# Problem-solving with your workers

Even in good workplaces, problems can arise that need to be sorted out between employers and workers. This fact sheet outlines some practical strategies, tools and information to help employers approach problem solving with their Aboriginal and Torres Strait Islander workers.

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

Problems can arise at any workplace. A problem exists when one or more people disagree about something and matters remain unresolved. Problems can be about:

* Pay and pay slips, including the amount workers are paid, how often they are paid, getting regulay pay slips and information on pay slips.
* Time off, including asking for and being paid for time off from work for annual leave, being sick, when a family member dies, or when a worker needs to attend sorry business.
* Training and apprenticeships, including 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 workers.

Aboriginal and Torres Strait Islander workers 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, or experience racism and discrimination. They might also find it hard to relate to other workers and/or their boss.

## How can workplace problems be resolved?

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 worker/s 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 Aboriginal and Torres Strait Islander workers.

**Responding to requests for leave**

Belinda owns a small clothing shop and her worker 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 Aboriginal and Torres Strait Islander workers 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 Aboriginal community member to learn about sorry business. Belinda now understands the importrance 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 workers, and keep your good workers.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 worker.
* Set a time to talk with the worker 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 worker to solve the problem together.
* Offer the worker your support. Your worker 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 Aboriginal liaison officer to get a better understanding.

## How about problems that can’t be resolved?

If you and your worker are unable to resolve 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 worker to write their problem down in a letter or email. Writing the problem down 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 worker to work through a problem together. Both you and your worker have to agree to mediate.
* 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 [www.fairwork.gov.au/help](http://www.fairwork.gov.au/help).

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

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