

HANDBOOK/ POLICY MASTER PROGRAM OUTLINE

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WELCOME TO _____

When interpreting the enforcement of this handbook and its various provisions, management will use its subjective judgment as it believes is most appropriate in order to run this organization as it feels is best. Each of the policies described in this manual will therefore be interpreted according to management's discretion and opinion.

As with all things, the circumstances of our operations and needs change from time to time, so the policies in this handbook will certainly change from time to time to meet these changing needs. In order to properly run this organization, management reserves the right to change its policies at anytime, with or without notice. **The information contained in this handbook is therefore intended to replace any similar policies issued previously.**

Therefore, it is each employee's responsibility to remain informed regarding the Company's most current policies. Policy changes will be posted _____ (state where these changes will be posted) as soon as practicable after these changes are adopted by management. Employees acknowledge that they are to check _____ every so often to see if any updates have been posted. Employees may also be notified of various changes by way of _____ when deemed appropriate by management. (List methods of contact.)

ABOUT THE COMPANY

MISSION STATEMENT

(Place Company Mission Statement Here) REMEMBER: SHORT, SWEET and to the POINT! Everyone in the organization should be able to repeat it verbatim.

EMPLOYMENT AT WILL

It is important to note that while this policy is an important one. Many courts have ruled that such policies can be "trumped" by the "promises" and "assurances" made by supervisors and managers under the legal parameters of "Promissory Estoppel." In other words, Promissory Estoppel arguments made by employees can easily trump this policy, thus rendering it worthless.

This is why companies need to consider either having their employees sign a "Confidentiality" contract that reiterates this statement above in order to overcome a Promissory Estoppel argument. Employers can also consider turning their Employment Application into a contract.

For more information on "Promissory Estoppel" and its dangerous consequences for employers, go to the "HR Forms" section of this Packet. There you will find a document entitled, "Employment Application 2010 PROMISSORY ESTOPPEL CASES."

I. EMPLOYMENT

- A. Background Checks**
- B. Employment Applications**
- C. Equal Employment Opportunity Policy**
- D. Employee Orientation Period**
- E. Employment of Minors**
- F. Employment Categories**
 - 1. Exempt and Non-exempt Employees**
 - 2. Full time Regular Employee**
 - 3. Part time Regular Employee**
 - 4. Temporary Employee**
 - 5. Pay Only Employee [Health Care Benefit Ineligible]**
- G. Hiring Relatives**
- H. Immigration and Employment Eligibility**
- I. New Employee Orientation**
- J. Resignation**

II. PROMOTIONS AND TRANSFERS

III. CONDUCT AND CONFLICT OF INTEREST ISSUES

- A. Conflict Of Interest With Other Organizations**
- B. Outside Employment**
- C. Personal Conduct**

IV. RECORDS

- A. Licensing Requirements**
- B. Performance Reviews**
- C. Personnel Information**

V. PAY ISSUES

- A. Call Time**
- B. Payday**
- C. Direct Deposit**
- D. Payroll Deductions**

“Safe Harbor” For Damages Under The Salary Test

If employers err and make an impermissible deduction from their salaried employees' wages under the Salary Test, the regulations allow employers an opportunity to correct this error without invalidating their employees' exempt status. The regulations allow employers to correct an isolated impermissible deduction from any salaried employees' pay if the following requirements are met:

1. The employer has a clearly communicated policy in place that prohibits improper deductions from an employee's pay,
2. This policy includes a clear complaint process,
3. The employer reimburses the employee and
4. The employer makes a good faith commitment to comply in the future.

- E. Overtime**
- F. Shift Differentials**
- G. Time-Keeping for Payroll**
- H. Workweek**

- I. Pay Advances**
- J. Hours of Work**
- K. Money Owed During Employment**
- L. Money Owed at Termination**
- M. Referral Bonuses**

VI. FRATERNIZATION AND HARASSMENT

- A. Fraternalization**
- B. Prohibited Harassment**
 - 1. Harassment in General**
 - 2. Sexual Harassment**
 - 3. Reporting Harassment or Bullying**
 - 4. Retaliation**

VII. MEDICAL LEAVE OF ABSENCES ALLOWED

- A. Medical Leave of Absence In General**
- B. Who is Eligible?**
- C. Requesting and Certifying Need For Medical Leave**
- D. How Much Leave Is Available?**
- E. Use of Accrued Paid Leave**
- F. Benefits During Leave**
- G. Return to Position**
- H. Failure to Return to Work**
- I. Fit To Return To Work Certificates**
- J. Working While On Leave**
- K. Notice of Return to Work**

VIII. WORKERS' COMPENSATION LEAVE

IX. FMLA LEAVE POLICY (Only applies to employers with 50 or more employees for 20 or more weeks in either this year or the previous year.)

