison, recourse has no penal effect and is directed against the employer, who is responsible for providing the employees with a harassment-free workplace and for taking action to stop such harassment should it occur.

logical harassment

may therefore vary according to each organisation's size and capability. The Act does however require employers to take reasonable action to prevent and prohibit psychological harassment when it is brought to their attention.

In practical terms, realising that prevention alone is not sufficient to forestall all expressions of psychological harassment in the workplace, the Quebec legislator has provided simple, accessible and effective remedies for victims.

Employees will be able to file a complaint with the Commission des

that he was never asked to attend, or those at which he arrives late, end up undermining his confidence. He is constantly the victim of sarcasm. His reputation for being on time, for being concentrated at work and his credibility are adversely affected.

Norman decides to relate the events to a person that he trusts. Following that person's suggestion, he has a meeting with his employer and tells him about all these facts which, when taken together, help explain a great many things. The employer takes the situation seriously and intervenes quickly to put a stop to the harassment.

(Adapted from the Commission's website)

normes du travail, which will then conduct a preliminary investigation to determine whether the complaint meets with the basic requirements for opening an inquiry. Diverse means are also provided for processing and resolving this complaint. For example, reconciliation and mediation are available to those interested in using these means to settle their dispute.

When these options are rejected or prove to be unproductive, the Commission will conduct an inquiry to verify whether the reported behaviour corresponds to the legal definition of psychological harassment. If the inquiry reveals that psychological harassment did in fact occur, the Commission will refer the complaint to the Commission des relations du travail

(Labour Relations Commission). To be exonerated from liability, employers will have to demonstrate that they have taken all reasonable action and that they did indeed intervene to stop the psychological harassment.

Should the employer have failed to take the above-mentioned action, the Commission will grant the victim compensatory measures designed to provide fair and reasonable redress under the circumstances. However, this recourse has no penal effect.

Since the Act has only been in force since June 1, 2004, it is naturally too soon to see significant results or determine how it will be interpreted by the courts, although it should also be pointed out that some Quebec businesses took action and introduced mechanisms to deal with psychological harassment before the legislation actually came into effect. And the legislation has attracted considerable interest in Canada, given its progressive nature and particular focus on prevention. It is a logical extension of employees' right to a workplace that ensures their dignity, health and safety.²

Other Canadian provinces have shown interest in the new Act and in following its development and, since it was passed, a number of Canadian and Quebec HR associations and specialists in these issues have taken steps to inform and support their members or expressed interest in knowing more.³

This legislation reflects a global trend towards protecting employees' rights. In view of the approach taken by the Quebec legislator, a number of European countries already committed in this direction are closely monitoring its development. ○

Guy Poirier is a lawyer and director of legal affairs at the Commission des normes du travail du Québec, and a member of the Quebec HR association (ORHRI). He is co-author with Robert L. Rivest of The New Standards for Protection Against Psychological Harassment in the Workplace: a Modern-Day Approach, published by Éditions Yvon Blais in 2004. See www.editionsyvonblais.com.

France Dupéré, President of the Board of ORHRI, comments:

The Act creates two specific obligations for employers, making them responsible for preventing harassment and for stopping it when it does occur. It thereby gives human resources managers the opportunity to adopt tools that will promote a healthy and respectful working environment and enable them to manage conflict more effectively. For this transition to a harassment-free workplace to succeed, HR departments will also have to work with any unions active within the organisation.

This legislation also raises HR managers' awareness of the problem. Their challenges are first to understand the forms and impact of harassment and then to develop a prevention programme. To meet these challenges, they will have to be trained to take effective action.

There are a number of ways harassment in the workplace can be prevented. The adoption of an anti-harassment policy is one example of a 'reasonable action'. Implementing such a policy also demonstrates an organisation's willingness to eradicate the problem and make all employees aware of the need to maintain a harassment-free workplace.

However, adopting a prevention policy is not enough. In organisations where harassment occurs, there must be a willingness to change and this willingness must first be reflected in the management team. This means that each and every complaint must be taken seriously, which in turn means that all harassment incidents must be documented and immediate action taken.

The role of an HR manager is to represent the victim at all stages, as well as to ensure that the case is carefully examined and that the parties comply with any agreements reached. Throughout the entire process, he or she will support both the victim and the witnesses.

¹ The Commission des normes du travail du Québec is a government organisation responsible for the implementation and application of all the labour standards in Quebec provided for under the Act respecting Labour Standards (R.S.W. c. N-1.1), including those relating to psychological harassment.

² For more about these provisions, other labour standards or the Commission des

normes du travail du Québec, visit the following Internet site: www.cnt.gouv.qc.ca.

³ For example the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec (RHRI), which was one of the first professional associations to focus on psychological harassment and provide adequate support to its members.

THE WORLDLINK HR CALENDAR

February 2-4, 2005
Toronto, Canada
HRPAO Annual Conference
Tel: +1 416 923 2324
Fax: +1 416 923 7264
Email: mpawych@hrpao.org

February 22, 2005
Johannesburg, South Africa
WFPMA Board Meeting
Contact: Rosaura Barrera
Tel: +1 703 535 6035
Fax: +1 703 258 6035
Email: rbarrera@shrm.org

February 23-24, 2005
Johannesburg, South Africa
First pan-African HR Conference
Contact: Tiisetso Tsukudu
Tel: +27 21 914 4005
Fax: +27 21 914 4006
Email: tsukudu@iafrica.com

April 11-13, 2005
Chicago, Illinois, USA
SHRM 28th Global Forum
Tel: +1 703 548 3440
Fax: +1 703 258 6035
Email: rbarrera@shrm.org

April 12-14, 2005
London, England
CIPD Human Resource Development Conference and Exhibition
Tel: +44 20 8612 6202
Fax: +44 20 8263 3367
Email: conf@cipd.co.uk

May 11-13, 2005
Dublin, Ireland
22nd EAPM Congress

Tel: +353 1 676 6655
Fax: +353 1 676 7229
Email: info@cipd.ie

May 25-28, 2005
Cali, Colombia
19th FIDAP Congress
Tel: +57 2 6682976
Fax: +57 2 6616376
Email: cigeh2005@acrip-valle.com.co

May 27-28, 2005
Abano, Italy
33rd AIDP National Congress
Tel: +39 049 829 3375
Fax: +39 02 6671 6588
Email: aidp@aidp.it

June 9-10, 2005
Wiesbaden, Germany
DGFP National Congress
Tel: +49 211 5978 150
Fax: +49 211 5978 179
Email: graf@dgfp.de

June 19-22, 2005
San Diego, California, USA
SHRM 57th Annual Conference
Tel: +1 703 548 3440
Fax: +1 703 258 6035
Email: rbarrera@shrm.org

May 30-June 1, 2006
Singapore
WFPMA 11th World Congress on Human Resource Management
Contact: David Ang
Tel: +65 438 0012
Fax: +65 438 0029
Email: enquiries@shri.org.sg
Website: www.hrcongress2006.com



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