

HR Tips from Express



Employee Handbooks

An employee handbook, when properly crafted and enforced, is your first line of defense against employment-related litigation. At the same time, the handbook must provide employees with the information they need to know about your company. You can learn how to improve your employee handbook by reading and implementing these tips from Express Personnel Services. In addition, Express Personnel can create or review your employee handbook to ensure compliance with all employment laws and regulations, as well as clearly explain company policies and procedures to employees.

Purpose of an Employee Handbook

An employee handbook should be used as a communication tool to give workers general information about an organization's history, general principles of employment, operational policies, benefits and leave policies and general standards of conduct. It should set the tone for the employee-employer relationship by establishing basic ground rules for employee conduct and by serving as a point of reference for determining if company policies are applied equitably and consistently.

Although handbooks are a valuable tool to employers, they can also create legal problems if not properly crafted. As an employer, you must be careful that your handbook(s) do not contain policies that are overly protective or inconsistent with company practices or state and federal laws.

Handbook Policies

As a general rule, employers should avoid statements that could be interpreted as creating a contract or a guarantee of employment. Employers should also be careful with the language they use so that it does not lead to charges of discrimination or unfair labor practices.

Policy statements should mirror your actual management practices and present a consistent message regarding expectations throughout the organization. It is recommended that new policies be reviewed by an expert to ensure they meet legal requirements.

Handbook Acknowledgement

After creating or updating your employee handbook, it is important that you obtain a signed acknowledgement form from each employee attesting that they reviewed and understood the information in the handbook, agree that it does not create a contract guaranteeing continued employment, and understand that management has the right to alter the contents of the handbook at any time and for any reason. This signed form can help protect employers from employment lawsuits by proving that employees were made aware of workplace policies. Therefore, it is important for employers to retain a signed and dated acknowledgment form in each employee's personnel file.

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Tips for Avoiding Litigation

You can minimize your risk of employment litigation when drafting or revising your handbook by:

- Ensuring that policies are consistent with everyday management practices
- Including a statement that any new policy or handbook supersedes any previously issued verbal or written policies and handbooks
- Providing language that gives management the right to change, add or terminate policies or statements at any time
- Refraining from using language that distinguishes between probationary and permanent employment
- Including a clear statement, if applicable with state laws, that employment is at will and can be terminated by either party at any time, with or without cause or notice
- Being cautious with the language used if you choose to implement a progressive discipline plan or specific corrective action procedures
- Making sure that a disclaimer appears at the beginning of the handbook and in other applicable sections such as introductory periods, disciplinary procedures, etc.