

The Importance of Employee Handbooks/Manuals



How or what can a public entity do to avoid the pit-falls inherent in public employment?

- Clearly and concisely document your entity's policies and procedures in an Employee Handbook. Avoid slang and ambiguous jargon.
- Include specific policies that address sexual harassment and discrimination in the Employee Handbook.
- Include a documented termination and grievance procedure.
- Require employees to sign a receipt of acknowledgement when they are given their copy of the Employee Handbook.

Why is this last bullet SO important?

One of the more effective risk management tools available to management in this area is to secure an acknowledgement of receipt from their employees when disseminating employee handbooks and/or departmental operating policies and procedures.

The simplest method of acknowledgement and most difficult for an employee to challenge is still to require a signed piece of paper. *Remember*, regardless of how information regarding employment and departmental policies and procedures is released to employees, employers must implement a tracking mechanism to confirm that every employee has been notified and received the information.

Five Things That Should Never Appear in an Employee Handbook

1. **“Permanent”**: This word is sometimes used to distinguish employees who have completed a work review or probationary period. However, this word should never be used to describe any employee. It severely weakens the doctrine of “at-will employment” and the idea that the employment relationship may be terminated at any time for any legal reason.
2. **“We do not pay overtime”**: If a non-exempt employee works overtime, he or she **MUST** be paid premium pay, regardless of the nonprofit's budgetary situation.
3. **The name of (or reference to) another organization**: The practice of copying another organization's policies and procedures is quite common and is not a bad idea – **As long as** you are committed to a thorough review of every line and word and adjust them to meet the needs of your organization.
4. **“And after the third violation...”**: The best handbooks afford management maximum discretion in determining the discipline that should be applied in a given instance. Better wording might be, “violation of this policy could result in discipline, up to and including termination.”
5. **“Confidentiality is assured”**: It is never appropriate to provide outright assurances of confidentiality when the nature of the matter may require that persons within the organization be informed of allegations or status of an investigation.