

City HR – Mid-year performance reviews and Covid-19

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Will the mid-year reviews go ahead?



1 Are employees furloughed?

2 Are managers furloughed?

3 Will the review be effective?

4 Can you evaluate/get the feedback you need?



Points to consider if the review goes ahead





Potential employment law risks

Unlawful discrimination

- Sex – predominantly female employees juggling work and childcare
- Disability - performance issues because of stress/anxiety caused by Covid-19

Breach of contract

- Reduced or non-payment of bonus award on back of poorer performance

Constructive unfair dismissal

- Breach of implied term of trust and confidence

How to reduce employment law risks?



Managers to check regularly with employees

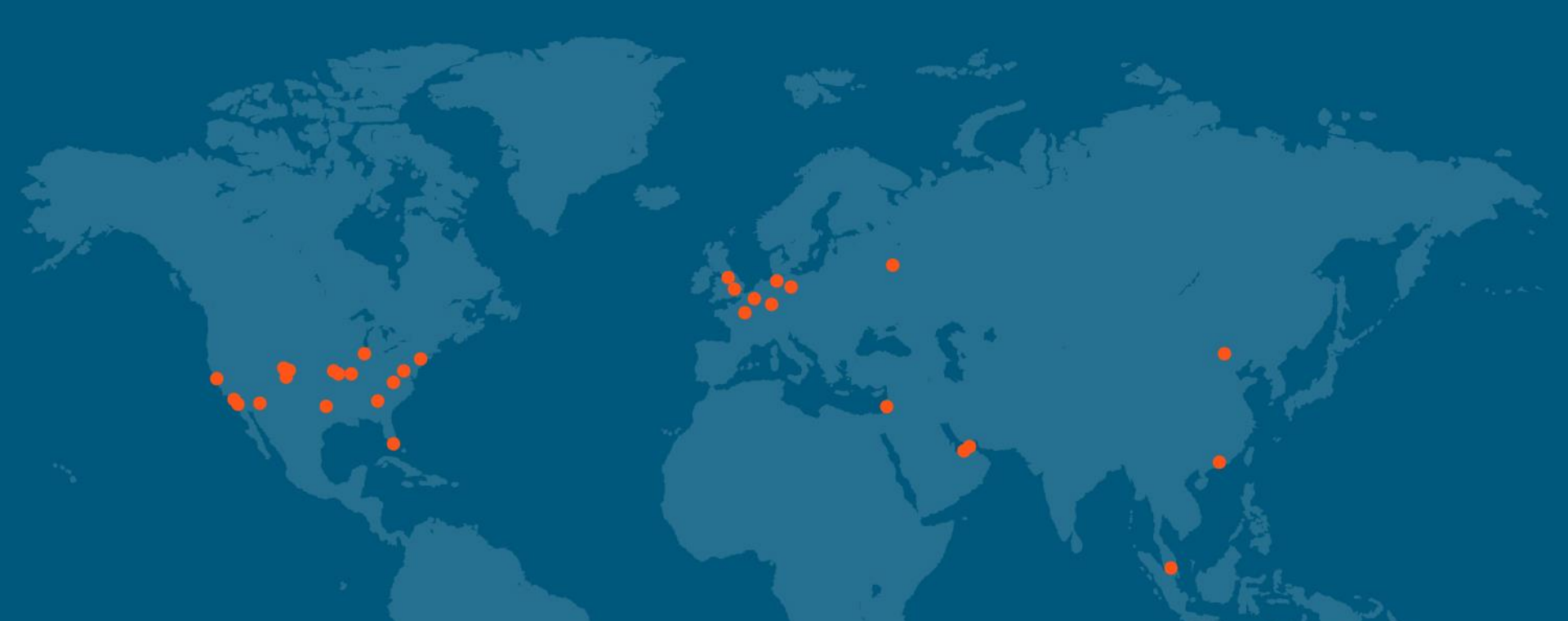
- Will provide an understanding of home situation, e.g. child-care considerations, mental health issues
- Employee relations perspective – keeps lines of communication open

Discuss work and performance expectations and what might need to change

Managers to provide more 'in the moment' feedback

Questions?





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This document provides a general summary only and is not intended to be comprehensive. Specific legal advice should always be sought in relation to the particular facts of a given situation.