

Employee handbooks: Guidance, consistency in staff policy

No matter how small your workforce, it's always smart to have an employee handbook.

"Once you have more than one employee, you want to ensure you are providing consistent information on policies and procedures," says Allison Grace, owner of Instant HR Solutions. "And you want to eliminate the repeated questions you may get on some issues,



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such as how many sick days people get, when people get paid, and when they are eligible for medical benefits."

Although there are sound legal reasons to have an employee handbook, practicality and usability are by far the biggest factors to consider.

"To be legally compliant with certain regulations, you need to have written policies on equal opportunity, sexual harassment and your disciplinary process," says Kenny Colbert, president of The Employers Association, a human resources consulting organization.

"But," Colbert adds, "I must admit that in 30 years in HR, I have never heard anyone ask about an EEO policy. But people ask all the time about vacation and sick leave policies, like 'Can I take my vacation in half-day increments?'"

That's why you need written policies. A handbook also provides guidelines to supervisors and managers to ensure a consistent application of company policies so all employees are treated equitably.

However, don't feel intimidated at the thought of creating a 50-page document. You don't need to go into that much detail, Colbert says.

"No one will read it. You want readability — to be compliant and protect yourself legally, but also be friendly, positive and full of useful information. So avoid using mandatory language or making the handbook just a set of rules. And you don't want it so rigid that it ties your hands when faced with unexpected or unusual situations."

Grace adds, "You can have extensive employee handbooks for large organizations that are considered traditional, as well as handbooks for smaller organizations that lay out the policies in a more fun format such as an 'A to Z Guide of Working at ABC Company' or 'Life at XYZ' that have more of a personality that's specific to the company."

Consultant Gloria Gibson, owner of Workplace Dynamics, agrees.

"Your handbook needs to reflect your workplace environment and culture and how you run your business. It's important that it be part of your brand, of what you are as a business."

Colbert suggests that detailed specifics of drug testing and other policies and a complete explanation of benefits be included in a master document kept in your HR department. But wherever it is kept, note the location in the employee hand-

book.

Keep in mind that the handbook does not have to be in hard copy. You can have it available online. However, to protect yourself, have every employee sign a statement that they have been told how to access the handbook. "It is their obligation to read it," Colbert says.

Grace says your handbook can be a series of short paragraphs less than 10 pages in length that highlight the important policies of the company. Colbert suggests a length of about 20-30 pages. But both agree you should not try to write your own handbook without professional assistance.

You can start the process yourself, however, with software programs that offer templates you can customize to fit your firm. You can buy them online or in bookstores for as little as \$100.

However, have an employment attorney or HR consultant review the handbook before you officially publish it. Some regulations vary by state, so you want to be sure you are in compliance with the appropriate ones. If you have employees in different states, you must comply with the regs in each location. Some regulations apply only when you reach a certain headcount; an HR consultant or an attorney can help you keep track.

There is also some language you want to avoid so that it does not restrict your ability to terminate people at will. For example, South Carolina courts have ruled that employee handbooks can constitute implied contracts.

"I've seen employers with handbooks that use the word 'permanent' to describe their regular, full-time employees, and 'employment contract' to refer to an offer letter," Grace says. "This language can threaten the 'employment at will' nature of your relationship with your employees and get you into heaps of trouble when you try to terminate an employee."

It is not enough, however, to just write an employee handbook explaining your policies. The handbook must be distributed, and the policies must be followed. Otherwise you have created legal liabilities for your company.

"The handbook should reflect what you are actually doing," Gibson says. "If you don't follow your written policies, you're better off not having a handbook."

You also need to have an HR professional review the content at least every two years, Colbert advises, because changes occur in both laws and trends.

The Employers Association offers a half-day class on creating employee handbooks that is open to members and non-members. The next class will be held Wednesday, Dec. 2, on West Arrowood Road. For more information, visit www.employersassoc.com.

Bea Quirk is a freelance writer in Charlotte who frequently covers the business community.