A. Family and Medical Leave Act of 1993

- 1. General FMLA Coverage Information**
- 2. Coordination of FMLA Leave and Holidays**
- 3. Military Provisions**
- 4. Notice and Certification**
- 5. Call-Offs Under The FMLA and Notice of Return to Work**
- 6. Light Duty**
- 7. Paid or Unpaid Leave**
- 8. Restoration to Position**
- 9. Temporary Transfers**
- 10. Maintenance of Health Benefits**
- 11. Requests for Family and Medical Leave**
- 12. Coordination With Other Leaves**
- 13. Failure to Return to Work**
- 14. Key Employees**

X. MILITARY LEAVE

A. Uniformed Services Employment and Reemployment Rights Act (USERRA)

B. Other Military Leave (For OHIO employers with 50 or more employees)

XI. TIME OFF

- A. Absenteeism**
- B. Tardiness**
- C. Supervisor Notification**
- D. Bereavement Leave**
- E. Emergency Closings**
- F. Holiday Policy**
- G. Floating Holidays**
- H. Jury Duty**
- I. Medical and Dental Appointments**
- J. Sick Time**
- K. Vacation Benefits**
- L. Voting Time**
- M. Witness Duty**

XII. INSURANCE PROGRAMS

- A. Alteration of Company Sponsored Benefit Programs**
- B. Change In Family Status: 30-Day Notice Period for Changing Benefits**
- C. Group Insurance Benefits In General**
- D. Disability Insurance**
- E. Employee Assistance Program**
- F. Group Life Insurance Benefits**
- G. Optional Benefits**
- H. Section 125 “Cafeteria” Based Plans**

- I. Social Security**
- J. Unemployment Insurance**

XIII. EMPLOYEE TRAINING AND DEVELOPMENT

- A. Educational Assistance**
- B. Testing Out Of A Class**
- C. Continuing Education Courses**

XIV. COMPANY EQUIPMENT

- A. Company and Personal Property, Equipment, Tools and Uniforms**
- B. Data Systems Policy**
 - 1. Monitoring Employee Data Electronic Messages Are Never Deleted**
 - 2. Access To Data Systems and Passwords**
 - 3. Data Confidentiality**
 - 4. Equipment**
 - 5. Proper Use of Data Systems**
 - 6. E-Mail**
 - 7. Telephone Use**
 - 8. No “Spoofing” Allowed**
 - 9. No “Spamming” Allowed**
 - 10. Internet Use**
 - 11. Trade Secrets and Confidential Information**
 - 12. Copyrighted Material**
 - 13. Software**
 - a) General Policy**
 - b) Licensed Software**

- c) **Purchasing Software**
- d) **Registering Software With The Company**
- e) **Installation of Software**
- f) **Shareware**
- g) **Home Computers**
- h) **Penalties and Reprimands for Software and Copyright Violations**

14. Virus Watch

15. Network Connectivity and Integrity

16. Reporting Problems

17. Reservation of Rights for the Company Only

C. Personal Mail

D. Telephone Etiquette

XV. SOCIAL NETWORKING

XVI. DRESS CODE

A. Appearance In General

B. Visiting Office Dress Code

XVII. MISCELLANEOUS ISSUES

A. Break Periods

B. Breast Feeding

C. Bulletin Boards

D. Business Travel Expenses

E. Endorsements

F. Flowers

- G. Food**
- H. Identification Badges And Building Access**
- I. Meal Periods and Breaks**
- J. Personal Property**
- K. Parking**
- L. Solicitation and Distribution of Materials**
- M. Smoking and Tobacco (Not legal in states like Kentucky and North Carolina)**
- N. Tips**
- O. Use Of Telephones And Cellular Telephones**
- P. Telephone Courtesy**
- Q. Use Of Company Premises, Property And Materials**
- R. Visitors in the Workplace**
- S. Confidentiality**

XVIII. WORKPLACE SAFETY

- A. Safety In General**
- B. Hazardous Chemicals and Your Right to Know**
- C. Reporting Accidents**
- D. Workers' Compensation**
- E. Safety and Uniforms**
- F. Violence in the Workplace**
- G. Weapons**
- H. Right To Search and Privacy Expectations**

XIX. RULES AND GUIDELINES

- A. Company Rules**
- B. Addressing Grievances**
- C. Post-Termination Hearing (Public Sector Employers)**