

HR Presentation on Talent Management in a Changing Organization: Part 3

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## **The Talent Pipeline During Organizational Change**

The process of organizational restructuring can involve layoffs, employee separations, even a shift in direction and focus for the company. During this process the human resource department takes on many roles, including, but not limited to guiding, supporting, implementing, and managing the restructuring efforts (French, 2014). Specifically, HR has a tight control over the talent presently a part of the organization, retaining employees and deciding which may need to be let go, as well as the recruitment of new talent (Creach & Kesler, n.d., p. 5).

In synthesizing French (2014), I assert four distinct examples of HR department functions which apply during restructuring. The first of which is communication with stakeholders; a key step which should never be overlooked involves assuaging employee concerns, being transparent, and affirming business goals and mission to maintain the commitment of the employees (French, 2014, p. 2). Imagine the explosion in productivity which takes place when employees become aligned with the firm's refreshed vision! Second, during restructuring, HR can take a serious step towards keeping the business running and performing at ideal levels through managing employee productivity through adequate implementation of employee recognition, reward, and ideas to motivate employees (French, 2014, p. 3). Third, HR ought to take crucial steps to retain key employees, auditing compensation, managing benefits, and to promote as needed, all in accord with strategies to court employee loyalty (French, 2014, p. 3). Lastly, most particularly during a restructuring, it is crucial that HR manage all records and documents which are under their purview, including but not limited to, applications, resumes, verification documents, payroll and benefit records, onboarding documents, copies of licenses,

certifications, training records, and all records associated with terminations and retirement to maintain credibility and compliance (Access, 2021).

### **Organizational Change and Employee Morale**

Trust is an essential element in the employee/employer relationship and a breakdown in communication can eat away at it in the midst of restructuring. Organizational change and restructuring can lead to serious changes in organizational policies and procedures, finances, and job security, albeit perceived or actual; each of which severely impacts the corporate climate and employee morale in the workplace (Lavoie, 2017, p. 2). One such way HR can address the impact is through transparency and keeping communication open (Lavoie, 2017, p. 2). The rationale behind this is the prevention of gossip and rumors which spring up when the firm fails to address big news. With open communication, the firm can prevent the spread of negativity and wildly untrue rumors (Mishra et al, 2009). The second strategy HR can employ is to place effort into employee recognition. If employees get concerned about the longevity of their position or where they stand with the company in terms of job-security, they may begin looking elsewhere for employment or take other action, neither of which is good for employee morale and productivity (Lavoie, 2017, p. 3).

A third and effective strategy which can be employed by HR to aid amidst a restructuring and improve morale is to implement team-building activities which involves establishing cross-training and other implementations which bring employees together and promote cohesion in the workplace (TalentMap, n.d., p. 3). When older workers mentor newer workers, they are able to share the benefit of their experience and bonds develop which enable them to rely on each other

in the workplace. All of this socialization promotes loyalty to the company and creates a happy, cohesive workplace and a positive corporate culture (Vickers, 2019, p. 3).

### **Legal Challenges During Restructuring**

HR has major value to the organization during a restructuring because of their knowledgeability of the many laws which must be circumnavigated to effectively protect the company from legal complications and entanglements. The role of HR here is to help the firm ensure compliance and protect the firm against foreseeable liabilities. One such trouble which HR protects the firm from is claims of wrongful-termination by employees who are unhappy about the reason or manner in which have been let go (Muskovitz, 2018). One such example is in the instance of a would-be termination as retaliation for an employee exercising a legal right such as reporting discriminatory employment practices. Certainly the firm would not want a whistleblower around, but terminating them as retaliation for their action is not legal. HR would ideally be aware of this and ensure that the company did not commit a wrongful termination action (Muskovitz, 2018, p. 2). There are many other examples whereby a termination would be discriminatory or otherwise unlawful and HR should be aware of these as well.

Another legal challenge which could arise during a corporate restructuring, merger, or acquisition involves employment authorization issues and the use of the labor of foreign nationals (Sorensen, 2017). In an acquisition, the buyer needs to be aware of any collective bargaining agreements, benefits which have been proffered, and policies which are existing and in place in the company they are seeking to acquire. HR should have a list of workers which are dependent upon the seller for the authorization to work legally in the United States as well as a

list of any pending immigration cases which involve the company they are acquiring or restructuring (Sorensen, 2017). HR could resolve some potential issues through due diligence and altering the method of restructuring by purchasing the stock of the target company as opposed to only purchasing the company's assets (Sorensen, 2017). Certainly the solution depends upon the complexity and particulars of the situation and HR should be fully advised of applicable law.

The U.S. Department of Labor established the Worker Adjustment and Retraining Notification (WARN) Act. This act has numerous criteria which must be met before it applies to individual workers and firms which retain over 100 employees, but essentially provides that employees be notified two months in advance of any mass layoffs or plant closings (U.S. Department of Labor, n.d.). HR should be apprised of the particulars of the WARN act and if it applies to their firm. HR could protect the firm from civil penalties, a civil lawsuit, and payment of petitioner's attorney's fees (U.S. Department of Labor, n.d., p. 5).

HR staffers are often apprised of numerous laws which affect employee-employer relations. A final legal challenge, which I will present, which a company could potentially face during restructuring is a discrimination suit. A company must be sure not to pay males more than females for substantially the same job, must avoid disproportionately hiring one race over another which would be inconsistent with the applicant pool, and must be cautious of the appearance of discrimination when firing employees. HR can help the organization avoid committing these violations and more through knowledge of applicable laws and any potential violation which the company may encroach upon (Muskovitz, 2018).

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