



Six factors to consider in case of job transfer

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If there are excess regular workers in a department as a result of our productivity improvement, how do we choose the right person or persons to be transferred to another department, if not a geographical assignment? Is there a basic formula to follow? — Yellow Submarine.

An elderly lady driving a big, new, expensive car was preparing to park into a vacant parking space in front of a convenience store when suddenly a young man in a small sports car zoomed in ahead of her. The old woman angrily asked why he had done that when he could tell she was trying to park there.

His response was simply “Because I’m young and I’m quick!”

The young man then entered the store. When he came back after few minutes, he found the woman using her big new car as a battering ram, backing up, and then ramming it into his car. He angrily asked the woman why she was wrecking his car. Her response was a classic:

“Because I’m old and can’t be put in jail. I’m also rich enough to do what I want. And I’m influential and powerful enough to get you into trouble!”

Transferring employees to another work assignment or location is a management prerogative. But management can’t simply argue that it has the absolute power to hire, transfer, or fire employees at whim, similar to what the old woman has done in our story.

The latest jurisprudence on this is the case of Chateau Royale Sports and Country Club, Inc. vs. Rachele Balba, et al. (G.R. No. 197492, Jan. 18, 2017): “(M)anagement has a wide discretion to regulate all aspects of employment, including the transfer and re-assignment of employees according to the exigencies of the business.”

However, this management prerogative is tempered only if and when “the transfer constitutes constructive dismissal when it is unreasonable, inconvenient or prejudicial to the employee, or involves a demotion in rank or diminution of salaries, benefits and other privileges, or when the acts of discrimination, insensibility or disdain on the part of the employer become unbearable for the employee, forcing him to forego (such) employment.”

In other words, management can’t transfer or re-assign if it is against the worker’s general interest. Some examples of illegal, immoral, and unethical work assignments include a transfer to 5D (dirty, difficult, dangerous, demeaning, and dehumanizing) jobs or transfer to a rebel-infested province that is hundreds of kilometers away from the worker’s family.

Therefore, to avoid any legal trouble, you are advised to be very careful in transferring workers to work assignments or location that would be inimical to their interest. To serve the

best interest of both the workers and the organization, it is best for you to consider the following factors:

1. Ask for volunteers who are willing to accept the job transfer. This is easier said than done. But unless, you try, you'll never know who are interested or not interested. On the other hand, you may be fortunate to know that there are people who are willing to try their luck in other departments for a change in work environment.

2. If there are no expected volunteers, make the transfer attractive. This can be done by offering cash or non-cash rewards to people to sweeten the offer. The cash may be in the form of a minimal, non-taxable monthly "disturbance" allowance or hazard pay, depending on the circumstances. The non-cash reward refers to "credit" related to one's performance review.

3. Implement a regular or routine job rotation program for everyone. This must be done on a corporate-wide basis. Otherwise, if job transfer is done once in a while, the employees may suspect it for some malevolent reasons. Therefore, the human resources department must be tasked to maintain an objective policy and parameter in implementing job rotation.

4. Sell the transfer as a pre-requisite for career advancement. It must be part of a multi-skilling program. The greater variety of jobs that employees have experienced, the better for them to secure the next available promotion as they're generally expected to have a bigger picture of what the company needs and may have established rapport with many people in the organization.

5. Choose the workers who are receiving the lowest pay package. When given the chance for career advancement, junior workers can be aggressive in accepting job transfers. They like the challenge if only to prove their worth to management, now and in the future and to log in more personal milestones.

6. Guarantee job security in all productivity improvement programs. Otherwise, management will have greater difficulty in attracting people to support, if not actively participate in similar quality and productivity improvement activities of the organization.

Every people manager wants to be liked by his workers. But sometimes, transferring people to work assignments that they don't like will often result in conflict. Although job transfers are clearly a management prerogative, it should not be used to oppress people.

And as I've explained in the preceding paragraphs, there are many ways to soften the blow of an unwanted job transfer.

ELBONOMICS: Job transfer is optional because corporate survival is not mandatory.