

# Problem-solving with your employees

Even in good workplaces, problems can arise that need to be sorted out between bosses and employees. This fact sheet outlines some practical strategies, tools and information to help employers and their First Nations employees solve problems together.



## About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possibilities when everyone is included.

Connecting with diverse people, meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations people and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**

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## What kind of workplace problems might need to be fixed?

Problems can arise at any workplace. This can happen when one or more people disagree about something.

Problems can be about:

- ▶ pay and pay slips – this includes the amount employees are paid, how often they are paid, getting regular pay slips and information on pay slips
- ▶ time off – this includes asking for and being paid for time off from work. This could be for annual leave, being sick, when a family member dies, or when an employee needs to attend Sorry Business
- ▶ training and apprenticeships – this includes payment for off-the-job training and payment of fees
- ▶ the behaviour and actions of others in the workplace
- ▶ performance, attendance, presentation or professionalism of employees.

First Nations employees often lack confidence to talk to their boss about workplace problems. They may have specific problems relating to their cultural obligations, such as Sorry Business. They may experience racism and discrimination. They might also find it hard to relate to other employees and/or their boss.



## How can workplace problems be fixed?

Most problems at work happen because people don't know what the law is, or because of problems with communication.

Problems at work can usually be fixed by finding out what the law is and making time to talk to the people involved.

A fair approach to problems is important for the good operation of any business and healthy working relationships. You should respect everybody's opinions and backgrounds and take into account cultural and language differences. Creating a supportive and culturally respectful workplace can promote greater confidence among First Nations employees.

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## Responding to requests for leave

Belinda owns a small clothing shop. Her employee Rachel has asked to take 7 days of leave for Sorry Business, to mourn the death of a person in her community. Belinda does not understand the responsibilities and obligations of First Nations employees to attend Sorry Business. Other staff are already on leave and Belinda is worried that she will need to close the shop if Rachel takes time off too.

Belinda contacts a trusted First Nations community member to learn about Sorry Business. Belinda now understands the importance of Sorry Business for Rachel and sets up a meeting with Rachel to talk about her leave options. Belinda asks a casual staff member to work in the shop while Rachel is on leave.

Approaching problems in this way can also help you to increase productivity, have interested and committed employees, and keep your good employees.

To help your conversations go well you should:

- ▶ be prepared and committed to solving the problem. Gather information, consider the problem, and think about what can be done to fix it
- ▶ be mindful that you may not be aware of all the issues impacting the employee
- ▶ set a time to talk with the employee without interruptions
- ▶ listen carefully, keep an open mind and consider all sides of the story
- ▶ be flexible and willing to change your approach once you have more information
- ▶ explain your point of view carefully and calmly
- ▶ work with the employee to solve the problem together
- ▶ offer the employee your support. Your employee might feel more comfortable having a trusted friend or workmate with them when speaking to you about a problem
- ▶ learn about cultural and language differences that might impact your workplace. You could speak to a trusted community member or Indigenous liaison officer to get a better understanding.



## How about problems that can't be fixed?

If you and your employee are unable to fix a problem by talking about it, extra steps can be taken to find a solution. You can:

- ▶ put the problem in writing or ask your employee to write their problem down in a letter or email. This can make it easier for everyone to understand what needs to be fixed
- ▶ use mediation to discuss the problem with an extra person. A trained mediator might help you and your employee to work through a problem together. Both you and your employee have to agree to mediation
- ▶ consider contacting a community organisation or community legal centre to help facilitate the resolution of the problem.



### Find out more

For more information about sorting out problems in the workplace you can go to [fairwork.gov.au/help](https://www.fairwork.gov.au/help).

If you need help talking to your employee, you can do our Difficult conversations in the workplace online course at [fairwork.gov.au/learning](https://www.fairwork.gov.au/learning).

If the problem relates to discrimination you can go to [fairwork.gov.au/discrimination](https://www.fairwork.gov.au/discrimination).



## Contact us

Fair Work online: [fairwork.gov.au](https://www.fairwork.gov.au)

Fair Work Infoline: **13 13 94**

## Need language help?

Contact the Translating and Interpreting Service (TIS) on **13 14 50**

## Help for people who are deaf or have hearing or speech difficulties

You can contact us through the National Relay Service (NRS).

Select your **preferred access option** and give our phone number: **13 13 94**



The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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