



# What to Expect When You Call HR...

By Tracey I. Levy, Esq.

**Levy Employment Law, LLC** • *Legal and Employee Relations Consulting Services*

## 1. Your manager may need to be contacted

If you are seeking a change in your work environment, perhaps a schedule or location modification or a change in your work responsibilities, your manager will need to be part of the discussion. Including your manager is *not* synonymous with HR telling your manager that you raised a concern. Indeed, there are ways to broach this type of issue without ever advising the manager how/why it came to HR's attention.

HR can frame the discussion, and in more delicate situations (i.e., where your immediate manager has been accused of inappropriate conduct), the discussion may be held at a more senior level, bypassing the immediate manager. Ultimately, though, it is rare that HR can successfully change your work environment without involving line management.

## 2. Nothing said to HR is truly “off the record”

Once made aware of inappropriate conduct, depending on the nature of the allegations, HR may have a legal obligation to investigate. Even for less egregious matters that do not present a legal concern, best HR practice is to inquire further to understand the nature and scope of the issue. Sometimes issues that are presented as a minor concern lead to significant consequences because further inquiry reveals broader, more systemic issues.

So, when you tell your HR contact that you want to keep something “strictly between us”/“off the record,” or you say you just wanted to get something off your chest but do not want to make a “formal complaint,” you should not be surprised when your HR contact explains that she/he cannot simply sit on the information and do nothing with your concern. You have a right to expect that such matters will be handled as discreetly as possible, but once disclosed to HR, they cannot simply be filed away.

## 3. There are 2 sides to every story


It is best HR practice to consider the perspective of both parties (and sometimes witnesses and other third parties) before reaching a conclusion. Generally, this means speaking with the individual about whom you have complained. As noted in the preceding points – discretion is key here, and your HR professional should be able to speak to the accused party without directly disclosing that you have complained.

Quite often, poor communication between coworkers, or between employees and managers, can lead to misunderstandings and mistaken conclusions. By speaking to all concerned parties, HR may be able to identify the underlying causes or triggers behind concerns about a manager's style or the work environment, for example, and then work collaboratively to resolve the issue. Where the conduct at issue is more egregious, HR needs to understand contributing or mitigating factors so as to effectively remediate the situation.

© Levy Employment Law, LLC • June 2014, all rights reserved

---

411 Theodore Fremd Avenue, Suite 206 South, Rye, NY 10580

Tel: 914-338-8023  Fax: 914-637-1909

[tlevy@levyemploymentlaw.com](mailto:tlevy@levyemploymentlaw.com)



# What to Expect When You Call HR...

## 4. Not every problem presents a ready solution

Some issues, such as a processing error, failure to provide proper explanation for a management decision, or terminable offenses, may present obvious and readily implementable solutions. But other problems may require evolutionary change. Bad managers cannot be improved overnight. Reassignments of tasks or people may require coordination among multiple groups.

Your HR contact may not be able to share with you all the behind-the-scenes machinations that are required to implement a particular solution, but be patient. Ask him/her when would be a reasonable interval for you to check back on progress toward a solution, and allow HR that time. If the outcome is taking longer than projected and you are not provided with a satisfactory explanation for the delay, then certainly you can escalate to a more senior level. Also, if you experience or witness further inappropriate conduct during the time the remedial measures are being implemented, promptly notify your HR contact – changing circumstances may warrant a change in approach.

## 5. Tell HR your desired outcome, but be reasonable

Exceptions to long-standing policies, large financial payouts, wholesale transfers and similar requests are rarely granted. But if you make a reasonable request, it helps frame the discussion of a resolution on terms that you can accept.

This article is provided for informational purposes only by Levy Employment Law, LLC. It does not comprehensively discuss the subjects referenced, and it is not intended and should not be construed as legal advice or rendering a legal opinion. This article may be considered attorney advertising in some jurisdictions.