

## MODULE 5

# Employment Law and HR Compliance

Week 5 · 4 lessons · ~40 min

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**Lessons in this module:**

- **Lesson 5.1** — Foundations of Employment Law
- **Lesson 5.2** — Employment Contracts and Documentation
- **Lesson 5.3** — Handling Grievances and Disciplinary
- **Lesson 5.4** — Data Protection and Confidentiality in HR

## LESSON 5.1

## Foundations of Employment Law

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HR professionals do not need to be lawyers - but they must understand the key employment laws that govern the workplace. Getting this wrong can be costly for the organization and harmful to employees.

Key areas of employment law every HR professional must know:

- Employment contracts - what must be in a contract and when it must be provided
- Working time regulations - maximum working hours, rest breaks, and holiday entitlement
- Minimum wage legislation - ensuring all employees are paid at least the legal minimum
- Anti-discrimination law - protecting employees from unfair treatment
- Health and safety law - the employer's duty to provide a safe working environment
- Data protection - how employee personal data must be handled
- Termination and redundancy - the legal process for ending employment

Important: Employment law varies by country. Always verify the specific laws that apply in your jurisdiction. When in doubt, consult a qualified employment lawyer.

## LESSON 5.2

## Employment Contracts and Documentation

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An employment contract is a legally binding agreement between the employer and employee. Every employee must receive a written contract - in most countries, before or on their first day.

Key elements of an employment contract:

- Job title and description
- Start date and whether employment is permanent or fixed-term
- Salary and payment schedule
- Working hours and location
- Holiday entitlement
- Notice period (from both sides)
- Probationary period terms
- Confidentiality and intellectual property clauses

Additional HR documents every employee should receive:

- Employee handbook - policies, procedures, and expected behaviors
  - Health and safety policy
  - Data protection / privacy notice
  - Code of conduct
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## LESSON 5.3

## Handling Grievances and Disciplinaries

Grievances and disciplinaries are formal processes for resolving serious workplace issues. HR plays a central role in ensuring these are conducted fairly, consistently, and legally.

Grievance process (employee raises a complaint):

1. Employee submits a written grievance
2. HR acknowledges receipt within a defined timeframe
3. Investigation is conducted by an impartial manager
4. Grievance meeting held with the employee (right to be accompanied)
5. Decision communicated in writing with right of appeal

Disciplinary process (employer addresses misconduct or underperformance):

1. Investigation of the alleged issue
2. Disciplinary hearing (employee has right to be accompanied)
3. Outcome: no action / verbal warning / written warning / final warning / dismissal
4. Written confirmation of outcome
5. Right of appeal communicated

Always follow the same procedure for every grievance and disciplinary. Inconsistency is one of the most common reasons organizations lose employment tribunal cases.

## LESSON 5.4

## Data Protection and Confidentiality in HR

HR handles some of the most sensitive personal data in any organization - salaries, medical information, disciplinary records, and personal contact details. Protecting this data is both a legal obligation and an ethical responsibility.

Key data protection principles for HR:

- Lawfulness - only collect data you have a legal basis to collect
- Purpose limitation - only use data for the purpose it was collected
- Data minimisation - only collect what you actually need
- Accuracy - keep records up to date
- Storage limitation - do not keep data longer than necessary
- Security - protect data from unauthorized access

**EXAMPLE**

An HR manager receives a medical certificate from an employee. This must be stored securely (not in a shared folder), shared only with those who need to know, and deleted after the legally required retention period - not kept indefinitely.

**KNOWLEDGE CHECK**

**In a formal disciplinary hearing, what right does the employee always have?**

- A) The right to choose their own outcome
- B) The right to be accompanied by a colleague or trade union representative
- C) The right to record the meeting
- D) The right to have the case dismissed

✓ **Answer: B - In most jurisdictions, employees have a statutory right to be accompanied at a formal disciplinary or grievance hearing by a colleague or trade union representative.**